

State of Iowa

1971

JOURNAL OF THE SENATE

SIXTY-FOURTH GENERAL ASSEMBLY FIRST REGULAR SESSION



Convened January 11, 1971

Adjourned June 19, 1971

ROBERT D. RAY, Governor
ROGER W. JEPSEN, President of the Senate
WILLIAM H. HARBOR, Speaker of the House

Published by the
STATE OF IOWA
Des Moines

SIXTY-FOURTH GENERAL ASSEMBLY

OFFICERS OF THE SENATE

ROGER W. JEPSEN, President.....	Davenport
VERNON H. KYHL, President Pro Tempore.....	Parkersburg
CLIFTON C. LAMBORN, Majority Floor Leader.....	Maquoketa
CHARLES F. BALLOUN, Assistant Majority Floor Leader.....	Toledo
LUCAS J. DEKOSTER, Assistant Majority Floor Leader.....	Hull
LEE H. GAUDINEER, JR., Minority Floor Leader.....	Des Moines
JAMES F. SCHABEN, Assistant Minority Floor Leader.....	Dunlap
C. JOSEPH COLEMAN, Senate Minority Whip.....	Clare
CARROLL A. LANE, Secretary of the Senate.....	Carroll
RUTH E. FISHER, Assistant Secretary of the Senate.....	Des Moines
PAUL A. ROMANS, Law and Reading Clerk.....	Des Moines
DAN J. O'BRIEN, Reading Clerk.....	Des Moines
DOROTHY F. NEPSTAD, Journal Clerk.....	Des Moines
ROBERTA HICKERSON, Assistant Journal Clerk.....	Des Moines
ARDITH B. MARTIN, Engrossing Clerk.....	Des Moines
JOYCE ANN JOHNSON, Secretary to the Lieutenant Governor.....	Des Moines
K. MARIE THAYER, Secretary to the Secretary	Ankeny
COLLEEN DILLON, Secretary and Rolling Clerk.....	Des Moines
DOROTHY E. HOHNBAUM, Supply and Secretary's Clerk.....	Grimes
MARY ANN ABBOTT, Payroll Clerk.....	Des Moines
BEVERLY B. DUNN, Special Clerk.....	Des Moines
MARILYN MAY OVERTURFF, General Clerk.....	Altoona
KEVIN ALBRIGHT, Control Board Operator	Sioux City
NOLA CARYLL WILBUR, Bill Clerk.....	Indianola
MICHAEL T. SHEEHAN, Assistant Bill Clerk.....	Humboldt
ROMAYNE HUFFMAN, Sergeant-at-Arms.....	Carroll
R. K. SHAWHAN, Assistant Sergeant-at-Arms.....	Des Moines
JOHN NELSON, Assistant Sergeant-at-Arms.....	Jewell
BYRON MARSHALL, Chief Doorkeeper	Indianola
MARY BALLOUN, Postmistress	Toledo

ELECTIVE OFFICERS

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ELECTIVE STATE OFFICERS

Official Address, Des Moines, Iowa

Name	Title	Residence
Robert D. Ray	Governor	Des Moines
Roger W. Jepsen	Lieutenant Governor	Davenport
Melvin D. Synhorst	Secretary of State	Des Moines
Lloyd R. Smith	State Auditor	Des Moines
Maurice E. Baringer	Treasurer of State	Oelwein
L. B. Liddy	Secretary of Agriculture	Keosauqua
Richard C. Turner	Attorney General	Council Bluffs
C. Edwin Moore	Chief Justice of the Supreme Court	Des Moines
Robert L. Larson*	Justice of the Supreme Court	Iowa City
William C. Stuart	Justice of the Supreme Court	Chariton
Maurice E. Rawlings	Justice of the Supreme Court	Sioux City
Michael L. Mason	Justice of the Supreme Court	Mason City
Francis H. Becker	Justice of the Supreme Court	Des Moines
Clay LeGrand	Justice of the Supreme Court	Davenport
Warren J. Rees	Justice of the Supreme Court	Anamosa
Harvey Uhlenhopp	Justice of the Supreme Court	Hampton
W. W. Reynoldson**	Justice of the Supreme Court	Osceola

*Retired April 1, 1971

**Effective May 1, 1971

MEMBERS OF THE SENATE—SIXTY-FOURTH GENERAL ASSEMBLY—FIRST REGULAR SESSION (1971)

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SENATORS

Name	Address	Age	Occupation	Dist.	Counties Composing District	Former Legislative Service
*Anderson, Quentin V.	Beaconsfield.	38	Farmer, Businessman	48	Ringgold, Union, Decatur, Wayne, Appanoose.	60, 60X, 61, 63
*Arbuckle, R. Dean	Jefferson	44	Businessman	28	Greene, Boone, Guthrie	63
Balloun, Charles F.	Toledo	66	Farmer	21	Tama, Benton, Black Hawk	59, 60, 60X, 61, 62, 63
Bass, Earl G.	Malvern	55	Farmer, Grain Dealer	41	Mills, Page, Fremont, Montgomery	63(2-S)
*Briles, James E.	Corning	44	Auctioneer, Real Estate	42	Adams, Cass, Audubon, Adair, Taylor	56, 58, 59, 60, 60X, 61, 62, 63
*Brownlee, S. J.	Emmetsburg	43	Farm Management	8	Palo Alto, Buena Vista, Pocahontas, Clay, O'Brien	63(2-S)
Carlson, Reinhold O.	Des Moines	65	Savings and Loan Exec.	29	Polk	None
*Coleman, C. Joseph	Clare	47	Farmer	15	Webster, Calhoun	57, 58, 59, 60, 60X, 61, 62, 63
*Conklin, W. Charlene	Waterloo	41	Housewife	20	Black Hawk	62, 63
*Curran, Leigh R.	Mason City	64	Farmer, Businessman	9	Cerro Gordo, Franklin	59, 60, 60X, 62, 63
Davis, Wilson L.	Keokuk	53	Engineer, Contractor	50	Lee, Van Buren	63(2-S)
*DeKoster, Lucas J.	Hull	52	Lawyer, Insurance Agent	1	Sioux, Lyon, Plymouth	61, 62, 63
*Doderer, Minnette F.	Iowa City	47	Legislator	35	Johnson	60, 60X, 61, 62, 63
Erskine, Alden J.	Sioux City	69	Automotive Business	12	Woodbury	62, 63
*Gaudineer, Lee H., Jr.	Des Moines	38	Lawyer	32	Polk	61, 62, 63
Gilley, Floyd	Maynard	68	Retired Farmer	7	Fayette, Allamakee, Winneshiek	63
Glenn, Gene W.	Ottumwa	42	Lawyer	49	Wapello, Davis	61, 62, 63
Graham, J. Wesley	Ida Grove	68	Farm Manager	13	Ida, Cherokee, Sac, Calhoun	59, 60, 60X, 61, 62, 63
*Griffin, James W., Sr.	Council Bluffs	35	Insurance Executive	40	Pottawattamie	63
†Gross, G. William	Sioux City	41	Pharm. Products Salesman	11	Woodbury	None
Hill, Eugene M.	Newton	57	Farmer	34	Jasper, Iowa, Poweshiek	58, 59, 60, 60X, 61, 62, 63
*Keith, Wayne D.	Algona	62	Businessman, Farmer	3	Kossuth, Emmet, Humboldt	63
Kennedy, Gene V.	Dubuque	63	Owner Priv. Det. Agency	26	Dubuque, Allamakee, Clayton	63
*Kyh, Vernon H.	Parkersburg	62	Auto Dealer	5	Butler, Mitchell, Floyd	60, 60X, 61, 62, 63
Lamborn, Clifton C.	Maquoketa	51	Contractor	24	Jackson, Jones, Delaware	62, 63
*Laverty, Charles O.	Indianola	54	Farmer, Agri-Business	47	Warren, Marion, Monroe	63
Messery, Francis L.	Cedar Falls	56	Investment Management	19	Black Hawk	59, 60, 60X, 61, 62, 63
Miller, Charles P.	Burlington	52	Chiropractor	46	Des Moines, Louisa	60, 60X, 61, 62, 63
*Milligan, George F.	Des Moines	36	Banker	31	Polk	63
*Mowry, John L.	Marshalltown	64	Lawyer	18	Marshall, Grundy	57, 58, 59, 60, 60X, 62, 63
Neu, Arthur A.	Carroll	37	Lawyer	14	Carroll, Crawford, Monona	62, 63
Nicholson, Edward E.	Davenport	66	Livestock Feeder	38	Scott	63
*Ollenburg, H. L.	Garnet	59	Bank President	4	Hancock, Winnebago, Worth, Wright, Cerro Gordo	63
*Palmer, William D.	Des Moines	35	Pres. Insurance Agency	30	Polk	61, 62, 63
Potgeter, James A.	Steamboat Rock	40	Grain Dealer	16	Hardin, Hamilton, Wright, Franklin	62, 63
*Potter, Ralph W.	Marion	50	Real Estate Broker	10	Linn, Buchanan, Delaware	63
Rabedeaux, W. R.	Wilton Junction	51	Pres. Pub. Co., Dir. Power Co.	36	Cedar, Muscatine, Scott	63(2-S)
Rhodes, John C.	Chariton	41	Administrator Food Stores	43	Lucas, Dallas, Madison, Clarke	None
Riley, Tom	Cedar Rapids	41	Lawyer	23	Linn	59, 60, 60X, 61, 62
†Robinson, Cloyd E.	Cedar Rapids	32	Food Company Employee	22	Linn	None
Schaben, James F.	Dunlap	44	Livestock Auction Mkt. Oper.	27	Harrison, Shelby, Pottawattamie	62, 63

MEMBERS OF THE SENATE—SIXTY-FOURTH GENERAL ASSEMBLY—FIRST REGULAR SESSION (1971)
Continued

Name	Address	Age	Occupation	Dist.	Counties Composing District	Former Legislative Service
Shaff, Roger J.	Camanche	60	Farmer	37	Clinton	62, 63
Shawver, George L.	Fredericksburg	53	Contractor	6	Chickasaw, Bremer, Howard	None
*Smith, Marvin W.	Paullina	69	Retired Farmer, Teacher	2	O'Brien, Osceola, Dickinson, Clay, Lyon	57, 58, 59, 60, 60X, 61, 62, 63
Stephens, Richard L.	Crawfordsville	66	Farmer, Livestock Producer	45	Washington, Jefferson, Henry	57, 58, 59, 60, 60X, 61, 62, 63
§Sullivan, Charles K.	Sioux City	62	Business Executive	11	Woodbury	62, 63
Tapscott, John E.	Des Moines	40	Ins., Securities, Real Estate	33	Polk	62, 63
*Thordsen, Harold A.	Davenport	61	Real Estate Broker	39	Scott	62, 63
Van Drie, Rudy	Ames	39	Publisher	17	Story, Jasper	62, 63
*Van Gilst, Bass	Oskaloosa	59	Farm Owner, Operator	44	Mahaska, Keokuk, Iowa, Monroe	61, 62, 63
Walsh, John M.	Dubuque	30	Dept. Store Manager	25	Dubuque	62, 63

*Holdover.

†Elected March 8, 1971, to fill vacancy.

‡Elected during interim to fill vacancy.

§Deceased February 13, 1971.

(2-S) Indicates second regular session.

SENATORS

MEMBERS OF THE HOUSE—SIXTY-FOURTH GENERAL ASSEMBLY—FIRST REGULAR SESSION (1971)

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Name	Address	Age	Occupation	Representative District	Former Legislative Service
Alt, Don D.	West Des Moines	54	Savings and Loan Executive	61st—Polk	63
Anania, Samuel F.	Des Moines	49	Barber Shop Owner	65th—Polk	None
Andersen, Leonard C.	Sioux City	59	Realtor, Insurance	23rd—Woodbury	59, 60, 60X, 62, 63
Bennett, Vernon N.	Des Moines	34	Business Rep. for Union	59th—Polk	62, 63
Bergman, Irvin L.	Harris	59	Farmer	3rd—Lyon-Dickinson-Osceola	62, 63
Blouin, Michael T.	Dubuque	25	Teacher	49th—Dubuque	63
Bray, Daniel L., Jr.	Davenport	23	Law Student	77th—Scott	None
Camp, John	Bryant	55	Agriculture, Business	73rd—Clinton	58, 59, 60, 60X, 62, 63
Campbell, Herbert L.	Washington	60	Farmer	89th—Henry-Jefferson-Washington	63
Christensen, Perry L.	Kent	38	Farmer	95th—Decatur-Ringgold-Union	62, 63
Clark, John H.	Keokuk	24	Insurance Agent	100th—Lee	None
Cochran, Dale M.	Eagle Grove	42	Farmer	29th—Calhoun-Webster	61, 62, 63
Curtis, Warren E.	Cherokee	56	Accountant	25th—Cherokee-Ida	None
Den Herder, Elmer	Sioux Center	62	Realtor	1st—Sioux-Lyon	57, 58, 59, 60, 60X, 61, 62, 63
Dougherty, Tom	Albia	60	Farmer	94th—Marion-Monroe	60X, 61, 63
Doyle, Donald V.	Sioux City	45	Lawyer	21st—Woodbury	57, 58, 61, 63
Drake, Richard F.	Muscatine	43	Farmer	71st—Muscatine	63
Dunton, Keith H.	Thornburg	55	Farmer, Businessman	88th—Iowa-Keokuk	58, 59, 60, 60X, 61, 62, 63
Edelen, Rollin C.	Estherville	62	Business Manager	5th—Emmet-Kossuth	None
Egenes, Sonja	Story City	40	Housewife	33rd—Story	None
Ellsworth, Theodore R.	Dubuque	52	Insurance	50th—Dubuque	63
Ewell, Vernon A.	Waterloo	33	Teacher	39th—Black Hawk	63
Fischer, Harold O.	Wellsburg	53	Insurance, Realtor	35th—Grundy-Marshall	58, 59, 60, 60X, 61, 62, 63
Fisher, C. Raymond	Grand Junction	63	Farmer	56th—Greene-Guthrie	58, 59, 60, 60X, 61, 62, 63
Franklin, A. June	Des Moines	40	Administrative Assistant	64th—Polk	62, 63
Freeman, Dennis L.	Storm Lake	31	Insurance Salesman	15th—Buena Vista-Clay-O'Brien	63
Gluba, William E.	Davenport	28	College Admissions Counselor	76th—Scott	None
Goode, Dewey E.	Bloomfield	72	Retired	98th—Davis-Wapello	45, 45X, 46, 46X, 47, 48, 49, 50, 50X, 53, 54, 55, 56, 57, 59, 60, 60X, 63
Grassley, Charles E.	New Hartford	37	Farmer	10th—Butler-Floyd	58, 59, 60, 60X, 61, 62, 63
Hamilton, Howard A.	Tipton	61	District Insurance Manager	72nd—Cedar-Muscatine-Scott	63
Hansen, Willard	Cedar Falls	39	Insurance Executive	37th—Black Hawk	63
Harbor, William H.	Henderson	50	Grain Elevator Owner	81st—Mills-Montgomery-Page	56, 57, 58, 62, 63
Hill, Philip B.	Des Moines	39	Lawyer	62nd—Polk	None
Holden, Edgar H.	Davenport	56	Real Estate Broker	75th—Scott	62, 63
Husak, Emil J.	Toledo	40	Farmer	41st—Black Hawk-Tama	None
Jesse, Norman	Des Moines	33	Lawyer	58th—Polk	63

REPRESENTATIVES

MEMBERS OF THE HOUSE—SIXTY-FOURTH GENERAL ASSEMBLY—FIRST REGULAR SESSION (1971)
Continued

Name	Address	Age	Occupation	Representative District	Former Legislative Service
Johnston, Joseph C.	Iowa City	32	Lawyer, Accountant	70th—Johnson	63
Kehe, Luvern W.	Waverly	60	Engineer, Contractor	12th—Bremer-Chickasaw	63
Kelly, E. Kevin	Sioux City	27	Lawyer	22nd—Woodbury	None
Kennedy, Michael K.	New Hampton	31	Lawyer	11th—Chickasaw-Howard-Winneshek	63
Kinley, George R.	Des Moines	33	Self Employed	66th—Polk	None
Knoblauch, Charles E., Sr.	Carroll	48	Chamber of Commerce Manager	28th—Carroll-Crawford	63
Knoke, George J.	Council Bluffs	40	Lawyer	79th—Pottawattamie	None
Kreamer, Robert M.	Des Moines	29	Attorney	63rd—Polk	63
Kruse, Walter W. P.	Sheldon	66	Farmer, Insurance	4th—Clay-O'Brien	63
Larson, Larry N.	Ames	34	Grocer	34th—Jasper-Story	None
Lawson, Murray C.	Mason City	47	Printing Firm Owner	17th—Cerro Gordo	63
Lipsky, Joan	Cedar Rapids	51	Housewife	46th—Linn	62, 63
Logemann, Kenneth L.	Northwood	33	Farmer	7th—Cerro Gordo-Worth-Winnebago	63 (2-S)
Mayberry, D. Vincent	Fort Dodge	54	Poultry Processor	30th—Webster	61, 62, 63
McCormick, Harold C.	Manchester	60	Furniture Store Owner	48th—Delaware-Jones	63
McElroy, Lillian	Percival	53	Housewife	82nd—Fremont-Page	None
Mendenhall, John C.	New Albin	66	Retired	13th—Allamakee-Winneshek	63
Menefee, Maynard	Fayette	63	Farmer	19th—Fayette	63
Middleswart, James I.	Indianola	58	Agriculture	93rd—Warren-Marion	62, 63
Millen, Floyd H.	Farmington	50	President Gravel Company	99th—Lee-Van Buren	60, 60X, 61, 62, 63
Miller, Elizabeth R.	Marshalltown	65	Housewife	36th—Marshall	63
Moffitt, Delmont	Mystic	59	Farmer and Farm Manager	96th—Appanoose-Decatur-Wayne	59, 60, 60X, 62
Mollett, Henry C.	Council Bluffs	32	President Janitorial Service	80th—Pottawattamie	None
Monroe, W. R. (Bill), Jr.	Burlington	32	Pharmacist	92nd—Des Moines	None
Nielsen, Alfred	Defiance	68	Farmer	53rd—Harrison-Shelby	60, 60X, 61, 62, 63
Norpel, Richard J., Sr.	Bellevue	52	Insurance Agent	52nd—Jackson-Jones	None
Nystrom, John N.	Boone	37	Auto Dealer	55th—Boone	None
Patton, John W.	Aurora	65	Farmer	20th—Buchanan-Delaware	61, 62
Pellett, Wendell C.	Atlantic	53	Farmer	83rd—Audubon-Cass	None
Pelton, Charles H.	Clinton	30	Attorney	74th—Clinton	62, 63
Pierson, George N.	Oskaloosa	66	Farmer	87th—Keokuk-Mahaska-Monroe	62, 63
Priebe, Berl E.	Algona	52	Farmer	6th—Kossuth-Humboldt	63
Radl, Richard M.	Lisbon	59	Manufacturer	43rd—Linn	61, 62, 63
Rex, Clyde	Ellsworth	48	Farmer	31st—Hamilton-Wright	63
Rodgers, Norman G.	Adel	43	Grocer, Farmer	85th—Dallas-Madison	63
Roorda, Norman	Monroe	42	Farmer	67th—Jasper	62, 63
Sargisson, Hallie	Salix	63	Housewife	24th—Woodbury	None
Schmeiser, Lloyd F.	Burlington	49	Farmer	91st—Des Moines-Louisa	63
Schroeder, Laverne W.	McClelland	37	Farmer	54th—Harrison-Pottawattamie	62, 63

MEMBERS OF THE HOUSE—SIXTY-FOURTH GENERAL ASSEMBLY—FIRST REGULAR SESSION (1971)
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Name	Address	Age	Occupation	Representative District	Former Legislative Service
Schwartz, James H.	Ottumwa.	42	Insurance.	97th—Wapello.	63
Schwieger, Barton L.	Waterloo.	29	Lawyer.	40th—Black Hawk.	None
Scott, Kenneth D.	Thornton.	40	Farmer, Real Estate.	18th—Franklin-Cerro Gordo.	None
Shaw, Elizabeth.	Davenport.	47	Lawyer, Housewife.	78th—Scott.	62, 63
Siglin, Marion D.	Lucas.	60	Farmer.	88th—Clarke-Lucas-Madison.	60
Skinner, Ed.	Altoona.	34	Attorney.	60th—Polk.	63
Small, Arthur A., Jr.	Iowa City.	36	Business Executive, Educator.	69th—Johnson.	None
Sorg, Nathan.	Marion.	60	Pharmacist.	47th—Linn.	62, 63
Stanley, Ivor W.	Cedar Rapids.	46	Executive Industrial Supplies.	45th—Linn.	None
Stokes, A. Gordon.	Le Mars.	70	Farmer.	2nd—Plymouth-Sioux.	59, 60, 60X, 61, 62, 63
Strand, Clair.	Grinnell.	60	Retired.	68th—Iowa-Jasper.	62, 63
Stromer, Delwyn.	Garner.	40	Farmer.	Poweshiek.	62, 63
Strothman, Charles F.	New London.	69	Farmer.	8th—Hancock-Wright.	62, 63
Taylor, Raymond J.	Dubuque.	34	Maintenance-Construction.	90th—Henry-Jefferson.	60, 60X, 61, 62, 63
Tieden, Dale.	Elkader.	48	Farmer.	51st—Dubuque.	None
Trowbridge, Delbert L.	Charles City.	67	Farmer, Real Estate.	14th—Allamakee-Clayton.	61, 62, 63
Urban, Charles J.	Waterloo.	49	Oil Distributor.	9th—Floyd-Mitchell.	None
Varley, Andrew.	Stuart.	35	Farmer.	38th—Black Hawk.	61
Waugh, Jewell O.	Whiting.	60	Farmer.	84th—Adair-Adams-Taylor.	62, 63
Welden, Richard W.	Iowa Falls.	62	Contractor.	27th—Crawford-Monona.	62, 63
Wells, James D.	Cedar Rapids.	42	Food Company Employee.	32nd—Franklin-Hardin.	62, 63
Willits, Earl M.	Des Moines.	24	Teacher.	44th—Linn.	63
Winkelman, William P.	Lohrville.	37	Farmer, Businessman.	57th—Polk.	None
Wirtz, James E.	Emmetsburg.	27	Insurance, Real Estate.	26th—Calhoun-Sac.	60, 60X, 61, 62, 63
Wyckoff, Russell L.	Vinton.	45	Farmer.	16th—Palo Alto-Pocahontas.	None
				42nd—Benton-Black Hawk.	None

REPRESENTATIVES

JOURNAL OF THE SENATE

OPENING DAY First Regular Session

SENATE CHAMBER
DES MOINES, IOWA, MONDAY, JANUARY 11, 1971

Pursuant to section 2.2, chapter 2, Code of Iowa, the Sixty-fourth General Assembly convened at 10:00 o'clock a.m., and was called to order by Lieutenant Governor Roger W. Jepsen.

Prayer was offered by the Reverend Ronald J. Lavin, pastor of St. Paul's Lutheran Church, Davenport, Iowa.

The Senate pledged allegiance to the flag.

TEMPORARY OFFICERS

Senator Lamborn moved that the following be elected temporary officers of the Senate:

Carroll A. Lane, Temporary Secretary
Dorothy Nepstad, Temporary Journal Clerk
Romayne Huffman, Temporary Sergeant-at-Arms

The motion prevailed and the above named temporary officers appeared before the desk of the President and took their respective oaths of office.

PETITIONS

The following petitions were presented and placed on file:

By Senator Potgeter, from nine residents of Grundy County opposing liberalization of the Iowa abortion law.

By Senator Potgeter, from fifty-three residents of Hamilton County opposing legislation to legalize the sale of marijuana.

RESOLUTION

Senator Potgeter presented resolutions from the city councils of Eldora and Stratford which read as follows:

Whereas, the City Council has been and is deeply concerned with the increasing problems of financing the provision of government services in the State of Iowa, and

Whereas, the primary reliance of county, school, city and town governments on property tax revenues has resulted in an undue property tax burden, and

Whereas, in an increasing number of Iowa communities local property taxes are approaching the confiscatory level and are in fact equal to a 52 percent sales tax on housing, and

Whereas, there is a demonstrated need for additional revenue to adequately finance local governments, and

Whereas, we as elected representatives of our community recognize that the solution to city and town government revenue problems cannot be developed without due consideration to county and school financing problems, and

Whereas, a number of alternate solutions to those problems have been considered,

Now, Therefore, Be It Resolved, that the City Council wholeheartedly supports the following legislative proposal adopted by the League of Iowa Municipalities at its duly convened annual meeting, September 18, 1970:

1. A statewide one cent sales and service tax increase to be collected at the state level and distributed to cities and towns and to the counties on a per capita basis.

2. A state program to support the increased use of the statewide income tax to support local school costs and to relieve the pressures on property taxes.

Be It Further Resolved, that copies of this resolution be forwarded to those seeking to represent our community at the state level and their support of these measures be requested.

COMMITTEE ON CREDENTIALS

Senator Lamborn moved that a committee of five be appointed as a committee on credentials.

The motion prevailed and the Chair appointed as such committee Senators DeKoster, Griffin, Curran, Van Gilst and Coleman.

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

REPORT OF COMMITTEE ON CREDENTIALS

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

CERTIFICATION STATE OF IOWA

Office of
THE SECRETARY OF STATE

TO THE HONORABLE, THE SECRETARY OF THE SENATE:

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

DO HEREBY CERTIFY, that the State Canvassing Board has declared that at the General Election held November 5, 1968, each of the following named persons was duly elected to the office of State Senator for the term of four years which began on January 2, 1969. (The following districts are those which were established by chapter 89, Acts of the First Session, Sixty-third General Assembly.)

District	
First	Lucas J. DeKoster
Second	Marvin W. Smith
Third	Wayne Keith
Fourth	H. L. Ollenburg
Fifth	Vernon H. Kyhl
Seventh	Floyd Gilley
Ninth	Leigh R. Curran
Tenth	Ralph W. Potter
Eleventh	Charles K. Sullivan
Fifteenth	C. Joseph Coleman
Eighteenth	John L. Mowry

District	
Twentieth	W. Charlene Conklin
Twenty-eighth	Dean Arbuckle
Thirtieth	William D. Palmer
Thirty-second	Lee H. Gaudineer, Jr.
Thirty-fifth	Minnette Doderer
Thirty-ninth	Harold A. Thordsen
Fortieth	James W. Griffin, Sr.
Forty-second	James E. Briles
Forty-fourth	Bass Van Gilst
Forty-seventh	Charles O. Laverty
Forty-eighth	Quentin V. Anderson

I FURTHER CERTIFY that the State Canvassing Board has declared that at a Special Election held on October 28, 1969, S. J. Brownlee was duly elected to the office of State Senator for the Eighth District to fill a vacancy in a four year term which began on the second day of January, 1969. (The Eighth District designation was established by Chapter 89, Acts of the First Session, Sixty-third General Assembly.)

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

DO HEREBY CERTIFY that the State Canvassing Board has declared that at the General Election held November 3, 1970, each of the following named persons was duly elected to the office of State Senator for the term of four years beginning on the second day of January, 1971.

District	
Sixth	George L. Shawver
Twelfth	Alden J. Erskine
Thirteenth	J. Wesley Graham
Fourteenth	Arthur A. Neu
Sixteenth	James A. Potgeter
Seventeenth	Rudy Van Drie
Nineteenth	Francis Messerly
Twenty-first	Charles F. Balloun
Twenty-second	J. Donald Weimer
Twenty-third	Tom Riley
Twenty-fourth	Clifton Lamborn
Twenty-fifth	John M. Walsh
Twenty-sixth	Gene V. Kennedy
Twenty-seventh	James F. Schaben

District	
Twenty-ninth	Reinhold O. Carlson
Thirty-first	George F. Milligan
Thirty-third	John Tapscott
Thirty-fourth	Eugene M. Hill
Thirty-sixth	W. R. Rabedeaux
Thirty-seventh	Roger J. Shaff
Thirty-eighth	Edward E. Nicholson
Forty-first	Earl Bass
Forty-third	John C. Rhodes
Forty-fifth	Richard L. Stephens
Forty-sixth	Charles P. Miller
Forty-ninth	Gene W. Glenn
Fiftieth	Wilson L. Davis

I FURTHER CERTIFY that Governor Robert D. Ray issued a Writ of Election dated December 29, 1970, proclaiming and directing "that a special election be held on Monday, January 11, 1971, within the 22nd Senatorial District, consisting of Linn County, Iowa, for the purpose of filling the vacancy in the office of State Senator in said District created by the resignation of Senator J. Donald Weimer."

(Seal)

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Secretary of State at the Capitol, in Des Moines, this eleventh day of January, A. D. 1971.

MELVIN D. SYNHORST, Secretary of State
 LUCAS J. DeKOSTER, Chairman
 C. JOSEPH COLEMAN
 LEIGH R. CURRAN
 JAMES W. GRIFFIN, SR.
 BASS VAN GILST

On motion of Senator DeKoster, the report was adopted and the following reelected Senators appeared before the bar of the Senate and were duly sworn and subscribed their names to the oath of office:

Charles F. Balloun
 Earl G. Bass
 Wilson L. Davis
 Alden J. Erskine
 Gene W. Glenn
 Eugene M. Hill
 Clifton C. Lamborn
 Francis L. Messerly

Arthur A. Neu
 Edward E. Nicholson
 James A. Potgeter
 W. R. Rabedaux
 James F. Schaben
 Roger J. Shaff
 Richard L. Stephens
 John M. Walsh

The following newly elected Senators appeared before the bar of the Senate and were duly sworn and subscribed their names to the oath of office:

Reinhold O. Carlson
 J. Wesley Graham
 Gene V. Kennedy
 Charles P. Miller
 George F. Milligan

John C. Rhodes
 Tom Riley
 George L. Shawver
 John E. Tapscott
 Rudy Van Drie

SPECIAL ENTERTAINMENT

Immediately preceding the call to order, a chorus from the Iowa Braille and Sight Saving School, Vinton, Iowa, assembled in the well of the Senate and sang several patriotic numbers, under the direction of Gerald Kakkac. The young people were accompanied by a student teacher from the University of Northern Iowa, Miss Norma Brown, who also directs.

COMMUNICATION

The following communication was presented:

OFFICE OF THE GOVERNOR
State Capitol
Des Moines, Iowa 50319

January 6, 1970

Mr. Carroll Lane, Secretary
Iowa State Senate
Local

Dear Mr. Lane:

On December 29, 1970, Governor Robert D. Ray received, and accepted, a letter from Senator-elect J. Donald Weimer tendering his resignation as Senator-elect from the 22nd Senatorial district from the Sixty-fourth session of the General Assembly.

A special election to fill this vacancy has been set for Monday, January 11, 1971, by virtue of a proclamation dated December 29, 1970, issued by Robert D. Ray, Governor of Iowa.

Sincerely,
MICHAEL M. SELLERS
Administrative Assistant

ADDRESS BY THE LIEUTENANT GOVERNOR

Lieutenant Governor Jepsen addressed the Senate as follows:
SENATORS, STAFF AND GUESTS:

I have always tried to keep my remarks short and to-the-point. This is especially important with all the major issues facing us in this coming session. I wish to delay our beginning as little as possible. But I do want to say something about the challenges facing us in this Sixty-fourth General Assembly.

First, my ongoing thanks to those who have helped me in organizing for this session. Their time and energy has been much appreciated, and I hope well spent.

Second, I want to welcome all of you to this session. It is certain to be an interesting one. I hope that it is equally productive, for we will consider some very important questions for the future of our state and our people. I want to caution those of you who think our task is going to be easy. This legislature faces its greatest challenges ever in a time of decision for our state. We face the challenge of developing a reapportionment plan which is simple, fair, and constitutional. We face the challenge of developing an equitable state tax structure. We face the challenge of revitalizing our cities and towns and finding for them new sources of revenue. We face the challenge of upgrading the efficiency of our state government. We face the challenge of reassuring our senior citizens that their life savings and their homes will not suddenly disappear due to confiscatory taxation and inflation. We face the challenge to responsibly enact legislation that will purify and protect the three basic essentials to human life—land, water, and air. We face the challenge of improving the communication and working relationships between the public and private sector. The industrious people of our twin empire state of agriculture and industry can solve any problem they face by working together for a better Iowa. We face the challenge of assuring our people a decent and safe life through incentive and reward for hard work and integrity. We face the challenge of stimulating constructive and informed participation in our society by our young generation.

But I have not mentioned perhaps our greatest challenge of all: We face the challenge from the cynics in this country who say that a democratic system of government cannot deal with the problems of our complex society. Those who would destroy our system of government claim that it cannot meet the challenges of today. I, for one, do not find the idea of representative democracy an archaic concept as do some. I do not find the notion that people be allowed to decide as to their own destinies a silly notion. I accept the challenge of these cynics. I hope you will too. If this legislature—through hard work, cooperation, and bipartisan unity—can produce answers to some of our state's problems, we will have done our part to meet this greatest of all challenges. There can be no better answer to those who claim that American society is crumbling and that its government is outmoded than a positive example of governmental achievements.

I don't have to tell all of you what a great state Iowa is. I don't have to quote to you the statistics which show our national leadership and great achievements in education, agriculture, and business. You all know of the benefits Iowa offers with its natural resources and wholesome life. You are aware of Iowa's greatest resource—our people, with their pioneer temperament, their sound values, and their commitment to progress and growth. This is not to say that we have no problems: Urbanization and advancing technology are producing dislocations never before experienced. Our citizens with a fundamental concept of decency and morality are becoming increasingly aware that Iowa is a great place to live, and a place to grow.

However, there are those critics who focus on our weaknesses, while closing their eyes to our strengths. I would suggest to these few people that I believe we are on the verge of an Iowa renaissance, as nationally people reject complexity and turn again to tradition and fundamental values. We have seen the signs of this already—in what is called by some the "revolt of Middle America." This revolt—if that is the correct word—should benefit Iowa greatly, for our strength is our traditions and basic way of life. And I am hopeful that in this legislative session we will develop programs which will serve as a forerunner of this coming renaissance. If we unite and focus on how we can improve what is already right with Iowa, we will have done our duty and served our constituents. I am proud to be an Iowan, as I am sure all of you are.

There is another matter that I must touch upon. Many times in the past in Iowa when the Governor's office and the legislature were controlled by the same party, a coolness developed between the legislative and executive branch of government. Often this has resulted in open conflict. Such conflict never serves the best interests of the people of this state. From things one hears and reads, it appears the climate is right for this situation to develop again in this session. I will do what I can to see that it does not happen, and I urge all of you to do the same.

If the Senate itself must divide on certain issues, as it will and should, I ask only that the division be in a spirit of constructive disagreement. Personal animosity can only lead to bitterness harmful to the best interests of this state. Partisan attacks on positions can only diminish the effectiveness of this legislative body. And constant carping by a few negative persons will produce no good and should not be tolerated by those others in this Senate. I would remind those, who can only criticize—without contributing—of the words of Theodore Roosevelt:

"It is not the critic who counts; nor the man who points out how the strong man stumbled or where the doers of deeds could have done them better. The credit belongs to the man who is actually in the arena; whose face is marred by dust and sweat and blood; who strives valiantly; who errs and comes short again and again; who knows the great enthusiasms, the great devotions, and spends himself in the worthy cause; who, at the best, knows the triumphs of high achievement; and who, at the worst, if he fails, at least fails while daring greatly, so that his place shall never be with those cold and timid souls who know neither victory nor defeat."

It is my hope that this session of the legislature—and especially this legislative body—shall be known as a session and Senate of doers, not critics, and I will do my best to help make it so.

Thank you.

SELECTION OF SEATS

The Chair announced that the next order of business would be the selection of seats.

Senator Walsh moved that the Senators whose seats were eliminated by the rearrangement of seats be granted the privilege of selecting a new seat from the unassigned seats on the basis of seniority; that the remaining holdover and reelected Senators be granted the privilege of retaining the seats occupied by them during the Sixty-third General Assembly, or the privilege of selecting new seats by seniority from the remaining unassigned seats; that any Senator having any defect, such as defective hearing, be allowed to select his seat from the unassigned seats; that former members of the Senate or former members of the House of Representatives be granted the privilege of selecting their seats from the unassigned seats, their names being called according to seniority. Also, that the names of the newly elected Senators be placed in a hat and drawn out by the Secretary of the Senate.

The motion prevailed and the Secretary of the Senate called the names in order of seniority of those Senators whose seats were eliminated by the rearrangement of seats.

The Secretary of the Senate then called the roll of the holdover, reelected and newly elected Senators.

Upon the drawing of seats, the following selections were made:

Name	Seat No.	Name	Seat No.
Anderson of Ringgold	27	Carlson of Polk	9
Arbuckle of Greene	17	Coleman of Webster	13
Balloun of Tama	47	Conklin of Black Hawk	40
Bass of Mills	19	Curran of Cerro Gordo	50
Briles of Adams	34	Davis of Lee	22
Brownlee of Palo Alto	38	DeKoster of Sioux	44

Name	Seat No.	Name	Seat No.
Doderer of Johnson	37	Ollenburg of Hancock	46
Erskine of Woodbury	43	Palmer of Polk	39
Gaudineer of Polk	41	Potgeter of Hardin	25
Gilley of Fayette	4	Potter of Linn	45
Glenn of Wapello	3	Rabedeaux of Muscatine	12
Graham of Ida	6	Rhodes of Lucas	2
Griffin of Pottawattamie	7	Riley of Linn	18
Hill of Jasper	10	Schaben of Harrison	29
Keith of Kossuth	26	Shaff of Clinton	28
Kennedy of Dubuque	31	Shawver of Chickasaw	8
Kyhl of Butler	21	Smith of O'Brien	20
Lamborn of Jackson	49	Stephens of Washington	42
Lavery of Warren	35	Sullivan of Woodbury	30
Messerly of Black Hawk	48	Tapscott of Polk	15
Miller of Des Moines	5	Thordsen of Scott	16
Milligan of Polk	1	Van Drie of Story	33
Mowry of Marshall	32	Van Gilst of Mahaska	36
Neu of Carroll	24	Walsh of Dubuque	23
Nicholson of Scott	14		

COMMITTEE FROM THE HOUSE

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

ELECTION OF PRESIDENT PRO TEMPORE

Senator Lamborn placed in nomination the name of Senator Vernon H. Kyhl of Butler County as a candidate for the office of President pro tempore of the Senate of the Sixty-fourth General Assembly.

There being no further nominations, the Chair put the question and Senator Kyhl was unanimously elected.

President Jepsen requested Senators Lamborn, Gaudineer and Stephens to escort Senator Kyhl to the rostrum.

Senator Kyhl appeared, took the oath of office, was congratulated and presented to the Senate by President Jepsen.

In accepting the office, Senator Kyhl made the following remarks:

This morning we gather in a newly rearranged and redecorated chamber with a decreased number of Senators.

To those of us who have served in past sessions, the new surroundings offer a challenge to us to "produce" in our job of solving at least part of the major problems that confront Iowa in the seventies.

It is fitting that we pause for a moment from our organizational chores to reflect on the problems that face us this session.

First, let me thank each and every one of you for the honor of serving you as your President pro tempore for the next two years. I accept the

challenge and will meet it with humility. When I am in the President's chair my decisions will be based on the rules as I understand them. You may be sure they will always be as fair as it is humanly possible to make them. In my mind the traditions of the Senate require "controlled and orderly action" in arriving at a majority result. Your cooperation toward that end is earnestly sought. I will welcome your counsel and suggestions and between us we will make this Sixty-fourth Session of the General Assembly a memorable one in accomplishment and in brevity.

We have become accustomed to thinking in terms of priorities as we face the problems of the seventies. In facing our problems there is a tremendous amount of work to do and a relatively short time in which to get it done so I would like to establish our number one priority for this session as w-o-r-k: "Work" with a capital "W". You may expect extra responsibility and extra work as you divide the work of sixty-one Senators into fifty parts.

Our budget of priorities and work will produce honest differences of opinion, but it is my sincere hope that they can be resolved to meet our goal in providing the great State of Iowa with the very best program possible. In doing that we will provide constructive growth, prosperity and development.

I have always felt that our committee system has many merits and yet I hope you will agree with me that better legislation will result if we do a more thorough job in the committee, so that lengthy debate and major revisions are unnecessary on the floor of the Senate. I have always felt that a committee member makes a serious error when he encourages the placing of a bill on the calendar that will need to be "cleaned up on the floor". Good legislation as we know it is the molding of ideas and opinions into law by the "give and take" method of amendment and compromise.

Thank you again for giving me the responsibility and honor of serving you as your presiding officer whenever Governor Jepsen is absent. My job is going to be easier because I know the quality, character and experience of the body. In these new and beautiful surroundings, you will write a new and illustrious chapter in the history of Iowa.

President pro tempore Kyhl took the chair at 11:15 a.m.

COMMITTEE TO NOTIFY THE GOVERNOR

Senator Briles moved that a committee of three be appointed to notify the Governor that the Senate is organized and ready to receive any communication that he might be ready to transmit.

The motion prevailed and the Chair appointed as such committee Senators Briles, Potgeter and Palmer.

COMMITTEE ON BADGES AND JACKETS

Senator Balloun moved that the Secretary of the Senate be authorized to secure suitable badges and jackets for such officers as require them, which motion prevailed.

COMMITTEE ON CHAPLAINS

Senator Erskine moved that Senator Graham be appointed as a committee of one to work with the House committee in securing chaplains for the Senate during the Sixty-fourth General Assembly, which motion prevailed.

COMMITTEE ON MILEAGE

Senator Nicholson moved that a committee of three be appointed as a committee on mileage.

The motion prevailed and the Chair appointed as such committee Senators Nicholson, Shaff and Doderer.

ASSIGNMENT OF SEATS IN THE PRESS GALLERY

Senator Keith moved that the Secretary of the Senate be authorized to assign seats to the representatives of the newspapers, radio and television media.

The motion prevailed and the Secretary assigned the following:

51. Des Moines Register, Allan Hoschar
52. Des Moines Tribune, Arnold Garson
53. Associated Press, Bill Eberline
54. WHO and WHO-TV, Michael Baughman
55. United Press International, Earl Flowers
56. Iowa Daily Press Association, Harrison Weber
57. Iowa Press Association, Don Reid
59. WOI and WOI-TV, Phil Morgan
60. Cedar Rapids Gazette, Frank T. Nye
61. WMT, Thomas K. Bauer
62. Waterloo Daily Courier, William Severin
63. The Council Bluffs Nonpareil, Harry Mauck, Jr.
64. KRNT and KRNT-TV, Charles W. Lakin
68. KWWL, Robert Holetz
70. Legislative Bulletins, Otto Weber
73. Associated Press, Charles Noland
80. Times-Democrat, Christine Hansen
82. WMT, Douglas Brandt
83. WMT, Caroll Daringer
84. Marshalltown Times-Republican, Vern Vierth
87. The Dubuque Telegraph-Herald, Steven S. Walters
88. KRNT and KRNT-TV, Gary Vincent

ADOPTION OF SENATE RESOLUTION 1

Senator Davis asked and received unanimous consent to take up the following resolution and moved its adoption:

SENATE RESOLUTION 1

By Senator Davis

Be It Resolved by the Senate: That each Senator and the Lieutenant Governor be and he is hereby authorized to appoint a competent secretary, said selections to be made and announced from the floor of the Senate by each Senator and the Lieutenant Governor. Each secretary shall be sworn in when found to be proficient by a committee of three which the President of the Senate is hereby authorized to appoint.

The motion prevailed and the resolution was adopted. The Chair appointed as such committee Senators Davis, Arbuckle and Schaben.

ADOPTION OF SENATE CONCURRENT RESOLUTION 2

Senator Smith asked and received unanimous consent to take up the following resolution and moved its adoption:

SENATE CONCURRENT RESOLUTION 2

By Senator Smith

Be It Resolved by the Senate, the House Concurring: That the Superintendent of Printing be directed to furnish copies of the 1971 Code of Iowa and also copies of the Laws of the Sixty-third General Assembly to such members of the Sixty-fourth General Assembly of Iowa who may request the same. Senate members to leave orders for Codes and Laws at the Secretary's desk and House members to leave orders at the Chief Clerk's desk.

Be It Further Resolved: That the Superintendent of Printing be directed to furnish copies of the 1971 Code of Iowa and Session Laws of the Sixty-third General Assembly as requested by the Secretary of the Senate and by the Chief Clerk of the House for use of the staffs in their respective offices.

Be It Further Resolved: That the Superintendent of Printing be directed to furnish copies of the 1971 Code of Iowa and Session Laws of the Sixty-third General Assembly to members of the press who are assigned seats in the Senate and House press galleries, to be requested by the Secretary of the Senate for members of the press with seats there assigned and by the Chief Clerk of the House for copies to be furnished members of the press assigned seats in the House chamber.

The motion prevailed and the resolution was adopted.

ADOPTION OF SENATE CONCURRENT RESOLUTION 3

Senator Laverty asked and received unanimous consent to take up the following resolution and moved its adoption:

SENATE CONCURRENT RESOLUTION 3

By Senator Laverty

Be It Resolved by the Senate, the House Concurring: That the Superintendent of Printing be instructed to mail to each county auditor in the State of Iowa one copy of the daily Senate and House Journals and one copy of each Senate and House bill of the Sixty-fourth General Assembly on date of introduction and printing thereof, and that same, with binders, be fur-

nished to such officers free of charge, to be paid for out of the general fund not otherwise appropriated.

The motion prevailed and the resolution was adopted.

REPORT OF COMMITTEE TO NOTIFY THE GOVERNOR

Senator Briles reported that the committee assigned to notify the Governor that the Senate was organized and ready for business had performed its duty and that the Governor had received the message and reported that he would be glad to receive any communications.

The report was accepted and the committee discharged.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has adopted the following House concurrent resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 1, providing that a joint convention of the two houses be held on January 11, 1971, at 1:30 p.m., and January 12, 1971, at 10:00 a.m.

Also: That the House has adopted the following House concurrent resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 2, providing that a joint committee be appointed to nominate additional employees as is necessary for the work of the session.

WILLIAM R. KENDRICK, Chief Clerk

HOUSE CONCURRENT RESOLUTION 1

By Andrew Varley

Be It Resolved by the House, the Senate Concurring, That a joint convention of the two houses of the Sixty-fourth General Assembly be held on January 11, 1971, at 1:30 p.m.

Be It Further Resolved, That Governor Robert D. Ray be invited to deliver his message at a joint convention of the two houses of the General Assembly on January 12, 1971, at 10:00 a.m. and that the President of the Senate and the Speaker of the House be designated to extend the invitation to him.

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

HOUSE CONCURRENT RESOLUTION 2

By Dale Tieden

Be It Resolved by the House, the Senate Concurring, That a joint committee of six members be appointed, three from the Senate to be appointed by the President, and three from the House to be appointed by the Speaker, to nominate such additional employees as may be necessary for the work of the session and that the committee recommend the position to be filled.

COMMITTEE TO NOTIFY THE HOUSE

Senator Conklin moved that a committee of three be appointed to notify the House that the Senate has organized and is ready for business.

The motion prevailed and the Chair appointed as such committee Senators Conklin, Anderson and Glenn.

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

The Senate reconvened, President pro tempore Kyhl presiding.

President Jepsen took the chair at 11:41 a.m.

REPORT OF COMMITTEE TO NOTIFY THE HOUSE

Senator Conklin reported that the committee assigned to notify the House that the Senate was organized and ready for business had performed its duty.

The report was accepted and the committee discharged.

ADOPTION OF HOUSE CONCURRENT RESOLUTION 1

Senator Lamborn asked and received unanimous consent to take up House Concurrent Resolution 1, and moved its adoption.

The motion prevailed and the resolution was adopted.

ADOPTION OF HOUSE CONCURRENT RESOLUTION 2

Senator Briles asked and received unanimous consent to take up House Concurrent Resolution 2, and moved its adoption.

The motion prevailed and the resolution was adopted. The Chair appointed as such committee Senators Briles, Messerly and Thordsen.

TELLERS OF JOINT CONVENTION

Senator Potter moved a committee of three be appointed to serve as tellers to assist in the canvassing of the vote for Governor and Lieutenant Governor at a joint convention to be held for such purpose.

The motion prevailed and the Chair appointed as such committee Senators Potter, Ollenburg and Hill.

ADOPTION OF TEMPORARY RULES

Senator Lamborn moved that the Senate Rules of the Sixty-third General Assembly be adopted as the Temporary Rules of the Senate of the Sixty-fourth General Assembly.

The motion prevailed and the Senate Rules of the Sixty-third General Assembly are the Temporary Rules of the Senate of the Sixty-fourth General Assembly.

ADOPTION OF SENATE CONCURRENT RESOLUTION 1

Senator Kyhl asked and received unanimous consent to take up the following resolution and moved its adoption:

SENATE CONCURRENT RESOLUTION 1

By Senator Kyhl

Be It Resolved by the Senate, the House Concurring: That a joint committee be named, consisting of six members of the Senate to be appointed by the President of the Senate, and six members of the House, to be appointed by the Speaker of the House, to arrange for the inauguration of the Governor and the Lieutenant Governor.

The motion prevailed and the resolution was adopted. The Chair appointed as such committee Senators Kyhl, Lamborn, DeKoster, Mowry, Arbuckle and Rabedaux.

ANNOUNCEMENT OF COMMITTEE APPOINTMENTS

President Jepsen announced the following committee assignments for the Sixty-fourth General Assembly:

STANDING COMMITTEES OF THE SENATE
APPOINTED BY LIEUTENANT GOVERNOR ROGER W. JEPSEN

AGRICULTURE

Stephens, Chairman	Bass	Ollenburg	Shawver
Graham*	Briles	Schaben	Van Gilst

APPROPRIATIONS

Messerly, Chairman	Doderer	Neu	Stephens
Anderson*	Hill	Nicholson	Sullivan
Arbuckle	Keith	Rhodes	Tapscott
Balloun	Kyhl	Riley	Thordsen
Brownlee	Lamborn	Schaben	Van Drie
Coleman	Laverty	Shawver	Van Gilst
Curran	Mowry	Smith	Walsh

*Ranking Member

CITIES AND TOWNS

Potter, Chairman	Carlson Davis	Palmer Rabedaux	Riley Thordsen
Milligan*	Doderer	Rhodes	Van Drie

COMMERCE

Mowry, Chairman	Briles Brownlee	Glenn Griffin	Potgeter Rabedaux
Van Drie*	Carlson	Palmer	Thordsen

CONSERVATION AND RECREATION

Erskine, Chairman	Balloun Brownlee	Graham Miller	Palmer Shawver
Carlson*	Gilley		

CONSTITUTIONAL AMENDMENTS AND REAPPORTIONMENT

Smith, Chairman	Erskine Griffin	Messerly Milligan	Palmer Rabedaux
Riley*	Hill	Mowry	Schaben
Anderson	Kyhl	Nicholson	Walsh

COUNTY GOVERNMENT

Briles, Chairman	Gilley* Kennedy	Miller Mowry	Shaff Sullivan
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ENVIRONMENTAL PRESERVATION

Laverty, Chairman	Shawver* Anderson	Conklin Curran	Keith Kennedy
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HIGHER EDUCATION

Neu, Chairman	Balloun Brownlee	Hill Laverty	Smith Tapscott
Nicholson*	Doderer	Shaff	Van Drie

HUMAN AND INDUSTRIAL RELATIONS

Griffin, Chairman	Rabedaux* Davis	DeKoster Gaudineer	Lamborn Sullivan
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IOWA DEVELOPMENT

Curran, Chairman	Coleman Erskine	Laverty Miller	Milligan Potter
Arbuckle*			

JUDICIARY

DeKoster, Chairman	Anderson Coleman	Neu Ollenburg	Riley Shaff
Brownlee*	Glenn	Potgeter	

LAW ENFORCEMENT

Thordsen, Chairman	Arbuckle Conklin	Graham Kennedy	Potter Schaben
Kyhl*	Gaudineer		

RULES

Lamborn, Chairman	Gaudineer* Hill	Kyhl Messerly	Neu
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SCHOOLS

Conklin, Chairman	Bass Carlson	Glenn Kennedy	Rhodes Stephens
Davis*	DeKoster	Ollenburg	

*Ranking Member

SOCIAL SERVICES			
Sullivan, Chairman Bass*	Balloun Coleman Gilley	Miller Neu Smith	Stephens Tapscott Walsh
STATE GOVERNMENT			
Potgeter, Chairman Rhodes*	Arbuckle Bass Briles	Gaudineer Gilley Glenn	Griffin Messerly Tapscott
TRANSPORTATION			
Walsh, Chairman Keith*	Curran DeKoster Hill	Kyhl Lamborn	Sullivan Van Gilst
WAYS AND MEANS			
Shaff, Chairman Ollenburg* Conklin	Davis Doderer Erskine Gaudineer	Graham Keith Milligan Nicholson	Potgeter Potter Van Gilst

SENATORS AND THEIR RESPECTIVE COMMITTEES

SENATOR ANDERSON		
Appropriations*	Constitutional amendments and reapportionment	Environmental preservation Judiciary
SENATOR ARBUCKLE		
Iowa development* Appropriations	Law enforcement	State government
SENATOR BALLOUN		
Appropriations	Conservation and recreation	Higher education Social services
SENATOR BASS		
Social services* Agriculture	Schools	State government
SENATOR BRILES		
County government, Chairman	Agriculture Commerce	State government
SENATOR BROWNLEE		
Judiciary* Appropriations Commerce	Conservation and recreation	Higher education
SENATOR CARLSON		
Conservation and recreation*	Cities and towns Commerce	Schools
SENATOR COLEMAN		
Appropriations Iowa development	Judiciary	Social services
SENATOR CONKLIN		
Schools, Chairman	Environmental preservation	Law enforcement Ways and means

*Ranking Member

Iowa development, Chairman Appropriations	SENATOR CURRAN Environmental preservation	Transportation
Schools* Cities and towns	SENATOR DAVIS Human and in- dustrial relations	Ways and means
Judiciary, Chairman	SENATOR DeKOSTER Human and in- dustrial relations	Schools Transportation
Appropriations Cities and towns	SENATOR DODERER Higher education	Ways and means
Conservation and recreation, Chairman	SENATOR ERSKINE Constitutional amendments and reapportionment	Iowa development Ways and means
Rules* Human and in- dustrial relations	SENATOR GAUDINEER Law enforcement State government	Ways and means
County government*	SENATOR GILLEY Conservation and recreation	Social services State government
Commerce Judiciary	SENATOR GLENN Schools	State government
Agriculture*	SENATOR GRAHAM Conservation and recreation	Law enforcement Ways and means
Human and in- dustrial relations, Chairman Commerce	SENATOR GRIFFIN Constitutional amendments and reapportionment	State government
Appropriations	SENATOR HILL Constitutional amendments and reapportionment	Higher education Rules Transportation
Transportation* Appropriations	SENATOR KEITH Environmental preservation	Ways and means
County government	SENATOR KENNEDY Environmental preservation	Law enforcement Schools
Law enforcement* Appropriations	SENATOR KYHL Constitutional amendments and reapportionment	Rules Transportation

*Ranking Member

Rules, Chairman	SENATOR LAMBORN	Transportation
Appropriations	Human and industrial relations	
Environmental preservation	SENATOR LAVERTY	Iowa development
Chairman	Appropriations Higher education	
Appropriations, Chairman	SENATOR MESSERLY	Rules State government
	Constitutional amendments and reapportionment	
Conservation and recreation	SENATOR MILLER	Social services
	County government Iowa development	
Cities and towns*	SENATOR MILLIGAN	Iowa development Ways and means
	Constitutional amendments and reapportionment	
Commerce, Chairman	SENATOR MOWRY	County government
Appropriations	Constitutional amendments and reapportionment	
Higher education, Chairman	SENATOR NEU	Rules Social services
	Appropriations Judiciary	
Higher education* Appropriations	SENATOR NICHOLSON	Ways and means
	Constitutional amendments and reapportionment	
Schools* Agriculture	SENATOR OLLENBURG	Ways and means
	Judiciary	
Cities and towns Commerce	SENATOR PALMER	Constitutional amendments and reapportionment
	Conservation and recreation	
State government, Chairman	SENATOR POTGETER	Ways and means
	Commerce Judiciary	
Cities and towns, Chairman	SENATOR POTTER	Ways and means
	Iowa development Law enforcement	
Human and industrial relations*	SENATOR RABEDEAUX	Constitutional amendments and reapportionment
	Cities and towns Commerce	
State government* Appropriations	SENATOR RHODES	Schools
	Cities and towns	

*Ranking Member

Constitutional amendments and reapportionment	SENATOR RILEY Appropriations Cities and towns	Judiciary
Agriculture Appropriations	SENATOR SCHABEN Constitutional amendments and reapportionment	Law enforcement
Ways and means, Chairman	SENATOR SHAFF County government Higher education	Judiciary
Environmental preservation*	SENATOR SHAWVER Agriculture Appropriations	Conservation and recreation
Constitutional amendments and reapportionment, Chairman	SENATOR SMITH Appropriations Higher education	Social services
Agriculture, Chairman Appropriations	SENATOR STEPHENS Schools	Social services
Social services, Chairman Appropriations	SENATOR SULLIVAN County government Human and in- dustrial relations	Transportation
Appropriations Higher education	SENATOR TAPSCOTT Social services	State government
Law enforcement, Chairman	SENATOR THORSEN Appropriations Cities and towns	Commerce
Commerce* Appropriations	SENATOR VAN DRIE Cities and towns	Higher education
Agriculture Appropriations	SENATOR VAN GILST Transportation	Ways and means
Transportation, Chairman Appropriations	SENATOR WALSH Constitutional amendments and reapportionment	Social services

*Ranking Member

ELECTION OF PERMANENT OFFICERS

Senator Briles asked and received unanimous consent to take up the election of permanent officers and employees of the Senate, and placed in nomination the following persons and moved their election:

PERMANENT OFFICERS AND EMPLOYEES

Secretary of the Senate	Carroll A. Lane, Carroll
Assistant Secretary of the Senate	Ruth E. Fisher, Des Moines
Law Clerk	James R. Millen, Farmington
Journal Clerk	Dorothy Nepstad, Des Moines
Assistant Journal Clerk	Roberta Hickerson, Des Moines
Engrossing Clerk	Ardith Martin, Des Moines
Secretary to the Secretary	K. Marie Thayer, Ankeny
Secretary and Enrolling Clerk	Colleen Dillon, Des Moines
Special Clerk	Beverly B. Dunn, Des Moines
General Clerk	Marilyn May Overturff, Altoona
Payroll Clerk	Mary Ann Abbott, Des Moines
Supply and Secretary's Clerk	Dorothy Hohnbaum, Grimes
Control Board Operator	Kevin Lee Albright, Sioux City
Bill Clerk	Nola C. Wilbur, Indianola
Assistant Bill Clerk	Michael T. Sheehan, Humboldt
Sergeant-at-Arms	Romayne Huffman, Carroll
Assistant Sergeant-at-Arms	R. K. Shawhan, Des Moines
Assistant Sergeant-at-Arms	John Nelson, Jewell
Chief Doorkeeper	Byron Marshall, Indianola
Assistant Doorkeeper	J. Charles Grant, Des Moines
Assistant Doorkeeper	Harold D. Davis, Des Moines
Assistant Doorkeeper	Coldren Glenn, Mitchellville
Assistant Doorkeeper	George R. Chastain, Des Moines
Secretary of the Senate's Page	Craig William Stafford, Ames
Sergeant-at-Arms' Page	Lynda Lane, Carroll
Bill Room Page	Debra Bender, Lamoni
Senate Page	Allan Engebretson, Decorah
Senate Page	Mark Kleckner, Rudd
Senate Page	Debra Ann Lohry, Sioux City
Senate Page	Connie Rae McGrew, Clinton
Senate Page	Marcia Leigh Pierson, Oskaloosa
Senate Page	Rebecca Jean Stanley, Muscatine
Cloakroom Attendant	Ethel M. Volineer, Des Moines
Porter	Frank Parr, Des Moines
Postmistress	Mary Balloun, Toledo

The motion prevailed and the foregoing officers and employees appeared before the bar of the Senate and were duly sworn and subscribed to their oaths of office.

On motion of Senator Lamborn, the Senate recessed until 1:15 p.m.

AFTERNOON SESSION

The Senate reconvened, President Jepsen presiding.

INTRODUCTION OF BILLS

Senate File 1, by Senators Mowry, Gaudineer, Kyhl and Potgeter (Millen, Hansen, Johnston and Sorg), a bill for an act relating to

the regulation and control of certain substances, and providing procedures for enforcement and penalties.

Read first time and **passed on file.**

Senate File 2, by Senators Smith, Kennedy, Curran, Thordsen, Milligan and Neu (Drake, Mayberry and Shaw), a bill for an act relating to the establishment of regional correction centers, their construction and programs, coordination of programs of regional correction centers with other institutions under the control of the department of social services, and providing for amendment of certain penal statutes presently provided by law.

Read first time and **passed on file.**

Senate File 3, by Senator Brownlee (Middleswart and Freeman), a bill for an act relating to blood donors.

Read first time and **passed on file.**

Senate File 4, by Senators Briles, Ollenburg, Griffin and Potgeter (Holden, Stromer, Priebe, Fischer of Grundy, Cochran, Rex, Dougherty and Winkelman), a bill for an act relating to the maintenance of access roads.

Read first time and **passed on file.**

Senate File 5, by Senators Briles, Ollenburg and Griffin (Holden, Stromer, Priebe, Fischer of Grundy and Dougherty), a bill for an act relating to distance requirements for pipeline regulation.

Read first time and **passed on file.**

Senate File 6, by Briles, Ollenburg and Griffin (Holden, Stromer, Priebe and Fischer of Grundy), a bill for an act relating to the use of eminent domain by county boards of supervisors for any secondary road or stream, watercourse, or dry run.

Read first time and **passed on file.**

Senate File 7, by Senators DeKoster and Tapscott (Alt, McCormick and Dougherty), a bill for an act to change the name and expand the duties of the Governor's committee on employment of the handicapped to include housing and services.

Read first time and **passed on file.**

Senate File 8, by Senators Briles, Ollenburg, Griffin and Potgeter (Holden, Stromer and Priebe), a bill for an act relating to the acquisition of bridges.

Read first time and **passed on file.**

Senate File 9, by Senators Briles, Ollenburg, Griffin, Potgeter and Smith (Holden, Stromer, Priebe and Fischer of Grundy), a bill for an act relating to the condemnation of existing utility facilities by cities and towns.

Read first time and **passed on file**.

Senate File 10, by Senators Curran and Kennedy (Shaw, Drake and Fisher of Greene), a bill for an act relating to the leasing of property by the state conservation commission.

Read first time and **passed on file**.

Senate File 11, by Senators Curran, Smith and Neu (Drake, Fisher of Greene and Shaw), a bill for an act relating to motor vehicle fees collected by county treasurers, and to the amount of such fees retained by the county.

Read first time and **passed on file**.

Senate File 12, by Senators Curran and Neu (Welden, Fisher of Greene and Drake), a bill for an act relating to the hiring of state employees.

Read first time and **passed on file**.

Senate File 13, by Senators Curran and Neu (Welden, Drake, Fisher of Greene and Shaw), a bill for an act relating to the receipt by state employees of advances to cover expenses while performing state work.

Read first time and **passed on file**.

Senate File 14, by Senators Curran and Neu (Welden, Drake and Fisher of Greene), a bill for an act relating to the Governor-elect expense fund.

Read first time and **passed on file**.

COMMITTEE FROM THE HOUSE

A committee from the House appeared and announced that pursuant to law the House was ready to receive the Senate in joint session for the purpose of canvassing the vote for Governor and Lieutenant Governor.

Senator Lamborn moved that the Senators proceed to the House chamber in accordance with House Concurrent Resolution 1, duly adopted.

The motion prevailed and the Senate proceeded to the House under the direction of the Sergeant-at-Arms.

JOINT CONVENTION

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

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

Motion prevailed.

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

Senator Lamborn moved that the joint convention recess until approximately 9:30 a.m., Tuesday, January 12, 1971.

Motion prevailed and the joint convention was recessed.

The Senate returned to the Senate chamber and resumed regular session, President Jepsen presiding.

BILL ASSIGNED TO COMMITTEE

President Jepsen announced the assignment of the following bill to committee:

S. F. 1 Law enforcement

ANNOUNCEMENTS BY PRESIDENT OF THE SENATE

The President of the Senate announced the creation of the following committee by the Lieutenant Governor and the Speaker of the House of Representatives:

LEGISLATIVE LIAISON COMMITTEE

Senator Arthur A. Neu, Chairman
Senator S. J. Brownlee
Senator Eugene M. Hill
Senator Edward E. Nicholson
Representative Vernon N. Bennett
Representative Harold O. Fischer
Representative Charles H. Pelton
Representative Dale L. Tieden

BICENTENNIAL COMMISSION

President Jepsen announced the appointment of the following Senators to the Bicentennial Commission in accordance with chapter 1286, Acts of the Sixty-third General Assembly, Second Session:

Senator Charles O. Laverty, Indianola
Senator Lee Gaudineer, Des Moines

IOWA HIGHWAY COMMISSION ADVISORY COMMITTEE

President Jepsen announced the appointment of the following Senators to the Iowa Highway Commission Advisory Committee in accordance with chapter 1126, Acts of the Sixty-third General Assembly, Second Session:

Senator Lucas J. DeKoster, Hull
Senator Francis L. Messerly, Cedar Falls

CAPITOL PLANNING COMMISSION

President Jepsen announced the appointment of Senator James A. Potgeater, Steamboat Rock, to the Capitol Planning Commission to fill the unexpired term of Senator Hugh Clarke; term expiring April 30, 1973.

ANNOUNCEMENTS BY THE LEGISLATIVE COUNCIL

In accordance with Senate Concurrent Resolution 135, Acts of the Sixty-third General Assembly, Second Session, the Legislative Council authorized the creation of the following new study committees:

GOVERNMENTAL REORGANIZATION STUDY COMMITTEE

Senator Robert R. Rigler, Chairman
Representative Elizabeth O. Shaw, Vice Chairman
Senator Leigh Curran
Senator Andrew G. Frommelt
Senator Eugene M. Hill
Senator Arthur A. Neu
Senator Marvin W. Smith
Senator Harold A. Thordsen
Representative Richard F. Drake
Representative C. Raymond Fisher
Representative Gene V. Kennedy
Representative D. Vincent Mayberry
Representative Ralph F. McCartney
Representative Richard W. Welden

HOUSING FOR HANDICAPPED STUDY COMMITTEE

Representative Donald D. Alt, Chairman
Senator Lucas J. DeKoster
Senator Elmer F. Lange
Senator Joan Orr
Representative Leroy S. Miller
Representative John E. Tapscott
Representative Roy A. Miller

METROPOLITAN PLANNING STUDY COMMITTEE

Representative George F. Milligan, Chairman
Senator Lucas J. DeKoster, Vice Chairman
Senator Gene W. Glenn
Senator W. R. Rabedeaux
Representative Leonard C. Andersen
Representative Michael K. Kennedy

The Legislative Council approved the appointment by Standing Committee Chairmen of the following subcommittees to conduct certain studies during the interim.

**SOCIAL SERVICES
MEDICAID STUDY COMMITTEE**

Representative Joan Lipsky, Chairman
Senator Clifton C. Lamborn, Vice Chairman
Senator Earl G. Bass
Senator George E. O'Malley
Representative A. June Franklin
Representative Clair Strand

**STATE GOVERNMENT
BUILDING CODE STUDY COMMITTEE**

Representative John Camp, Chairman
Senator James W. Griffin, Sr., Vice Chairman
Senator James F. Schaben
Senator R. Dean Arbuckle
Representative Murray C. Lawson
Representative D. Vincent Mayberry

EMPLOYMENT PRACTICES STUDY COMMITTEE

Representative C. Raymond Fisher, Chairman
Senator Francis L. Messerly, Vice Chairman
Senator Floyd Gilley
Senator William D. Palmer
Representative Edgar J. Koch
Representative John E. Tapscott

**TRANSPORTATION
HIGHWAY COMMISSION FUNDING SUBCOMMITTEE**

Representative Leroy S. Miller, Chairman
Senator Vernon H. Kyhl, Vice Chairman
Senator Leslie C. Klink
Senator Bass Van Gilst
Representative Keith N. Dunton
Representative Dewey E. Goode
Mr. Warren Davison
Mr. Ed Ellsworth
Mr. Raymond P. Heneley
Mr. Richard Hileman
Mr. William F. Sueppel

Mr. Chet Sloan
Mr. Derby D. Thompson

CRIMINAL CODE REVIEW
(S.J.R. 18)

Judge Mark McCormick to replace Judge Carroll Engelkes
Appointment of Mr. Ira Morrison—1970 interim

ENVIRONMENTAL PRESERVATION STUDY COMMITTEE
(S.C.R. 9)

Appointment of Senator Alden J. Erskine—1970 interim

DRUG ABUSE
(H.C.R. 122)

Representative Willard R. Hansen to replace Representative Dale L. Tieden.

COMMUNICATIONS

The following communications were filed with the Secretary of the Senate:

STATE OF IOWA
Office of
THE SECRETARY OF STATE

President of the Senate

Sixty-fourth General Assembly of Iowa

Re: Publication of Senate Joint Resolution 7,
Acts of the Sixty-third General Assembly

In accordance with the provisions of section 6.3 of the 1966 Code of Iowa, I hereby report to the Sixty-fourth General Assembly of Iowa that according to records in this office, Senate Joint Resolution 7 was published in two newspapers of general circulation in each Congressional District of Iowa. Affidavits of the publishers of the newspapers designated to publish said Resolution showing proof of publication of same and the certificate of the selection of such newspapers are filed in this office and recorded in a book kept for that purpose as hereinafter shown:

Congressional District	Newspapers	Dates Published, 1970
First	Fairfield Daily Ledger, Fairfield Washington Evening Journal, Washington	7-21—8-18—9-22—10-20 7-21—8-18—9-22—10-20
Second	Cedar Valley Daily Times, Vinton Fayette County Union, West Union	7-21—8-18—9-22—10-20 7-22—8-20—9-24—10-22
Third	The Grundy Register, Grundy Center The Globe-Gazette, Mason City	7-23—8-20—9-24—10-22 7-23—8-20—9-24—10-22
Fourth	Centerville Iowegian & Citizen, Centerville Marshalltown Times-Republican, Marshalltown	7-20—8-17—9-21—10-19 7-21—8-18—9-22—10-20

Fifth	Boone News-Republican, Boone	7-21—8-18—9-22—10-20
	Nevada Evening Journal, Nevada	7-21—8-18—9-22—10-20
Sixth	Sioux City Journal, Sioux City	7-20—8-17—9-21—10-19
	The Spirit Lake Beacon, Spirit Lake	7-23—8-20—9-24—10-22
Seventh	Council Bluffs Nonpareil, Council Bluffs	7-21—8-18—9-22—10-20
	Daily Times Herald, Carroll	7-20—8-17—9-21—10-19

(Seal)

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Secretary of State at the Capitol, in Des Moines, this 11th day of January, A. D. Nineteen hundred and seventy-one.

MELVIN D. SYNHORST
Secretary of State
State of Iowa, U. S. A.

STATE OF IOWA
Office of
THE SECRETARY OF STATE

President of the Senate

Sixty-fourth General Assembly of Iowa

Re: Publication of Senate Joint Resolution 1002,
Acts of the Sixty-third General Assembly

In accordance with the provisions of section 6.3 of the 1966 Code of Iowa, I hereby report to the Sixty-fourth General Assembly of Iowa that according to records in this office, Senate Joint Resolution 1002 was published in two newspapers of general circulation in each Congressional District of Iowa. Affidavits of the publishers of the newspapers designated to publish said Resolution showing proof of publication of same and the certificate of the selection of such newspapers are filed in this office and recorded in a book kept for that purpose as hereinafter shown:

Congressional

District	Newspapers	Dates Published, 1970
First	Fairfield Daily Ledger, Fairfield	7-21—8-18—9-22—10-20
	Washington Evening Journal, Washington	7-21—8-18—9-22—10-20
Second	Cedar Valley Daily Times, Vinton	7-21—8-18—9-22—10-20
	Fayette County Union, West Union	7-22—8-20—9-24—10-22
Third	The Grundy Register, Grundy Center	7-23—8-20—9-24—10-22
	The Globe-Gazette, Mason City	7-23—8-20—9-24—10-22
Fourth	Centerville Iowegian & Citizen, Centerville	7-20—8-17—9-21—10-19
	Marshalltown Times-Republican, Marshalltown	7-21—8-18—9-22—10-20
	Boone News-Republican, Boone	7-21—8-18—9-22—10-20
Fifth	Nevada Evening Journal, Nevada	7-21—8-18—9-22—10-20
	Sioux City Journal, Sioux City	7-20—8-17—9-21—10-19
Sixth	The Spirit Lake Beacon, Spirit Lake	7-23—8-20—9-24—10-22
	Council Bluffs Nonpareil, Council Bluffs	7-21—8-18—9-22—10-20
Seventh	Daily Times Herald, Carroll	7-20—8-17—9-21—10-19

(Seal)

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Secretary of State at the Capitol, in Des Moines, this 11th day of January, A. D. Nineteen hundred and seventy-one.

MELVIN D. SYNHORST
Secretary of State
State of Iowa, U. S. A.

STATE OF IOWA
Office of
THE SECRETARY OF STATE

President of the Senate
Sixty-fourth General Assembly of Iowa

Re: Publication of House Joint Resolution 6,
Acts of the Sixty-third General Assembly

In accordance with the provisions of section 6.3 of the 1966 Code of Iowa, I hereby report to the Sixty-fourth General Assembly of Iowa that according to records in this office, House Joint Resolution 6 was published in two newspapers of general circulation in each Congressional District of Iowa. Affidavits of the publishers of the newspapers designated to publish said Resolution showing proof of publication of same and the certificate of the selection of such newspapers are filed in this office and recorded in a book kept for that purpose as hereinafter shown:

Congressional

District	Newspapers	Dates Published, 1970
First	Fairfield Daily Ledger, Fairfield Washington Evening Journal, Washington	7-21-8-18-9-22-10-20 7-21-8-18-9-22-10-20
Second	Cedar Valley Daily Times, Vinton Fayette County Union, West Union	7-21-8-18-9-22-10-20 7-22-8-20-9-24-10-22
Third	The Grundy Register, Grundy Center The Globe-Gazette, Mason City	7-23-8-20-9-24-10-22 7-23-8-20-9-24-10-22
Fourth	Centerville Iowegian & Citizen, Centerville Marshalltown Times-Republican, Marshalltown	7-20-8-17-9-21-10-19 7-21-8-18-9-22-10-20
Fifth	Boone News-Republican, Boone Nevada Evening Journal, Nevada	7-21-8-18-9-22-10-20 7-21-8-18-9-22-10-20
Sixth	Sioux City Journal, Sioux City The Spirit Lake Beacon, Spirit Lake	7-20-8-17-9-21-10-19 7-23-8-20-9-24-10-22
Seventh	Council Bluffs Nonpareil, Council Bluffs Daily Times Herald, Carroll	7-21-8-18-9-22-10-20 7-20-8-17-9-21-10-19

(Seal)

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Secretary of State at the Capitol, in Des Moines, this 11th day of January, A. D. Nineteen hundred and seventy-one.

MELVIN D. SYNHORST
Secretary of State
State of Iowa, U. S. A.

STATE OF IOWA
Office of
THE SECRETARY OF STATE

President of the Senate

Sixty-fourth General Assembly of Iowa

Re: Publication of House Joint Resolution 10,
Acts of the Sixty-third General Assembly

In accordance with the provisions of section 6.3 of the 1966 Code of Iowa, I hereby report to the Sixty-fourth General Assembly of Iowa that according to records in this office, House Joint Resolution 10 was published in two newspapers of general circulation in each Congressional District of Iowa. Affidavits of the publishers of the newspapers designated to publish said Resolution showing proof of publication of same and the certificate of the selection of such newspapers are filed in this office and recorded in a book kept for that purpose as hereinafter shown:

Congressional

District	Newspapers	Dates Published, 1970
First	Fairfield Daily Ledger, Fairfield Washington Evening Journal, Washington	7-21—8-18—9-22—10-20 7-21—8-18—9-22—10-20
Second	Cedar Valley Daily Times, Vinton Fayette County Union, West Union	7-21—8-18—9-22—10-20 7-22—8-20—9-24—10-22
Third	The Grundy Register, Grundy Center The Globe-Gazette, Mason City	7-23—8-20—9-24—10-22 7-23—8-20—9-24—10-22
Fourth	Centerville Iowegian & Citizen, Centerville Marshalltown Times-Republican, Marshalltown	7-20—8-17—9-21—10-19 7-21—8-18—9-22—10-20
Fifth	Boone News-Republican, Boone Nevada Evening Journal, Nevada	7-21—8-18—9-22—10-20 7-21—8-18—9-22—10-20
Sixth	Sioux City Journal, Sioux City The Spirit Lake Beacon, Spirit Lake	7-20—8-17—9-21—10-19 7-23—8-20—9-24—10-22
Seventh	Council Bluffs Nonpareil, Council Bluffs Daily Times Herald, Carroll	7-21—8-18—9-22—10-20 7-20—8-17—9-21—10-19

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Secretary of State at the Capitol, in Des Moines, this 11th day of January, A. D. Nineteen hundred and seventy-one.

(Seal)

MELVIN D. SYNHORST
Secretary of State
State of Iowa, U. S. A.

**APPOINTMENT OF MEMBERS OF THE ETHICS COMMITTEE
IN THE SENATE OF THE IOWA GENERAL ASSEMBLY BY
THE CHIEF JUSTICE OF THE IOWA SUPREME COURT**

TO THE SENATE OF THE IOWA GENERAL ASSEMBLY:

The undersigned, Chief Justice of the Iowa Supreme Court, hereby appoints John H. Neiman of Des Moines and Francis L. Cudahy of Jefferson, neither of whom is an employee of the General Assembly, as members of the Ethics Committee in the Senate.

You are further advised that both John H. Neiman and Francis L. Cudahy have consented to serve on the Ethics Committee in the Senate.

This appointment has been made pursuant to section 12, chapter 107, Laws of the Sixty-second General Assembly of Iowa, now section 68B.10, Code 1971.

DONE this 8th day of January, 1971.

C. EDWIN MOORE
Chief Justice
Supreme Court of Iowa

The original and a true copy of this order has been filed with the Secretary of the Senate of the Iowa General Assembly on this 8th day of January, 1971.

CARROLL A. LANE
Secretary of the Senate

REPORT OF COMMITTEE

Senator Thordsen submitted the following report:

MR. PRESIDENT: Your committee on law enforcement, to which was referred **Senate File 1**, a bill for an act relating to the regulation and control of certain substances, and providing procedures for enforcement and penalties, begs leave to report it has had the same under consideration and recommends the same **do pass**.

HAROLD A. THORDSEN, Chairman

Ordered passed on file.

On motion of Senator Lamborn, the Senate adjourned until 9:00 a.m., Tuesday, January 12, 1971.

JOURNAL OF THE SENATE

SECOND DAY

SENATE CHAMBER

DES MOINES, IOWA, TUESDAY, JANUARY 12, 1971

The Senate met in regular session, President Jepsen presiding.

Prayer was offered by the Reverend Harold Kumpf, pastor of the Lutheran Church, Maquoketa, Iowa.

The Senate pledged allegiance to the flag.

The Journal of Monday, January 11, 1971, was approved.

PETITION

The following petition was presented and placed on file:

By Senator Potgeter, from seven residents of Hardin County favoring legalized abortion, sex education in public schools and tax incentives to smaller families.

INTRODUCTION OF BILLS

Senate File 15, by Senators Thordsen, Kennedy, Smith, Curran and Neu (Drake, Fisher of Greene and Shaw), a bill for an act relating to the prohibition of lecturers of the highway commission.

Read first time and **passed on file**.

Senate File 16, by Senators Briles, Ollenburg, Griffin and Potgeter (Holden, Stromer, Priebe, Fischer of Grundy and Dougherty), a bill for an act relating to the definition of pipeline and pipeline company.

Read first time and **passed on file**.

Senate File 17, by Senators Briles, Ollenburg and Griffin (Holden, Stromer, Priebe and Fischer of Grundy), a bill for an act relating to the selection of the compensation commissioners.

Read first time and **passed on file**.

Senate File 18, by Senators Briles, Ollenburg, Griffin, Potgeter and Smith (Holden, Stromer, Priebe, Cochran, Rex, Rodgers and Winkelman), a bill for an act relating to the inspection of pipeline construction over private property.

Read first time and **passed on file.**

Senate File 19, Senators Briles, Ollenburger, Griffin and Potgeter (Holden, Stromer, Priebe and Fischer of Grundy), a bill for an act relating to the use of eminent domain for the development or utilization of water or water power for manufacturing, power, industrial and recreational purposes.

Read first time and **passed on file.**

Senate File 20, by Senators Briles, Ollenburger and Griffin (Holden, Stromer, Priebe and Fischer of Grundy), a bill for an act to exempt certain electric utility projects from petition requirements.

Read first time and **passed on file.**

Senate File 21, by Senators Briles, Ollenburger, Griffin and Potgeter (Holden, Stromer, Priebe, Fischer of Grundy, Cochran, Rex, Dougherty and Winkelmann), a bill for an act relating to the payment of subsequent damages to property owners.

Read first time and **passed on file.**

Senate File 22, by Senators Briles, Ollenburger, Griffin and Potgeter (Holden, Stromer, Priebe and Fischer of Grundy), a bill for an act relating to a description of land remaining after condemnation or purchase in lieu of condemnation.

Read first time and **passed on file.**

Senate File 23, by Senators Briles, Griffin, Ollenburger and Smith (Holden, Stromer, Priebe and Fischer of Grundy), a bill for an act to remove references to the granting of a franchise to an electric utility company by the county board of supervisors.

Read first time and **passed on file.**

Senate File 24, by Senators Briles, Ollenburger, Griffin, Potgeter and Smith (Holden, Stromer, Priebe and Fischer of Grundy), a bill for an act relating to the use of eminent domain for individual drainage rights.

Read first time and **passed on file.**

Senate File 25, by Senator Griffin, a bill for an act relating to the tax on motor fuel and special fuel, creating a grade separation fund and appropriating and allocating funds.

Read first time and **passed on file.**

Senate File 26, by Senator Glenn, a bill for an act to enhance public confidence in state officials and judges by requiring disclosure of income and investments.

Read first time and **passed on file**.

Senate Joint Resolution 1, by committee on constitutional amendments and reapportionment, a joint resolution making application to the United States Congress to call a convention for the purpose of proposing to the states a constitutional amendment providing that a portion of taxes levied on income by Congress shall be made available to state governments.

Read first time and **passed on file**.

APPOINTMENT OF SECRETARY AND PAGE TO LIEUTENANT GOVERNOR

Lieutenant Governor Jepsen announced the appointment of Joyce Ann Johnson of Scott County as his secretary and Timothy James Ley of Kossuth County as his page, both of whom appeared before the rostrum and were duly sworn.

COMMITTEE ON PHOTOGRAPHS

Senator Balloun moved that a committee of one be appointed to cooperate with the State Printing Board in securing Senate photographs for use in the Iowa Official Register.

The motion prevailed and the Chair appointed Senator Balloun.

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

The Senate resumed regular session, President Jepsen presiding.

COMMITTEE FROM THE HOUSE

A committee from the House appeared and announced that the House was ready to receive the Senate in joint convention.

In accordance with House Concurrent Resolution 1 duly adopted, the Senate proceeded to the House under the direction of the Sergeant-at-Arms.

JOINT CONVENTION

The joint convention reconvened, President Jepsen presiding.

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

Motion prevailed.

President Jepsen declared a quorum present and the joint convention duly organized.

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

Motion prevailed and the President appointed as such committee Senators Sullivan, Bass and Gilley, on the part of the Senate, and Representatives Kruse, Alt and Schwartz, on the part of the House.

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

President Jepsen then presented Governor Ray who delivered the following address:

THE CONDITION OF THE STATE
by
THE HONORABLE ROBERT D. RAY
GOVERNOR OF IOWA
Delivered before a Joint Session
of the Sixty-Fourth General Assembly
January 12, 1971

MR. PRESIDENT, MR. SPEAKER, MEMBERS OF THE GENERAL ASSEMBLY, LADIES AND GENTLEMEN:

The Constitution of the State of Iowa directs that the Governor "shall communicate, by message, to the General Assembly, at every regular session, the condition of the state, and recommend such matters as he shall deem expedient". (Article IV, Sec. 12)

I shall discharge this important twofold obligation in three parts. My remarks today will deal largely with the condition of Iowa as we, her people, enter a new year, a new political biennium, and a new decade. In the subsequent Inaugural and Budget Messages, I shall direct our attention to the future—indicating, in the light of experience and current conditions, what (in my judgment) our common goals should be and how we should go about achieving them.

Necessarily and properly, each of the three parts in this series of reports is not designed to be exhaustive but will be brief rather than voluminous, and exploratory rather than dogmatic. They will not evade or shirk the significant, and the decisive role which often the Governor must play in a wide range of decision-making processes. Equally, however, they will take account of the happy fact that—in our relatively free society—there are many other participants in decision-making.

I am well aware that a Governor is exposed by his constitutional obligation to "communicate . . . and recommend." It has not escaped my attention that, in ancient Athens, Socrates went around giving advice to all his neighbors—and they poisoned him.

Let us inventory for a moment, the specifics of the situation. Clearly, the authors of our Iowa Constitution did not contemplate that the Governor would narrowly limit his vision to the mechanics of state government in

conducting that survey of "the condition of the state" which they directed him to make. Nor would it be possible to do so, if the state's condition is to be accurately portrayed—because state government, and all levels of government totally, are only one, or a few, of many influences that determine—and measure—the state's condition.

First, a very brief word about the economy. Involved and knowledgeable observers are optimistic about the Iowa economic outlook. While the national financial downturn and work stoppages of the last 18 months have not affected Iowa as severely as most states, we have not escaped their impact. This sliding economy has affected both our Iowans and our government.

The short-range record for Iowa's basic industry—agriculture—has been bleak, and only a fool would try to do a cosmetic snow-job on that intractable fact. Nationally, prices paid to farmers for raw products in December averaged 7 percent less than a year ago, while farm expenses continued to rise—putting farm families in a painful price-cost squeeze.

Iowa has had a much slower population growth than the nation as a whole—the Iowa rate being about one-sixth of the national rate. Hence, our delegation in the lower house of Congress—which numbered 11 representatives as recently as 1930—will now be shrunk from seven to six, confronting this General Assembly with one of its major tasks in devising a fair and reasoned redistricting plan. The primary cause of Iowa's relatively stationary population is the steadily declining need for human labor in agriculture, to which can be added a birthrate decline—both nationally and in Iowa—during the past decade. This is now being reflected in a leveling off, or reduction, statewide, of school enrollments in the lower grades.

Furthermore, the nature of population changes—and, hence, their effect on schools, other public services, and private business—has been very dissimilar across the state. The sharpest population losses, and the sharpest school enrollment declines, have been in predominately rural counties. Thus, one Iowa county has fewer people than it had in 1844, two years before Iowa became a state.

At the other extreme, some Iowa counties and communities grew dramatically in the past 10 years. Most—but not all—of them fall into two groups: relatively industrialized urban areas, and university locations.

I have briefly summarized these economic and demographic facts because they are the hard, basic stuff from which come all kinds of political consequences which ultimately must be dealt with by the people acting collectively as "government". Economic facts influence population facts like birthrates and migration patterns. The population facts, in turn, will require you this session not only to redistrict for congressional purposes but also once more to reappportion the legislature itself.

In a broader way, many of the difficult and controversial problems with which you and I—and the whole body of citizens—must wrestle in the months ahead spring from economic sources and from the restless mobility of modern man. This is especially true of three tall problems which cast so long a shadow over all government; namely, taxation—education—and transportation. With these and other issues I shall deal at length in the two remaining messages of this series. If people were content to freeze in their tracks, so to speak, these issues wouldn't exist. Fortunately, people are not content to be vegetables, and therefore, we do have the issues, and we do have the political process to bring them into some degree of manageability.

As we stand at the crossroads of this ebbing century, we have an opportunity to welcome new voters into full participation in their and our government. I have long favored lowering the voting age and was pleased when the General Assembly took action to grant the right to vote to 19-year-olds. The recent United States Supreme Court decision validating a minimum 18-year-age for voters in presidential and congressional elections has caught Iowa in mid-flight on our proposed constitutional amendment. We must move now as rapidly as possible to make the voting age consistent.

Dick Nolan, the San Francisco Examiner columnist, discovered the beauty and humaneness of Iowa while crossing our state last fall in a small foreign car. What he saw and experienced impressed him so deeply that he wrote for the Examiner a paean to Iowa.

In part, it went this way: "Iowa", he said, "may well have claim to being the most civilized corner of America, in addition to being unquestionably among the most beautiful of our varied landscapes. . . . Sweet land, well-watered and bountiful. . . . Iowa land is land you can love, as plainly it has been loved by succeeding generations of lovers. . . . Iowa is such a smiling state. You have a feeling that here, if anywhere in the United States, Americans are at peace with their environment. . . . In Iowa, in the midst of a spectacular lightning storm"—continued the San Francisco columnist—"my MG developed the only trouble it had on the tour. . . . It was only a matter of minutes before an Iowa businessman . . . pulled off the road to help. He drove me some eight miles to a garage . . ., chatting easily . . . all the way. This was rain-drenched Iowa freeway. Would I have been rescued as cheerfully on a California freeway? In bright sunshine?"—asked newspaperman Nolan, who then answered his own question, saying: "I rather doubt it. California is a different country."

There is a sequel to that column. Shortly after it was published, I went with an Iowa trade delegation to California, and that mission prompted Dick Nolan to write another column on our state, in which he warned against importing to our prairies the over-growth and over-industrialization which he saw around him on the Pacific Coast. In order to allay the fears of this loyal new friend, I sent him a letter of reassurance, in which I said that our trade missions attest a will for economic growth, but not at the expense of our environment. "Iowa"—I declared—"proposes to grow, and grow wisely, but not by bringing to Iowa those belching smoke stacks and loathesome liquid wastes which would destroy the beauty that our fathers and grandfathers have been building generation by generation, each adding to the accomplishment of the other." Iowa is interested only in the kinds of industry that will help to preserve—not destroy—our . . . quality of life."

I concluded my remarks to the San Francisco columnist with these words: "We propose to do all this without retreat to your suggestion of 'having Iowa declared a national park and monument.' . . . We propose to fashion . . . a living, vibrant, productive society. . . ."

As Americans cry out in protest against the continued ecological ravaging of their continent, they place an increasingly high premium on the qualities of life and living which have been nurtured here in Iowa. Especially encouraging is the renewed appreciation of these qualities by our own Iowa youth, and the apparent increase in the number of them who want to remain or return here. In the words of a 25-year-old girl now living in an apartment on Manhattan Island, "I never realized how good life in Iowa was until I left."

No one more appreciates the value of what this young lady was telling the world than our Iowa Development Commission. It seeks new jobs and

new opportunities for our Iowans, and particularly the young ones who are in constant demand around this country because of their education, abilities and willingness to work. This Commission, along with local developers, is answering the challenge by attracting non-polluting, community-minded industries which provide employment for Iowans. Recognizing the importance of our basic industry—agriculture—we established a separate agriculture promotion division within the Development Commission to help our farm economy. All this progress has been possible because of the highly motivated and aggressive Commission members and staff, and because the legislature complied with my every request for the rejuvenation and revitalization of this arm of government. Through these efforts the painful blow of taxes can be softened.

We look to Congress to support a change in the antiquated welfare program which would break the generation-after-generation chain that is not acceptable to either the taxpayers or the recipients. We look hopefully to Congress to follow the President's lead in this area and for the federal government to accept financial responsibility in this field. In order to avoid the bankruptcy of cities and states, as the President so aptly put it a few nights ago, federal revenue sharing is a must.

President Nixon is the first President who has agreed that a share of our tax money paid to Washington should be returned without restriction to cities, towns and states. The President has taken the lead. Now it remains for Congress to act. In the meantime, we will not idly wait, using the inaction as an excuse for not facing realistically and squarely the problem of burdensome property taxes. This I will discuss in detail in my Budget Message.

One of the most gratifying experiences of my first administration has been the contribution of private citizens who have volunteered their services, their talents—and money too—to make government more meaningful, efficient and effective. The Governor's Economy Committee, that I promised Iowans two years ago, has produced recommendations that will save \$23 million annually. The people are demanding that government at all levels become more efficient. And I agree with them.

The successful pursuit of quality life depends upon the development and cultivation of the mind. Recognizing this fact, and because learning is a never-ending process we have emphasized the importance of education in Iowa. As examples, we have:

First: Instituted a tuition grant program for students attending Iowa's private colleges.

Second: Expanded aid to the area community colleges.

Third: Inaugurated a long-term bonding plan for the three state universities.

Fourth: Provided more financial support than ever before to education at all levels, and

Fifth: Scored a breakthrough for those who attend our non-public schools.

The abuse of drugs has brought to Iowa the cruel realities of death, crippled and warped lives, increased crime and heart-rending personal grief. To combat this drug menace, we organized during 1970 a three-part program of drug education, law enforcement, treatment and rehabilitation. We have combined the energies and activities of local community volunteers with the coordination and financial assistance of the various state authorities responsible for the different areas. This drug program has been successfully launched primarily because our approach, which is at the heart

of my philosophy of the role of all government, concentrates on utilizing people, their enthusiasm and commitment, coupled with a measure of state-wide direction and tax dollars.

We have made a solid beginning in attacking this threat. Continuation and improvement of our efforts are imperative, and I call on all of you to join with me in erasing this threat to the quality of life in our state.

As we stand at the crossroads we can see ribbons of new highway stretching out in nearly every direction. Last year Iowa let more contracts for road construction and purchased more right-of-way than ever before in our history. But improved roads alone will not prevent the tragic and senseless killings on our highways that took an upswing in 1970 from our encouraging previous year's lower totals. To grapple with this lifesaving problem, our aim will be on the chief cause of accidents—the person who sits behind the wheel.

We can also see the concentrated effort to preserve the incomparable beauty of our rivers and streams in Iowa and we take exceptional pride in the discovery of the Cold Water Cave in the northeastern part of our state. Rathbun Reservoir filled earlier than scheduled and became Iowa's largest lake, more than doubling the recreational potential already opened up by the Red Rock Lake.

If you will look from the crossroads along the path that we have traveled in the past two years, you will see many milestones of substantial progress. For youth you will see the Governor's Summer Youth Opportunity Program where young people were encouraged and then given the opportunity to use their available time working and earning and feeling the satisfaction of accomplishment. For needy parents you will see the WIN—Work Incentive Program that has successfully trained and found employment for welfare recipients who could and have moved from the welfare rolls to worthwhile jobs. You will see milestones of progress for our cities and towns where we provided over \$7 million for sewage facility projects, a substantial increase in the road fund allocation, and the first direct revenue sharing between the state and our cities and towns.

You will see also along the pathway of the past two years, still growing recognition of imaginative programs in other areas. Government has been able to compassionately blend expertise, ideas, financing and understanding for our less fortunate—the blind, the handicapped, the disabled, if you please—citizens so that they, too, can take advantage of opportunities for a meaningful life. In addition, you will see a new alcoholism treatment program that originated during this term.

You can further see genuine concern and determined effort to preserve the Iowa environment. Air pollution standards have been adopted, and our lingering controversy with the federal government over water quality standards pertaining to the Mississippi River has been settled. We look forward to increased effectiveness among our many agencies and commissions of government charged with conserving and improving our environment.

We established the Crime Commission and in my Inaugural Message two years ago I said that we intended to score breakthroughs in the following seven areas:

First: Apprehension of suspects, partly through consolidation of police radio facilities;

Second: Computerization of identification;

Third: Up-grading of police investigative procedures;

Fourth: Action to speed criminal justice;

Fifth: Pre-sentence investigations under judicial supervision;

Sixth: Cooperation and coordination among the state highway patrol, county sheriff's officers and local police;

Finally: The addition of State Crime Laboratory facilities.

Not only has this commitment been fulfilled, many other advancements have been made in our struggle against crime.

And you will see the establishment of a Citizen's Aide, commonly known as the Ombudsman, giving government new credibility by providing citizens of this state with a place to go when they need direction, a knowledge of what is available to help them, or when they are aggrieved or believe they have been aggrieved.

During this term our working men and women have gained needed increases in Iowa's Workmen's Compensation benefits. At last, some important safety regulations have been adopted and are being enforced and safety education has been expanded.

We picked up the nearly \$2½ million Medicaid deficit that existed at the beginning of my administration and went on to support the elderly who had been removed from that program and who then had to turn to old-age-assistance. Furthermore, we increased the benefits to the elderly, with particular emphasis on those who could not meet the costs of staying in nursing homes.

The path that has been traveled during these past two years has found a rekindling of the spirit that historically has brought people and government together for accomplishment far beyond any success that could be contemplated by one without the other. I think of the Rubella project where we were able to utilize state funds and ingenuity through the leadership in our State Health Department—to start a program of voluntary participation of civic organizations, schools, health facilities, medical associations, individuals and many others to immunize youngsters all over this state to prevent a German Measles epidemic. Millions of dollars were saved, but far more important, was the prevention of human misery and birth defects which threatened an uncountable number of Iowa children.

Volunteerism is a precious part of the American heritage, and the readiness to help one another has been a mark of our society from pioneer times. Furthermore, it is through volunteers that today's great needs can best be met. These are the qualities which our democracy requires—coming to focus in the spirit that John Adams called "public happiness", the delight of taking part in public discussion and public action, the joy of citizenship and self-government, the zeal which—Adams said—won the Revolution even before it was fought.

I have discussed with you a number of achievements that we have made as we have moved to the crossroads where we stand today. Let there be no misunderstanding. **Much remains to be done.** I will be discussing with you on Thursday of this week and—perhaps most important—in the Budget Message that follows, many of the matters that call for our attention during this session.

My office and I stand ready to, and will, assist you harmoniously and cooperatively, in your arduous tasks of drafting, deliberating and passing legislation needed and beneficial to our state.

It is my hope that in the spirit to which I have referred—the spirit that John Adams called "public happiness"—we Iowans can move toward the solution of our problems in the 1970's and throughout the rest of this century. Part of that spirit is the politics of personal responsibility, the politics of the application of knowledge and reason. It is politics with a new constituency—not one of special interests and separate groups, but a constituency of conscience, common concern, and common commitment. It

is the politics which says that we are measured by the height of our dreams and the depth of our resolve. It is to this kind of politics and this kind of spirit that I summon you and all Iowans as we advance from the crossroads into the finer future that we are determined to achieve.

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

CANVASS OF VOTES

President Jepsen announced that the time had arrived for the canvass of votes for the office of Governor and Lieutenant Governor at the General Election held on November 3, 1970, and announced as teller, on the part of the Senate, Senator Potter of Linn and assistant tellers, Senators Nicholson of Scott and Hill of Jasper, and as teller, on the part of the House, Representative Den Herder of Sioux and assistant tellers, Representatives Camp of Clinton and Cochran of Webster.

President Jepsen further announced that, in accordance with statute, tellers Senator Potter and Representative Den Herder would constitute the judges of said canvass.

The returns were opened in the presence of the joint convention and the tellers then proceeded to canvass the vote for Governor and Lieutenant Governor of the State of Iowa, cast at the General Election held on November 3, 1970.

On motion Representative Varley, the joint convention recessed until on or about 1:30 p.m., Thursday, January 14, 1971.

The Senate returned to the Senate chamber and resumed regular session, Senator Coleman presiding.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 1, providing that a joint committee be named to arrange for the inauguration of the Governor and Lieutenant Governor.

Also: That the House has adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 2, providing that the Superintendent of Printing be directed to furnish copies of the 1971 Code of Iowa and copies of the Laws of the Sixty-third General Assembly to certain individuals.

Also: That the House has adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 3, providing that the Superintendent of

Printing mail one copy of the daily Senate and House Journals and Bills to each county auditor.

WILLIAM R. KENDRICK, Chief Clerk

INTRODUCTION OF BILLS

Senate File 27, by Senators Smith, Curran, Thordsen and Neu (Drake, Mayberry, Fisher of Greene and Shaw), a bill for an act relating to eligibility of welfare recipients.

Read first time and **passed on file**.

Senate File 28, by Senator Curran, a bill for an act relating to public recreation on private lands.

Read first time and **passed on file**.

Senate File 29, by Senator Mowry, a bill for an act relating to the standard of proof for termination of the parent-child relationship.

Read first time and **passed on file**.

Senate File 30, by Senator Mowry, a bill for an act relating to administrative rules and regulations.

Read first time and **passed on file**.

Senate File 31, by Senator Mowry, a bill for an act relating to the interest rates on judgments and decrees.

Read first time and **passed on file**.

Senate File 32, by Senators Griffin, Schaben, Arbuckle and Potgeter (Camp, Mayberry and Lawson), a bill for an act to establish a state building code, providing for its administration, and provide a penalty for violation of the Code or orders issued thereunder.

Read first time and **passed on file**.

ANNOUNCEMENT OF SUBCOMMITTEE APPOINTMENTS

Senator Messerly announced the appointment of the following subcommittees to the Committee on Appropriations:

APPROPRIATIONS SUBCOMMITTEES Sixty-fourth General Assembly EDUCATION

Balloun, Chairman	Lavery Neu	Smith Van Gilst
Riley, Chairman	Hill	CLAIMS Rhodes

Curran, Chairman	IOWA DEVELOPMENT Doderer	Riley
	Nicholson	
Brownlee, Chairman	NATURAL RESOURCES Kyhle	Shawver
	Schaben	
Anderson, Chairman	SOCIAL SERVICES Coleman	Thordsen
	Sullivan	
Mowry, Chairman	STATE DEPARTMENTS Arbuckle	Tapscott Van Drie
	Stephens	
Keith, Chairman	TRANSPORTATION Hill	Rhodes Walsh
	Lamborn	

SENATE CONCURRENT RESOLUTION 4

By Lamborn and Gaudineer

Be It Resolved by the Senate, the House Concurring: That when adjournment is had on Friday, March 12, 1971, it be to reconvene on Monday, March 22, 1971, at 10:00 a.m.

SENATE CONCURRENT RESOLUTION 5

By Personnel Committee

Whereas, the Code provides that "The compensation of the chaplains, and officers and employees of the General Assembly shall be fixed by joint action of the House and Senate by resolution at the opening of the session, or as soon thereafter as conveniently can be done";

Now, Therefore, Be It Resolved by the Senate, the House Concurring: That the daily compensation of all chaplains, and officers and employees of the Sixty-fourth General Assembly shall be as follows, to be paid in accordance with the rules of the Senate and House:

OFFICERS AND EMPLOYEES OF THE SENATE

Secretary of the Senate	\$50.00
Assistant Secretary of the Senate	33.00
Legislative Counsel	33.00
Law and Reading Clerks	30.00
Law Clerk	25.00
Reading Clerk	20.00
Journal Clerk	22.00
Assistant Journal Clerk	20.00
Engrossing Clerk	20.00
Secretary to Secretary	22.00
Secretary and Enrolling Clerk	18.00
Special Clerk	16.00
General Clerk	16.00
Secretary to Lieutenant Governor	23.00
Payroll Clerk	18.00
Supply and Secretary's Clerk	20.00
Secretaries to Senate Standing Committee Chairmen	16.00

Secretaries to Senate Appropriations Subcommittee Chairmen	16.00
Secretary to President Pro Tempore	16.00
Senate Floor Leaders' Secretaries (2)	16.00
Senate Ranking Member Committee Secretaries	15.00
Senate Secretaries	14.00
Control Board Operator	13.00
Bill Clerk	13.00
Assistant Bill Clerk	11.00
Sergeant-at-Arms	17.00
Assistant Sergeant-at-Arms	13.00
Chief Doorkeeper	13.00
Assistant Doorkeepers	12.00
Cloakroom Attendant	11.00
Porter	11.00
Postmistress	12.00
Pages	10.00

OFFICERS AND EMPLOYEES OF THE HOUSE

Chief Clerk	50.00
Assistant Chief Clerk	29.00
Legislative Counsel	37.00
Engrossing Clerk	21.00
Chief Journal Clerk	26.00
Journal Clerk	20.00
Secretary to Chief Clerk	23.00
Clerk to Chief Clerk	17.00
Finance Clerk	22.00
Supervisor of Clerks	21.00
Secretary to Speaker	23.00
Assistant to Legislative Counsel	21.00
Secretaries to House Committee Chairmen	16.00
Secretaries to House Appropriations Subcommittee Chairmen	16.00
House Floor Leaders' Secretaries (2)	16.00
House Ranking Member Committee Secretaries	15.00
House Secretaries	14.00
Sergeant-at-Arms	17.00
Assistant Sergeant-at-Arms	14.00
Bill Clerk	14.00
Assistant Bill Clerk	13.00
File Clerk	12.00
Supply Clerk	16.00
Chief Electrician	19.00
Assistant Electrician	17.00
Control Board Operator	16.00
Assistant Voting Machine Operator	15.00
Postmaster	12.00
Chief Doorkeeper	13.00
Doorkeepers	12.00
Cloakroom Attendant	11.00
Pages	10.00
Janitor	12.00

Be It Further Resolved: That the compensation of chaplains officiating at the opening of the sessions of the Senate and House of the Sixty-fourth General Assembly shall be fixed at ten dollars (\$10.00) for each branch

of the General Assembly, and, in addition thereto, mileage at the rate of ten (10) cents per mile to and from the State Capitol.

SENATE CONCURRENT RESOLUTION 6

By Personnel Committee

Whereas, the Code provides that "The compensation of the joint legislative employees of the General Assembly shall be fixed by joint action of the House and Senate by resolution at the opening of the session or as soon thereafter as conveniently can be done";

Now, Therefore, Be It Resolved by the Senate, the House Concurring: That the daily compensation of all joint legislative employees of the Sixty-fourth General Assembly shall be as follows, to be paid in accordance with the rules of the Senate and House:

LEGISLATIVE SERVICE BUREAU

Research Assistants	\$17.50
Typists	16.00
Proofreaders	16.00
Senior Bill Clerk	16.00
Bill Clerk	15.00
Xerox Operator	13.00

JOINT HELP

Supervisor of Legislative Index Clerks	20.00
Assistant Supervisor of Legislative Index Clerks	17.00
Index Clerks	13.00
Law Library Clerk	12.00
Assistant Postmistress	12.00
Mail Carrier	12.00

CUSTODIAN

Parking Attendants	13.00
Janitors	12.00
Elevator Operators	11.00
Matron	10.00
Night Watchmen	11.00

BILLS ASSIGNED TO COMMITTEE

President Jepsen announced the assignment of the following bills to committee:

S. F. 2	Judiciary
S. F. 3	Judiciary
S. F. 4	Commerce
S. F. 5	Commerce
S. F. 6	Commerce
S. F. 7	Human and industrial relations
S. F. 8	Commerce

- S. F. 9 Commerce
- S. F. 10 Conservation and recreation
- S. F. 11 County government
- S. F. 12 State government
- S. F. 13 State government
- S. F. 14 State government
- S. F. 15 Transportation
- S. F. 16 Commerce
- S. F. 17 Commerce
- S. F. 19 Commerce
- S. F. 20 Commerce
- S. F. 21 Commerce
- S. F. 22 Commerce
- S. F. 23 Commerce
- S. F. 24 Commerce
- S. F. 25 Ways and means
- S. F. 26 State government
- S. F. 27 Social services
- S. F. 28 Conservation and recreation
- S. F. 29 Judiciary
- S. F. 30 Judiciary
- S. F. 31 Judiciary
- S. F. 32 Commerce

COMMUNICATION FROM THE BOARD OF REGENTS

The Ten-Year Building Program report of the State Board of Regents has been received and filed in the office of the Secretary of the Senate.

COMMUNICATIONS

The following communications were filed with the Secretary of the Senate:

January 12, 1971

Mr. Carroll Lane
Secretary of Senate
State House
Local

Dear Mr. Lane:

There are transmitted herewith claims against the State of Iowa, to be filed with the Claims Committee of the Senate.

These include 21 claims of a general nature.

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

Very truly yours,
MAURICE E. BARINGER
Chairman
State Appeal Board

OFFICE
STATE COMPTROLLER

Claim	Name of Claimant	Amount	Amount
728-64-25	Michigan Wisconsin Pipe Line Co., Detroit, Michigan — Reciprocity Fee Refund	\$ 929.31	Disapproved
873-64-25	Willard C. Brinegar, M.D., Cherokee, Iowa—Vacation Pay and Sick Leave ..	19,500.00	Disapproved
1134-64-25	Melvin R. Flowers, Decatur, Iowa— Gas Tax Refund	45.29	Disapproved
1149-64-25	Darold Dralle, Bristow, Iowa—Gas Tax Refund	63.07	Disapproved
1221-64-25	Eugene J. Schmidt, Lost Nation, Iowa —Gas Tax Refund	21.00	Disapproved
1289-64-25	Matheson Scientific, Milwaukee, Wis- consin—Outdated Invoice	178.02	Disapproved
1303-64-25	Jay W. Stein, Macomb, Illinois — Unpaid Salary	8,500.00	Disapproved
1310-64-25	G.B.C. Sales & Service, Des Moines, Iowa—Outdated Invoice	29.88	Disapproved
1315-64-25	Elsie M. Miles, Spencer, Iowa—Real Estate Transfer Tax Refund	9.35	Disapproved
1380-64-25	Beckman Instruments, Inc., Chicago, Illinois—Outdated Invoice	114.80	Disapproved
1406-64-25	Evelyn Anderson, Des Moines, Iowa —Retroactive Salary Increase	52.50	Disapproved
1446-64-25	Mercy Hospital, Des Moines, Iowa — Outdated Claim	577.56	Disapproved
1537-64-25	Wigman Company, Sioux City, Iowa —Construction Materials Furnished to State	610.37	Disapproved
1546-64-25	Northwest Des Moines National Bank, Des Moines, Iowa—Forged Warrant	125.95	Disapproved
1580-64-25	Beatrice Foods Company, Ottumwa, Iowa—Licence Fee Refund	560.00	Disapproved
1595-64-25	Geza Papp, Denver, Colorado — Man- datory Retirement from Highway Commission	12,244.10	Disapproved
1647-64-25	The Art Store, Des Moines, Iowa — Outdated Invoice	2.65	Disapproved
1687-64-25	Fisher Scientific Company, St. Louis, Missouri—Outdated Invoice	181.50	Disapproved
1807-64-25	Iowa Air Sales Inc., Des Moines, Iowa —Outdated Invoice	27.00	Disapproved
H-117-64-G	Clay and Fay De Lashmutt and Mills County Treasurer, Pacific Junction, Iowa—Outdated Warrant	1,275.00	Disapproved
H-138-64-G	Edna E. Severn, Council Bluffs, Iowa —Outdated Warrant	660.00	Disapproved

Dated January 12, 1971

January 12, 1971

Mr. Carroll Lane
Secretary of Senate
State House
Local

Dear Mr. Lane:

In accordance with section 25A.12, Code of Iowa, 1966, we are hereby submitting to the General Assembly all claims and judgments paid during 1970 by the State Appeal Board under chapter 25A.

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

Very truly yours,
MARVIN R. SELDEN, JR.
State Comptroller

CHAPTER 25A GENERAL TORT CLAIMS APPROVED
BY STATE APPEAL BOARD, 1970

Claim No.	Claimant	Nature of Claim	Amount Claimed	Amount Approved
T-205-64	LeRoy William Moore	Slip and fall at State Fair Grounds	Undetermined	\$ 970.65
T-524-64	F. W. Tomasek & Colony	Crop damage	\$ 187.50	500.00
T-697-64	Keith A. Pierson	Damage to windshield	164.50	150.00
T-721-64	Talbot Spivak	Loss of tooth	175.00	175.00
T-726-64	James D. Benson	Damage to auto	52.33	52.33
T-887-64	Richard C. Orr	Loss of fingers in prison	2,000.00	250.00
T-1014-64	Charles I. Hicks	Damage to car roof	31.45	31.45
T-1028-63	George Wesley Roland	Auto damage	7,949.27	2,125.00
T-1222-64	Cecelia P. McFadden	Broken windshield	50.00	50.00
T-1273-64	Donald Zimmerman	Stolen property	202.45	160.00
T-1382-64	Pearl Lenz	Chicken bone in food	200.00	200.00
T-1539-64	Vibo Manufacturing Company	Stolen golf cart at State Fair Grounds	790.00	790.00
T-1793-64	Glenn McCrory	Accident at State Fair Grounds	12.86	12.86

CHAPTER 25A HIGHWAY TORT CLAIMS APPROVED
BY STATE APPEAL BOARD, 1970

Claim No.	Claimant	Nature of Claim	Amount Claimed	Amount Approved
H-27-64-T	William J. West	Damage to vehicle swerving to avoid IHC employee	\$ 343.51	\$ 343.51
H-28-64-T	Ronald O. Davis	Water damage to patio	317.00	317.00
H-59-64-T	Robert L. Stevenson	Crop damage	1,400.00	975.00
H-66-64-T	William Morgan	Loss of personal property due to sewer drain	Undetermined	550.00
H-74-64-T	Charles Christensen	Auto damage	84.46	84.46
H-76-64-T	Fagan-Norris Chrysler	Linseed oil on automobiles	375.00	225.00
H-82-64-T	William F. Springer	Paint on car	118.45	118.45

Claim No.	Claimant	Nature of Claim	Amount Claimed	Amount Approved
H-95-64-T	Willard Huedepohl	Paint on car	38.11	38.11
H-99-64-T	Richard C. Karr	Tire replacement on tractor	41.50	41.50
H-101-64-T	Paul & Walter Grumstrup and John Brandenburg	Tractor accident	11,244.54	6,679.37
H-104-64-T	Thomas H. Swain	Damage to tractor tire	125.00	125.00
H-119-64-T	Bernard E. Anderson	Auto damage	70.00	68.19
H-120-64-T	Estate of Olive Lermon	Wrongful death	50,000.00	5,000.00
H-121-64-T	Estate of Henry Lermon	Wrongful death	151,200.00	15,000.00
H-128-64-T	Elmer Kehrli	Weed spray killed trees	50.00	50.00
H-134-64-T	Jerry Witter	Road sign blew into auto	157.85	157.85
H-146-64-T	V. Dewan Robinson	Loss of trees	40.90	40.90
H-149-64-T	Norman Tiedemann	Car damage	Undetermined	47.43
H-155-64-T	C. E. Johnston	Fence damage	66.98	66.98
H-157-64-T	Robert D. Abrahamson	Paint on car	54.59	54.59

CHAPTER 25A—TORT CLAIMS
JUDGMENTS AND SETTLEMENTS AT OR BEFORE TRIAL—1970

Claim No.	Claimant	Nature of Claim	Amount Claimed	Amount Approved
T-165-63	Mary Morrison, Executrix of the Estate of John R. Morrison, Deceased	Death in National Guard Plane crash	\$240,248.00	\$80,791.67
T-842-63	Gary McArthur	Damage to auto in accident involving National Guard vehicle	710.93	300.00
H-72-64-T	Darrell Wubben	Personal injury in auto accident due to IHC road construction	8,021.54	8,422.62

AMENDMENTS FILED

1 Amend Senate File 1 as follows:

2 1. Page 27, by striking lines 30 through 35, and
3 page 28, by striking lines 1 through 5.

4 2. Page 28, by striking lines 6 through 19.

5 3. Page 28, by striking lines 20 through 35, and page 29,
6 by striking lines 1 through 6.

7 4. Page 29, by striking lines 7 through 27.

GENE W. GLENN

1 Amend Senate File 1 as follows:

2 1. Page 30, by striking lines 12 through 33.

GENE W. GLENN

On motion of Senator Lamborn, the Senate adjourned until 10:00
a.m., Wednesday, January 13, 1971.

JOURNAL OF THE SENATE

THIRD DAY

SENATE CHAMBER
DES MOINES, IOWA, WEDNESDAY, JANUARY 13, 1971

The Senate met in regular session, President Jepsen presiding.

Prayer was offered by the Reverend Edward B. Meyer, pastor of the Grace Lutheran Church, Muscatine, Iowa.

The Senate pledged allegiance to the flag.

The Journal of Tuesday, January 12, 1971, was approved.

INTRODUCTION OF BILLS

Senate File 33, by Senator Griffin, a bill for an act to place a moratorium on millage levies for the year 1971 by all taxing districts in Iowa.

Read first time and **passed on file**.

Senate File 34, by Senator Glenn, a bill for an act requiring certain disclosures by persons and organizations engaged in lobbying activities.

Read first time and **passed on file**.

Senate File 35, by committee on county government (committee on county government), a bill for an act relating to the rates of interest and interest penalty for the redemption of real property.

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

Senate File 36, by committee on county government (committee on county government), a bill for an act to increase cost of filing of a mechanic's lien.

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

Senate File 37, by committee on county government (committee on county government), a bill for an act to permit counties to become associated with the Iowa state association of counties.

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

Senate File 38, by committee on county government (committee on county government), a bill for an act relating to fees charged by county recorders.

Read first time and placed on calendar.

COMMITTEE ON MEMORIAL RESOLUTIONS

Senator Stephens moved that a committee of three be appointed to ascertain the names of the deceased members of the Senate during the past year, and that the President of the Senate be authorized to appoint subcommittees to prepare suitable resolutions.

The motion prevailed and the President appointed as such committee Senators Stephens, Van Drie and Miller.

PRESENTATION

President Jepsen extended his congratulations and welcomed to the Senate Cloyd E. Robinson of Linn County who was elected on January 11, 1971, to fill the vacancy created by the resignation of Senator J. Donald Weimer.

CONSIDERATION OF BILLS

Senate File 1

On motion of Senator Mowry, Senate File 1, a bill for an act relating to the regulation and control of certain substances, and providing procedures for enforcement and penalties, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Mowry asked and received unanimous consent that Philip E. Burks, Senior Legislative Analyst of the Legislative Service Bureau, be permitted to remain in the Senate chamber as a consultant.

Senator Glenn offered the following amendment filed by him:

- 1 Amend Senate File 1 as follows:
- 2 1. Page 27, by striking lines 30 through 35, and
- 3 page 28, by striking lines 1 through 5.
- 4 2. Page 28, by striking lines 6 through 19.
- 5 3. Page 28, by striking lines 20 through 35, and page 29,
- 6 by striking lines 1 through 6.
- 7 4. Page 29, by striking lines 7 through 27.

Senator Glenn moved the adoption of the amendment and requested a roll call.

On the question "Shall the amendment be adopted?" (S.F. 1) the vote was:

Ayes, 19:

Brownlee	Glenn	Neu	Tapscott
Coleman	Hill	Palmer	Van Drie
Davis	Kennedy	Potgeter	Van Gilst
DeKoster	Miller	Riley	Walsh
Doderer	Milligan	Schaben	

Nays, 29:

Anderson	Erskine	Laverty	Rhodes
Arbuckle	Gaudineer	Messerly	Shaff
Balloun	Gilley	Mowry	Shawver
Bass	Graham	Nicholson	Smith
Briles	Keith	Ollenburg	Stephens
Carlson	Kyhl	Potter	Sullivan
Conklin	Lamborn	Rabedaux	Thordsen
Curran			

Absent or not voting, 1:

Griffin

The amendment lost.

(Senate File 1 pending on recess.)

On motion of Senator Lamborn, the Senate recessed until 2:00 p.m.

AFTERNOON SESSION

The Senate reconvened, President Jepsen presiding.

INTRODUCTION OF BILLS

Senate File 39, by Senator Ollenburg, a bill for an act relating to aid for local historical society.

Read first time and **passed on file**.

Senate File 40, by Senator Van Gilst, a bill for an act relating to the notification of mobile homeowners of tax assessments.

Read first time and **passed on file**.

Senate File 41, by Senator Briles, a bill for an act relating to the authorization of assistant county attorneys and salaries therefor.

Read first time and **passed on file**.

Senate File 42, by Senator Conklin, a bill for an act relating to computation of old age assistance grants.

Read first time and **passed on file**.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has adopted the following joint resolution in which the concurrence of the Senate is asked:

House Joint Resolution 1, making application to the United States Congress to call a convention for the purpose of proposing to the states a constitutional amendment providing that a portion of taxes levied on income by Congress shall be made available to state governments.

Also: That pursuant to adoption of House Concurrent Resolution 2, the Speaker of the House has appointed on the part of the House the following Representatives: Tieden of Clayton, Alt of Polk and Fisher of Greene.

WILLIAM R. KENDRICK, Chief Clerk

CONSIDERATION OF BILLS

Senate File 1

The Senate resumed consideration of Senate File 1.

Senator Glenn offered the following amendment filed by him:

- 1 Amend Senate File 1 as follows:
- 2 1. Page 30, by striking lines 12 through 33.

Senator Glenn moved the adoption of the amendment and called for a division.

The amendment lost.

Senator Gaudineer offered the following amendment by Senators Gaudineer, et al., and moved its adoption:

- 1 Amend Senate File 1 as follows:
- 2 1. Page 20, line 19, by striking the word, "felony",
- 3 and by inserting in lieu thereof the words, "public
- 4 offense".
- 5 2. Page 22, line 20, by striking the words, "Except
- 6 when", and by inserting in lieu thereof the word, "When".
- 7 3. Page 22, line 25, by striking the words, "or
- 8 oral".
- 9 4. Page 24, by inserting in line 29 after the word,
- 10 "fine." the following:
- 11 "If the controlled substance is marijuana, the punish-
- 12 ment shall be by imprisonment in the county jail for
- 13 not more than six (6) months or by a fine of not more
- 14 than one thousand dollars (\$1,000), or by both such
- 15 fine and imprisonment. All or any part of a sentence
- 16 imposed pursuant to this section may be suspended and the
- 17 person placed upon probation upon such terms and con-
- 18 ditions as the court may impose including the active
- 19 participation by such person in a drug treatment, re-
- 20 habilitation or education program approved by the
- 21 court."
- 22 5. Page 29, line 20, by inserting after the word,

23 "fees," the words, " , wherever found,".

24 6. Page 29, line 32, by striking the word, "thereof",

25 and by inserting in lieu thereof the word, "in the same

Page 2

1 transaction or series of transactions and which involve

2 common questions of law and fact".

3 7. Page 31, line 27, by inserting after the word

4 "from", the words, "or arrested".

5 8. Page 32, line 15, by striking the words "use

6 or".

7 9. Page 32, line 18, by inserting after the period

8 (.) the words, "If the violation is a first offense, the

9 provisions of section four hundred nine (409) of this act may be
10 utilized by the court."

The amendment was adopted.

Senator Neu offered the following amendment by Senators Neu and Riley and moved its adoption:

1 Amend Senate File 1 as follows:

2 1. Page 10 by striking line 24.

3 2. Page 16, by adding after line 17 the following:

4 "1. Marijuana."

5 3. Page 15, line 30, by adding the words "except

6 marijuana" after the word "use".

Division was called for.

The amendment lost.

Senator Mowry offered the following amendment by Senators Mowry and Gaudineer:

1 Amend Senate File 1 as follows:

2 1. Page 28, by inserting in line 5 after the word

3 "violations." the following: "For the purpose of this

4 subsection, parents or persons having the lawful custody

5 or guardianship of persons under eighteen years of age,

6 practicing attorneys, physicians, surgeons, or the

7 stenographer or confidential clerk of any such person,

8 minister of the gospel, or priest of any denomination

9 shall be privileged from and shall not be required to

10 report or assist as herein provided."

Senator Doderer offered the following amendment to the amendment and moved its adoption:

1 Amend the Mowry-Gaudineer amendment, filed January 13, 1971,

2 to Senate File 1, as follows:

3 1. By inserting after the comma in line 5 the words "persons
4 under eighteen years of age under such custody or guardianship,".

5 2. By inserting in line 10 after the word "provided" the

6 words "with respect to those persons with whom a confidential

7 or family relationship exists".

The amendment to the amendment was adopted.

Senator Mowry moved the adoption of the amendment as amended.

The amendment as amended lost.

Senator Tapscott offered the following amendment:

- 1 Amend Senate File 1 as follows:
- 2 1. Page 29, by striking lines 28 through 35.
- 3 2. Page 30, by striking lines 1 through 9.

Senator Tapscott moved the adoption of his amendment and called for a division.

The amendment lost.

Senator DeKoster offered the following amendment:

- 1 Amend Senate File 1 as follows:
- 2 Page 29, after line 27, insert new subsection as follows:
- 3 5. For the purpose of this section the words sponsoring
- 4 and promoting shall include the intent to sponsor or promote
- 5 the use of controlled substances, which intent may be proved
- 6 by circumstantial evidence.

Senator DeKoster offered the following amendment to the amendment and moved its adoption:

- 1 Amend the DeKoster amendment to Senate File 1, filed
- 2 January 13, 1971, as follows:
- 3 1. Line 5, after the word "substances" add the following words
- 4 "in violation of this Act".

The amendment to the amendment was adopted.

Senator DeKoster moved the adoption of the amendment as amended.

The amendment as amended was adopted.

Senator Brownlee offered the following amendment:

- 1 Amend Senate File 1 as follows:
- 2 1. Page 27, by inserting in line 31 after the word "a"
- 3 the words "publicly advertised".
- 4 2. Page 27, by striking in line 32 the word "two" and
- 5 inserting in lieu thereof the word "twenty".

Senator Gaudineer called for a division of the amendment, lines 1, 2 and 3 to be considered as division 1, and lines 4 and 5 to be considered as division 2.

Senator Brownlee moved the adoption of division 1 of the amendment.

Division 1 of the amendment lost.

Senator Brownlee moved the adoption of division 2 of the amendment.

Division 2 of the amendment lost.

Senator Mowry offered the amendment by Senators Mowry, Gaudineer and Potgeter and moved its adoption:

- 1 Amend Senate File 1 as follows:
- 2 Page 37, by inserting in line 23 after the word "board" the
- 3 following words ", subject to approval and direction of the
- 4 governor,".
- 5 2. Page 42, by inserting in line 1 after the word "department"
- 6 the following words ", subject to approval and direction of the
- 7 governor,".
- 8 3. Page 42, by inserting in line 24 after the word "department"
- 9 the following words ", subject to approval and direction of the
- 10 governor,".
- 11 4. Page 43, by inserting in line 11 after the word "department"
- 12 the following words ", subject to approval and direction of the
- 13 governor,".
- 14 5. Page 43, by inserting in line 13 after the word "department"
- 15 the following words ", subject to approval and direction of the
- 16 governor,".
- 17 6. Page 43, by inserting in line 22 after the word "department"
- 18 the following words ", subject to approval and direction of the
- 19 governor,".

The amendment was adopted.

Senator Mowry moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 1) the vote was:

Ayes, 44:

Anderson	DeKoster	Laverty	Rhodes
Arbuckle	Erskine	Messerly	Schaben
Balloun	Gaudineer	Miller	Shaff
Bass	Gilley	Milligan	Shawver
Briles	Graham	Mowry	Smith
Brownlee	Griffin	Nicholson	Stephens
Carlson	Hill	Ollenburg	Sullivan
Coleman	Keith	Palmer	Thorsen
Conklin	Kennedy	Potgeter	Van Drie
Curran	Kyhl	Potter	Van Gilst
Davis	Lamborn	Rabedaux	Walsh

Nays, 5:

Doderer	Neu	Riley	Tapscott
Glenn			

Absent or not voting, none:

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

Senator Lamborn asked and received unanimous consent that

Senate File 1 be immediately messaged to the House, which request was complied with.

HOUSE MESSAGE CONSIDERED

House Joint Resolution 1, a joint resolution making application to the United States Congress to call a convention for the purpose of proposing to the states a constitutional amendment providing that a portion of taxes levied on income by Congress shall be made available to state governments.

Read first time and **passed on file.**

SENATE CONCURRENT RESOLUTION 7

By Kyhl

Be It Resolved by the Senate, the House Concurring: That the Superintendent of Printing be instructed to mail to each of the following one copy of the daily Senate and House Journals and one copy of each Senate and House bill of the Sixty-fourth General Assembly, on the date of printing thereof, and that the same, with binders, be furnished to each free of charge to be paid out of the general fund not otherwise appropriated: Senator Jack Miller, Senator Harold E. Hughes, Congressmen Fred Schwengel, John C. Culver, H. R. Gross, John M. Kyl, Neal Smith, Wiley Mayne, William J. Scherle; and the Council of State Governments, Iron Works Pike, Lexington, Kentucky 40505, and Midwestern Office, Council of State Governments, 1313 East 60th Street, Chicago, Illinois 60637.

REPORT OF JOINT PERSONNEL COMMITTEE ON JOINT LEGISLATIVE EMPLOYEES

We, your joint personnel committee appointed to nominate employees for the extra help of the Sixty-fourth General Assembly, hereby submit the following:

LEGISLATIVE SERVICE BUREAU

Research Assistants:

Linda Lee Nelson
Mark S. Soldat

Typists:

Connie K. Coughenower
Connie I. Standard

Proofreaders:

Martha Baker
Maxine L. Balducci
Jane L. Carr
Dorothy M. Kelley
Evelyn S. Kendrick
Anne R. McCord

Senior Bill Clerk:

Maxine Parker

Bill Clerk:
Lois N. Carter
Xerox Operator:
Louise Firman

JOINT HELP

Supervisor of Legislative Index Clerks:
Maxine Gunton
Assistant Supervisor of Legislative Index Clerks:
Juanita Swackhammer
Index Clerks:
Terry G. Pepper
William Carroll
Law Library Clerk:
Nancy J. Fischer
Postoffice Clerk:
Ruby Thordsen
Mail Carrier:
James McCabe

CUSTODIAN

Parking Attendants:
John Blue
Frank Miller
George Day
Thomas H. Sims
Raymond Keeney, Jr.
Albert Pewick

Janitors:
Calvin G. Pruitt
John Robinson
James M. Sullivan
Ted Downey
Raymond Gordon
William L. Oldaker
Gordon M. Cosner
Carl E. Taylor

Elevator Operators:
Agnes Bertoglie
Bessie B. Edwards

Matron:
Mary F. Parker

Night Watchmen:
Harry A. Longen
Charles W. Foster

JAMES E. BRILES
On the Part of the Senate
DALE TIEDEN
On the Part of the House

On motion of Senator Lamborn, the Senate adjourned until 10:00 a.m., Thursday, January 14, 1971.

JOURNAL OF THE SENATE

FOURTH DAY

SENATE CHAMBER
DES MOINES, IOWA, THURSDAY, JANUARY 14, 1971

The Senate met in regular session, President Jepsen presiding.

Prayer was offered by the Reverend David Ter Beest, pastor of the First Reformed Church, Hull, Iowa.

The Senate pledged allegiance to the flag.

The Journal of Wednesday, January 13, 1971, was approved.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has adopted the following concurrent resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 4, setting adjournment on Thursday, January 14, to reconvene at 10:00 a.m., Monday, January 18, 1971.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 13, a bill for an act relating to the selection of the compensation commissioners.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 14, a bill for an act relating to the leasing of property by the state conservation commission.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 18, a bill for an act relating to notaries public.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 22, a bill for an act relating to the state entomologist.

WILLIAM R. KENDRICK, Chief Clerk

HOUSE MESSAGES CONSIDERED

House File 13, a bill for an act relating to the selection of the compensation commissioners.

Read first time and passed on file.

House File 14, a bill for an act relating to the leasing of property by the state conservation commission.

Read first time and **passed on file**.

House File 18, a bill for an act relating to notaries public.

Read first time and **passed on file**.

House File 22, a bill for an act relating to the state entomologist.

Read first time and **passed on file**.

INTRODUCTION OF BILL

Senate File 43, by Senator Stephens, a bill for an act relating to violation of the beer and liquor laws by minors.

Read first time and **passed on file**.

ADOPTION OF SENATE CONCURRENT RESOLUTIONS

Senate Concurrent Resolution 4

Senator Lamborn called up the following resolution and moved its adoption:

SENATE CONCURRENT RESOLUTION 4

By Lamborn and Gaudineer

Be It Resolved by the Senate, the House Concurring: That when adjournment is had on Friday, March 12, 1971, it be to reconvene on Monday, March 22, 1971, at 10:00 a.m.

The motion prevailed and the resolution was adopted.

Senate Concurrent Resolution 5

Senator Briles called up Senate Concurrent Resolution 5 found on page 42 of the Senate Journal and moved its adoption.

The motion prevailed and the resolution was adopted.

Senate Concurrent Resolution 6

Senator Briles called up Senate Concurrent Resolution 6 found on page 44 of the Senate Journal and moved its adoption.

The motion prevailed and the resolution was adopted.

Senate Concurrent Resolution 7

Senator Kyhl asked and received unanimous consent to take up Senate Concurrent Resolution 7 found on page 58 of the Senate Journal and moved its adoption.

The motion prevailed and the resolution was adopted.

ADOPTION OF REPORT ON JOINT LEGISLATIVE EMPLOYEES

Senator Briles called up the Report of Joint Personnel Committee on Joint Legislative Employees found on pages 58 and 59 of the Senate Journal and moved its adoption.

The motion prevailed and the report was adopted.

ADOPTION OF HOUSE CONCURRENT RESOLUTION 4

House Concurrent Resolution 4

Senator Lamborn asked and received unanimous consent to take up the following resolution and moved its adoption:

HOUSE CONCURRENT RESOLUTION 4

By Varley

Be It Resolved by the House, the Senate Concurring: That when adjournment is had on Thursday afternoon, January 14, 1971, it be to reconvene at 10:00 a.m., Monday, January 18, 1971.

The motion prevailed and the resolution was adopted.

PRESIDENT JEPSEN COMMENDS SENATE

President Jepsen made the following remarks:

The Chair would commend the Senate for the manner in which debate was conducted on Senate File 1 yesterday.

The decorum and debate was living testimony to the intelligence and dedicated concern that I believe to be a trademark of this Senate body. My congratulations and thanks.

BILLS ASSIGNED TO COMMITTEE

President Jepsen announced the assignment of the following bills to committee:

S. F. 18 Commerce

S. F. 33 Ways and means

S. F. 34 State government

S. F. 39 County government

S. F. 40 County government

S. F. 41 County government

S. F. 42 Social services

S. F. 43 Law enforcement

H. F. 13 State government

H. F. 14 State government

H. F. 18 State government

H. F. 22 State government

On motion of Senator Lamborn, the Senate recessed until 1:30 p.m. to reassemble on the second floor of the Veterans Memorial Auditorium.

COMMITTEE FROM THE HOUSE

A committee from the House appeared and announced that the House was ready to receive the Senate in joint convention.

In accordance with Senate Concurrent Resolution 1, duly adopted, the Senate proceeded to the seat of the joint convention on the main floor of Veterans Memorial Auditorium in columns of two's, led by the Sergeant-at-Arms and the Secretary of the Senate.

JOINT CONVENTION

The joint convention reconvened, President pro tempore Kyhl presiding.

Senator Lamborn of Jackson moved that the roll call be dispensed with and that the President pro tempore of the joint convention be authorized to declare a quorum present.

President pro tempore Kyhl declared a majority of the General Assembly present at the joint convention.

President pro tempore Kyhl then announced and made public the canvass of the vote.

The tellers reported as follows:

MR. PRESIDENT AND GENTLEMEN AND LADIES OF THE JOINT CONVENTION:

Your tellers, appointed by the President of the Senate and the Speaker of the House of Representatives to canvass the vote cast for candidates for Governor and Lieutenant Governor at the election held November 3, 1970, beg leave to make the following report of the total vote cast for Governor:

Robert D. Ray.....	403,394
Robert D. Fulton.....	368,911
Robert Dilley	18,933
Scattering	3

And the total vote cast for Lieutenant Governor at the election, held November 3, 1970:

Roger W. Jepsen	423,491
Minnette F. Doderer.....	338,722
Scattering	2

All of which is most respectfully submitted.

RALPH W. POTTER	EDWARD E. NICHOLSON
ELMER H. DEN HERDER	EUGENE M. HILL
Judges	JOHN CAMP
WILLIAM R. KENDRICK	DALE M. COCHRAN
Secretary of the Joint Convention	Tellers

Senator Potter of Linn moved that the report be adopted.

Motion prevailed and the report was adopted.

President pro tempore Kyhl of the joint convention announced that the Honorable Robert D. Ray, having received the highest number of votes cast for Governor at the last general election, was duly elected to the office of Governor of the State of Iowa for the ensuing term, or until his successor is duly elected and qualified, and that the Honorable Roger W. Jepsen, having received the highest number of votes cast for Lieutenant Governor at the last general election, was duly elected to the office of Lieutenant Governor for the ensuing term, or until his successor is duly elected and qualified.

The following certificates were signed in the presence of the joint convention :

CERTIFICATE OF ELECTION
STATE OF IOWA
GENERAL ASSEMBLY
HALL OF THE HOUSE OF REPRESENTATIVES

This is to certify that upon a canvass in joint convention of the two houses of the Sixty-fourth General Assembly of the State of Iowa, of all the votes cast at the general election held November 3, 1970, for the office of the Governor of the State of Iowa, it appeared that Robert D. Ray received the highest number of all votes cast for any candidate at said election for said office and was thereupon declared duly elected to said office for the term of two years and until his successor is duly elected and qualified.

Signed in the presence of the joint convention this twelfth day of January, A.D. 1971.

WILLIAM H. HARBOR
 Speaker of the House
WILLIAM R. KENDRICK
 Chief Clerk of the House and
 Clerk of the Joint Convention
ELMER H. DEN HERDER
 Teller of the House

VERNON H. KYHL
 President Pro Tempore of the Senate
 and President of the Joint Convention
RALPH W. POTTER
 Teller of the Senate

CERTIFICATE OF ELECTION
STATE OF IOWA
GENERAL ASSEMBLY
HALL OF THE HOUSE OF REPRESENTATIVES

This is to certify that upon a canvass in joint convention of the two houses of the Sixty-fourth General Assembly of the State of Iowa, of all

the votes cast at the general election held November 3, 1970, for the office of Lieutenant Governor of the State of Iowa, it appeared that Roger W. Jepsen received the highest number of all votes cast for any candidate at said election for said office and was thereupon declared duly elected to said office for the term of two years and until his successor is duly elected and qualified.

Signed in the presence of the joint convention this twelfth day of January, A.D. 1971.

WILLIAM H. HARBOR

Speaker of the House

WILLIAM R. KENDRICK

Chief Clerk of the House and

Clerk of the Joint Convention

ELMER H. DEN HERDER

Teller of the House

VERNON H. KYHL

President Pro Tempore of the Senate

and President of the Joint Convention

RALPH W. POTTER

Teller of the Senate

President pro tempore Kyhl then directed that the abstract of votes and certificates of election be filed with the Secretary of State.

Senator Briles of Adams moved that a committee of six, consisting of three members from the Senate and three members from the House, be appointed to notify Governor-elect Robert D. Ray and Lieutenant Governor-elect Roger W. Jepsen of the official result of the canvass of votes.

Motion prevailed and President pro tempore Kyhl named as such committee Senators Briles of Adams, Messerly of Black Hawk and Potgeter of Hardin and Representatives Lawson of Cerro Gordo, Strothman of Henry and Schmeiser of Des Moines.

REPORT OF COMMITTEE

Senator Briles of Adams, from the joint committee appointed to notify Robert D. Ray and Roger W. Jepsen of their election to the office of Governor and Lieutenant Governor of Iowa, respectively, submitted the following report and moved its adoption:

MR. PRESIDENT: As a committee appointed at the joint convention to notify the Honorable Robert D. Ray and the Honorable Roger W. Jepsen of their election to the office of Governor and Lieutenant Governor of Iowa, respectively, we beg leave to report that we have performed the duty assigned to us and that they stand ready to assume the duties of the offices to which they were elected.

Respectfully submitted,

JAMES E. BRILES

FRANCIS L. MESSERLY

JAMES A. POTGETER

On the Part of the Senate

MURRAY C. LAWSON

CHARLES F. STROTHMAN

LLOYD F. SCHMEISER

On the Part of the House

The motion prevailed and the report was adopted.

The Sergeant-at-Arms announced the arrival of Governor-elect Robert D. Ray and Lieutenant Governor-elect Roger W. Jepsen.

Governor-elect Robert D. Ray and Lieutenant Governor-elect Roger W. Jepsen were escorted to the rostrum by the inaugural committee consisting of Senators Lamborn of Jackson, DeKoster of Sioux, Mowry of Marshall, Arbuckle of Greene, Rabedeaux of Muscatine and Representatives Lipsky of Linn, Curtis of Cherokee, Menefee of Fayette, Middleswart of Warren, Priebe of Kossuth and Ewell of Black Hawk.

The colors were advanced by the Iowa Military Academy Cadets, Iowa National Guard.

The National Anthem was sung by the State Employees Chorus, after which the convention and guests joined in pledging allegiance to the Flag of the United States of America.

The invocation was delivered by Monsignor J. E. Tolan, St. Mary's Church, Humboldt, Iowa.

The oath of office was administered to Lieutenant Governor-elect Roger W. Jepsen by Chief Justice C. Edwin Moore of the Supreme Court of Iowa.

President pro tempore Kyhl presented Lieutenant Governor Roger W. Jepsen.

The oath of office was administered to Governor-elect Robert D. Ray by Chief Justice C. Edwin Moore of the Supreme Court of Iowa.

Lieutenant Governor Roger W. Jepsen, President of the Senate, presiding, presented Governor Robert D. Ray, who delivered the following inaugural address:

INAUGURAL MESSAGE
by
THE HONORABLE ROBERT D. RAY
GOVERNOR OF IOWA
Veterans Memorial Auditorium
Des Moines, Iowa
January 14, 1971

MR. PRESIDENT, MR. SPEAKER, MR. CHIEF JUSTICE, SENATORS AND REPRESENTATIVES, STATE OFFICIALS, DISTINGUISHED GUESTS, LADIES AND GENTLEMEN:

Since I stood before you for nearly two hours two years ago, at least two new issues have developed: pollution of the environment and the threat to cancel this Inauguration.

Believe me, this did give me pause for thought as I prepared this message. In two years a Governor is wiser and far more experienced—experienced enough to know that much of a long Inaugural address falls on deaf ears and sleepy eyes.

But two years ago not only were many of *you* new, so was I, and I felt it essential to outline both my philosophy and my program—in a comprehensive detailed way.

I do not intend to repeat much of my philosophy today—it has not changed; nor do I plan to detail an entire program, but I do reserve the right to discuss with you other recommendations and suggestions as the legislative session unfolds.

Instead, I shall set forth in broad, bold strokes the opportunities of the next two years, which you and I shall share together as elected leaders of our Commonwealth.

As co-workers in the field of public policy, you Legislators and I, elected by our peers, are charged with the responsibility to see that the statutes you design, and those which I sign, make our state one of ordered law, rather than arbitrary caprice.

Behind—and all around—both you and me stands the whole body of our fellow-citizens, who share with us the prerogatives of governing and to whom you and I, as their servants, are persistently accountable.

We *do* stand at a crossroads of history—not only as Iowans, but also as Americans. It is an uncomfortable position because it requires us to make difficult, even hazardous decisions.

But it is only out of difficulty and hazard that greatness is born, and events have conspired to give us—if we will but seize it—an opportunity for greatness such as no other generation has ever had.

Iowa today is uniquely endowed by nature and by history to create—here in the heartland—a vibrant, compassionate, fulfilling society, which will epitomize everything constructive in the sharp winds of change that are now blowing across America.

Iowa is enormously rich in those very assets to which all Americans—and, indeed, all human beings—are now beginning to attach prime value: uncluttered landscape, abundant living space, relatively clean air and water, widespread good neighborliness, and a serene, unhurried rhythm of life.

You, as Legislators, and I, as Governor, bear the heavy responsibility and enjoy the thrilling challenge of leadership in making wise, good choices, as we stand for this brief moment of time at these crucial crossroads.

And the space of time we are given to make these historic choices is urgently brief because these unprecedented winds of change blow fast as well as sharp.

We must not, you and I, through any action or inaction of ours, choose the low path where the vast chorus of hope dies gradually away to a whisper of negative despair.

And as we build, we must keep constantly before us the realization that government is not an end in itself, but rather a means—a tool—for the shaping of desirable human ends.

The question is *not*: “How well is government doing?”

The question is “*How well are the people doing?*”

This is the question raised by the present over-riding concern about the condition of our environment—a concern that includes, but does not stop with, the *natural* environment, because it embraces also the condition of our *human* environment. The people—including that tool of the people which we call government—are vitally concerned with *both* aspects of environment, because upon them depend not only the people's welfare, but also the people's survival.

Hence, my discussion today of Iowa's public needs will be in terms of our natural and human environment. For example, the whole tragic problem of drug abuse is really one of *human* environmental pollution. I congratulate the General Assembly for coming to grips with this spectre early in the session. The Uniform Act which you are considering to help curb drug abuse hits hardest where it should—at the supplier and profiteer. This legislation will augment and undergird the many-sided attack which my office has made on the same front during this past year. This is an example of how the Legislative and Executive branches can support and strengthen each other.

Other examples come quickly to mind of the role that government must play in protecting and improving Iowa's natural and human environment. Two years ago, from this same rostrum, I called attention to the need for county zoning to protect people's property and assure that growth is orderly. Since action locally has been slow in coming, I ask the Legislature to provide a time certain for action.

It is important that this General Assembly combine into a single Environmental Quality Control Agency the commissions and boards presently charged with establishing and enforcing rules, regulations and standards for the prevention of pollution.

One of Iowa's prime assets is also one of the greatest pollutants—her productive soil that washes into our streams and rivers. To control siltation and to stop continuing waste and spoilage, it is important that this General Assembly adopt a reasonable soil conservancy law.

We can improve the human ecology of Iowa government.

Iowans, including their Governor, are serious about wanting government to operate economically. I view our citizens as stockholders in this business of government, the Legislature as the board of directors, and the Governor as manager. As would be true in the business world, in your capacity as a policy-making body, you have an opportunity to implement economy measures by resolving through legislative action changes recommended by the Governor's Economy Committee.

As one charged with conducting the affairs of this business, I ask that you adopt the Economy Committee bills that will improve the operation of our state and save millions of dollars.

Not only can money be saved, but government can be more effective. An example where legislative action is needed is the replacement of the present Liquor Control Commission with a full-time director and responsible advisory board.

It has been my practice to face the issues, controversial or otherwise, head-on. With that in mind, it is axiomatic that the most important element of human ecology is human life itself. And the issue of human life is interwoven with the emotional issue of abortion, which currently divides equally sincere Americans—not only in Iowa, but all over the land.

Our state law now allows abortion under certain circumstances. Simply and honestly stated, I am convinced this is a matter which should be decided between doctor and patient, with reasonable restraints.

In terms of our human environment, the present Attorney-General of Iowa deserves our thanks for his efforts, and those of his office, in protecting consumers against fraudulent practices by unscrupulous purveyors of goods and services, who are—let it be added—only a tiny, but unpardonable, minority of the whole business community.

Decent human environment requires the maintenance of order under law and efficient, even-handed administration of justice for all of our people.

You and I both want to stop crime, and to do so, justice must be speedy and fair. You have a chance to contribute substantially to the cause of law and order in Iowa by the adoption of a unified trial court system that I have considered of great importance—a system that would modernize our century-old antiquated court structure.

During this past year, attention has been drawn to some of the deficiencies in our criminal laws. While our Criminal Code is presently undergoing committee revision, we should not wait to strengthen these laws where changes would truly be helpful in our battle against crime, such as controls on dynamite and other explosives, allowing immunity for witnesses from self-incrimination in necessary cases, and providing a trespass law that will protect property rights and not imperil human safety.

For a better human environment, some reduction can surely be made in the multitude of units of government which exist in this state. County offices can now be combined; a similar law should be enacted for county mergers if the local citizens agree. People on all levels should be analyzing the functions of their taxing districts, looking for ways to combine efforts and cooperate with other units. As an example, I would ask that you provide for the establishment of area correctional facilities to do what our outmoded jails in many locations can never do.

Of tremendous significance, and of great personal satisfaction to me, are the avenues now opening to bring young people into the mainstream of our nation's political life.

I want the Legislature to proceed as rapidly as possible with the successful 19-year-old voting amendment, and to carry it to its conclusion. But simultaneously, in order that Iowa remains consistent with national policy, I urge the passage this session of an 18-year-old amendment. This is simply the most logical course of action, and we should get on with it.

Human ecology also includes, very emphatically, the processes of education by which each of us acquires the knowledge free people need for the discharge of their responsibilities to themselves, their families, their communities, and society. In this connection, I am especially proud of our newly-established Iowa Tuition Grant Program.

It is a government program that is working. It has breathed new life into our private colleges, and has provided new educational opportunities for 3,500 needy Iowa students. I not only want it continued, I want it expanded.

While this program and the increase in the enrollment at our Area Community Colleges have relieved some pressure on our Regents' universities, we cannot slight the indispensable contributions provided by all of these schools. Much of the action you will be called upon to take regarding these and our elementary and secondary schools will be forthcoming in my Budget Message.

This General Assembly should help Iowa educators in their efforts for greater accountability. This can be done through the establishment of a Professional Practices Board and the funding of a Professional Practices Commission.

Once again, I also ask the Legislature to recognize Iowa's lack of a structure for collective bargaining. The Legislature cannot afford to ignore the necessity for this action.

In the realm of ecology—both natural and human—a great opportunity for Iowa is fast approaching. I refer to the Bicentennial of American Independence. All fifty states have been urged by the President to commemorate this event in 1976 with suitable observances.

We now have a Bicentennial Commission exploring the best means of our celebrating this 200th year of Independence. We want to demonstrate our incomparably productive capacity to feed the world through *freedom*. Why not a World's Food Exposition in Iowa. I urge you and all Iowans to "brainstorm" with me probing the potential of such an event.

A special thanks goes to you lawmakers for the support you have given me in a number of programs since I became your Governor. I am counting on this support again, not only for the specific proposals outlined in this message, but for other areas of need, including cities and towns; community improvement; the Governor's Youth Opportunity Program; economic development, including our number one industry, agriculture; health care; rural development; labor; our elderly, disabled, blind, and disadvantaged; students attending non-public schools, and consumer protection.

A healthy physical and human environment also depends upon a sound and viable transportation system in all of its many forms.

Transportation, perhaps best of all, illustrates the speed with which those cutting winds of change have swept our nation.

All of these transportation forms are in a state of acute transition. We look for innovations such as the recent rail-pax plan to affect rail passenger service in our state. To reap the full benefit of emerging transportation changes, I ask the General Assembly to phase in a unified Department of Transportation.

"Living" is the target word when I discuss with you highway safety. Not for a moment would we tolerate the wanton careless extinction within a single year of all human life in an Iowa town the size of Farmington. Yet last year more than that number—908—were slaughtered on our streets and roads.

Something can be done. Examples of legislative changes that I believe necessary are: strengthening our drunk driving laws; providing for a motor vehicle homicide law in cases of intoxication; providing for immediate suspension of drivers licenses when called for; and allowing the State Highway Patrol to police freeways and interstate highways within city limits. Further, I will expect the State Highway Commission, the State Highway Patrol and County Boards of Supervisors to work closely in revising speed limits along critical high accident density roads when required.

None of these improvements in our natural and human environment I have spoken of today can be brought about if we tax and spend ourselves into individual and collective bankruptcy.

Therefore, the key to sound ecological progress is the impelling necessity to bring into balance the cost of public services within our citizens' ability to pay. The ways and means of doing this will be the theme of my forthcoming Budget Message.

Individuals, families, business and government have some wrenching changes to make in the years that lie beyond these crossroads. Priorities have to be set. We have been doing this in state government during these past two years—we will set them during the next two also. And, in the midst of all other problems, we somehow must rescue the "individual" from the anonymity which bigness threatens to force upon him. We *must*—bring each human being—the young, the old, the black, the white, the poor, the handicapped, no less than the rest of us—closer to the economic and political management of Iowa and the nation.

Much more could be said. But I have tried to give you a glimpse, at least, of the economic, social and political terrain over which we Iowans must move as we advance from our present crossroads position into the future that can be ours.

As the test of what we shall keep, and what we shall discard, along the way, I like that question proposed by George Wald, the Harvard biologist and Nobel Prize Laureate, who asks simply: "Is it good for children?"

And I like, too, the goal set in these words of President Nixon: "If we can get this country thinking . . . how to win the peace, if we can get this country thinking of clean air and clean water . . . welfare reform . . . revenue sharing . . . then we can have the lift of a driving dream."

Our future is limitless if we but reach beyond government to people; if we but enlist the legions of the concerned and committed, and if we but do together that which must be done.

The benediction was offered by the Honorable Leslie Leonard, Riverside United Presbyterian Church, Linn Grove, Iowa.

The colors were retired and President Jepsen handed the gavel to President pro tempore Kyhl.

President Kyhl handed the gavel to Speaker Harbor.

Governor Robert D. Ray and Lieutenant Governor Roger W. Jepsen were escorted from the rostrum by the committee previously appointed.

Senator Lamborn of Jackson moved that the reading of the minutes of the joint convention be dispensed with.

Motion prevailed.

Varley of Adair moved that the joint convention be now dissolved.

Motion prevailed.

In accordance with House Concurrent Resolution 4, adopted January 14, 1971, Lamborn of Jackson moved that the Senate adjourn until 10:00 a.m., Monday, January 18, 1971.

JOURNAL OF THE SENATE

EIGHTH DAY

SENATE CHAMBER
DES MOINES, IOWA, MONDAY, JANUARY 18, 1971

The Senate met in regular session, President Jepsen presiding.

Prayer was offered by the Reverend Glen Lamb, pastor of the United Methodist Church, Indianola, Iowa.

The Senate pledged allegiance to the flag.

The Journal of Thursday, January 14, 1971, was approved.

PETITION

The following petition was presented and placed on file:

By Senator Conklin, from nineteen residents of Black Hawk County opposing any legislation that would increase taxes.

INTRODUCTION OF BILLS

Senate File 44, by Senators Curran, Thordsen and Neu (Shaw, Fisher of Greene and Drake), a bill for an act relating to the regulation of industrial loan companies and the composition of the state banking board.

Read first time and **passed on file**.

Senate File 45, by Senators Curran, Smith and Neu (Welden, Drake, Fisher of Greene and Shaw), a bill for an act relating to notaries public.

Read first time and **passed on file**.

Senate File 46, by Senators Curran, Smith and Neu (Welden, Drake, Fisher of Greene and Shaw), a bill for an act relating to out of state travel expenses for state employees.

Read first time and **passed on file**.

SUPPLEMENTAL REPORT OF COMMITTEE ON CREDENTIALS

Senator DeKoster submitted the following report and moved its adoption:

MR. PRESIDENT: We, your committee on credentials, respectfully report

that we find the following named person duly elected to and entitled to a seat in the Senate of the Sixty-fourth General Assembly as shown by the duplicate copy of certificate of election on file in the office of the Secretary of State:

State of Iowa
SECRETARY OF STATE
Des Moines

January 14, 1971

TO THE HONORABLE SECRETARY OF THE SENATE:

I, MELVIN D. SYNHORST, Secretary of State of the State of Iowa, do hereby certify that the State Canvassing Board has declared that at a Special Election held on January 11, 1971, Cloyd E. Robinson was duly elected to the office of State Senator for the Twenty-second Senatorial District, to fill a vacancy in a four-year term which began on January 2, 1971.

(Seal)

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Secretary of State at the Capitol, in Des Moines, this fourteenth day of January, A.D. 1971.

MELVIN D. SYNHORST, Secretary of State
LUCAS J. DeKOSTER, Chairman
C. JOSEPH COLEMAN
LEIGH R. CURRAN
JAMES W. GRIFFIN, SR.
BASS VAN GILST

The motion prevailed and the report was adopted.

President Jepsen appointed Senators Gaudineer, Carlson and Coleman as a committee of three to escort Senator Robinson to the rostrum, where he was duly sworn and subscribed his name to the oath of office.

PAGE DULY SWORN

Becky Roorda, Senate page from Jasper County, appeared before the rostrum, and was duly sworn.

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

The Senate resumed session, President Jepsen presiding.

REPORT OF COMMITTEE ON SENATE SECRETARIES

Senator Davis submitted the following report and moved its adoption:

MR. PRESIDENT: Your committee appointed to determine the standing and qualifications of the candidates for Senate secretaries begs leave to report that it has made investigation and examinations and finds the following persons competent as stenographers for the positions to which they have been appointed. Assignments have been made as follows:

Senator AndersonBonnie Pearson

Senator Arbuckle	Margaret L. Backman
Senator Balloun	Arline Miller
Senator Bass	Elthea Bergman
Senator Briles	Mildred Storey
Senator Brownlee	Jean McClatchey
Senator Carlson	Louise B. Carlson
Senator Coleman	Carolyn Ingle
Senator Conklin	Katherine Kelly
Senator Curran	Dorothy F. Curran
Senator Davis	Marjorie Helkenn
Senator DeKoster	Elsie Haun
Senator Doderer	Betty Shortell
Senator Erskine	Marie Capper
Senator Gaudineer	Pearl A. Gaudineer
Senator Gilley	Dorothy Robinson
Senator Glenn	Judith Cort
Senator Graham	Alice Graham
Senator Griffin	Dwan Carter
Senator Hill	Genevieve Snetselaar
Senator Keith	Eleanor Lundberg
Senator Kennedy	Candy Kennedy
Senator Kyhl	Ruth Mosher
Senator Lamborn	Vivian Haag
Senator Laverty	Jim Crawford
Senator Messerly	Barbara Harrison
Senator Miller	Donna Smith
Senator Milligan	Judy A. Dougherty
Senator Mowry	Grace M. Rehnblom
Senator Neu	Jane Warren
Senator Nicholson	Mary Curtis
Senator Ollenburg	Jane Bevington
Senator Palmer	Billie Lou Ore
Senator Potgeter	Betty Gottschalk
Senator Potter	Marcella L. Nelson
Senator Rabedaux	Golda Beals
Senator Rhodes	Elly Knutzon
Senator Riley	Jean Ruppe
Senator Robinson	Geraldine E. McCarthy
Senator Schaben	Doris Johnson
Senator Shaff	Margaret Bruce
Senator Shawver	Phyllis J. Swab
Senator Smith	Mabel M. Smith
Senator Stephens	Irene Williams
Senator Sullivan	Peggy Thomson
Senator Tapscott	Verlene Tapscott
Senator Thordsen	Elizabeth Ligouri
Senator Van Drie	Helen M. Stejskal
Senator Van Gilst	Francis Patterson
Senator Walsh	Marguerite Miller

WILSON L. DAVIS
R. DEAN ARBUCKLE
JAMES F. SCHABEN

The motion prevailed, the report was adopted, and the secretaries

appeared before the bar of the Senate, were duly sworn and subscribed their names to the oath of office.

On motion of Senator Lamborn, the Senate recessed until the fall of the gavel.

AFTERNOON SESSION

The Senate reconvened, President pro tempore Kyhl presiding.

MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File 16, a bill for an act relating to qualifications of certain state librarians.

WILLIAM R. KENDRICK, Chief Clerk

INTRODUCTION OF BILLS

Senate File 47, by Senators Neu and Curran (Fisher of Greene, Drake and Shaw), a bill for an act relating to qualifications of certain state libraries.

Read first time and **passed on file**.

Senate File 48, by Senators Neu, Curran and Smith (Fisher of Greene, Drake and Shaw), a bill for an act relating to warehouse inspection fees.

Read first time and **passed on file**.

Senate File 49, by Senators Neu and Smith (Fisher of Greene, Shaw and Drake), a bill for an act relating to the governor's committee on employment of the handicapped.

Read first time and **passed on file**.

Senate File 50, by Senators Neu and Curran (Drake, Fisher of Greene and Shaw), a bill for an act relating to the Iowa development commission corporation.

Read first time and **passed on file**.

Senate File 51, by Senators Neu, Curran and Smith (Fisher of Greene, Drake and Shaw), a bill for an act relating to the state entomologist.

Read first time and **passed on file**.

Senate File 52, by Senators Nicholson, Gaudineer, Coleman, Riley, Potter, Shaff, Conklin, Sullivan, Keith, Van Gilst, Neu, Doderer and Walsh, a bill for an act relating to collective bargaining in public employment.

Read first time and **passed on file**.

Senate File 53, by Senators Nicholson, Van Gilst, Thordsen, Kennedy and Sullivan (Holden, Shaw and Bray), a bill for an act relating to a penalty for unauthorized entry into public buildings and the misuse of property.

Read first time and **passed on file**.

HOUSE MESSAGE CONSIDERED

House File 16, a bill for an act relating to qualifications of certain state librarians.

Read first time and **passed on file**.

ANNOUNCEMENTS BY PRESIDENT OF THE SENATE

President Jepsen announced the appointment of the following Senators to the departmental rules review committee:

Charles K. Sullivan to replace J. Henry Lucken for the unexpired term ending April 30, 1971.

James F. Schaben to replace Alan Shirley for the unexpired term ending April 30, 1971

President Jepsen announced the appointment of Cloyd E. Robinson to the following standing committees:

Appropriations	Human and industrial relations
Environment	Schools

REPORT OF THE COMMITTEE ON MILEAGE

MR. PRESIDENT: Your committee appointed to determine the mileage for the Lieutenant Governor and the members of the Senate submits the following report:

Name	Miles
Lieutenant Governor Roger W. Jepsen	350
Anderson, Quentin V.	160
Arbuckle, R. Dean	140
Balloun, Charles F.	150
Bass, Earl G.	280
Briles, James E.	200
Brownlee, S. J.	320
Carlson, Reinhold O.	No Claim
Coleman, C. Joseph	236
Conklin, W. Charlene	224
Curran, Leigh R.	250
Davis, Wilson L.	400

Name	Miles
DeKoster, Lucas J.	488
Doderer, Minnette	240
Erskine, Alden J.	400
Gaudineer, Lee H., Jr.	No Claim
Güley, Floyd	320
Glenn, Gene W.	200
Graham, J. Wesley	300
Griffin, James W., Sr	280
Hill, Eugene M.	66
Keith, Wayne D.	288
Kennedy, Gene V.	440
Kyhl, Vernon H.	210
Lamborn, Clifton C.	428
Laverty, Charles O.	24
Messerly, Francis L.	240
Miller, Charles P.	334
Milligan, George F.	No Claim
Mowry, John L.	104
Neu, Arthur A.	200
Nicholson, Edward E.	350
Ollenburg, H. L.	230
Palmer, William D.	No Claim
Potgeter, James A.	180
Potter, Ralph W.	270
Rabedeaux, W. R.	288
Rhodes, John C.	100
Riley, Tom	250
Robinson, Cloyd E.	250
Schaben, James F.	260
Shaff, Roger J.	400
Shawver, George L.	306
Smith, Marvin W.	408
Stephens, Richard L.	270
Sullivan, Charles K.	430
Tapscott, John E.	No Claim
Thordsen, Harold A.	344
Van Drie, Rudy	68
Van Gilst, Bass	140
Walsh, John M.	420

EDWARD E. NICHOLSON, Chairman
 ROGER J. SHAFF
 MINNETTE DODERER

REPORT OF THE BUDGET AND FINANCIAL CONTROL COMMITTEE

The following report was received and placed on file with the Secretary of the Senate:

TO THE PRESIDENT OF THE SENATE, THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, AND THE MEMBERS OF THE SIXTY-FOURTH GENERAL ASSEMBLY OF THE STATE OF IOWA:

Pursuant to and in accordance with Section 2.43 of the Code of Iowa, the

Budget and Financial Control Committee herewith submits the following report to the Sixty-fourth General Assembly:

The Budget and Financial Control Committee of the Sixty-third General Assembly was composed of the following members: Senator Balloun, Senator Coleman, Senator Flatt, Senator Gaudineer, Senator Messerly, Representative Cunningham, Representative Den Herder, Representative Dunton, Representative Ossian and Representative Radl. Senator Anderson was appointed to replace Senator Flatt upon his resignation from the Senate. The organizational meeting was held on June 18, 1969, and the following officers were elected: Representative Den Herder, Chairman, Senator Messerly, Vice Chairman, and Representative Dunton, Secretary.

The committee made annual visits to all institutions governed by the Department of Social Services, the three universities governed by the Board of Regents as well as the School for the Deaf and the Iowa Braille and Sight-Saving School and the State Highway Commission. During the interim the committee also visited the following area schools: The Merged Area VI Community College at Marshalltown, The Area XI Community College at Ankeny, the Council Bluffs and Clarinda campuses of the Area III Community College, Area X at Cedar Rapids, Area V at Fort Dodge and Area VII at Waterloo. Meetings were also held with the Merit Employment Commission, the Commission for the Blind, the Department of Public Instruction and the Board of Parole. Many parks under the jurisdiction of the Conservation Commission were visited and capital improvements viewed. Also, the committee recently visited Hope Haven, which is a private school for the handicapped at Rock Valley, Iowa and River Hills, a school for the handicapped at Waterloo which is funded jointly by the Black Hawk County Board of Education and the Black Hawk County Board of Supervisors.

The committee herewith apprises the members of the Sixty-fourth General Assembly of observations and recommendations resulting from these visits.

DEPARTMENT OF SOCIAL SERVICES

The committee raised questions and was critical of many areas during their visits to the state institutions. A detailed list of questions and criticisms was sent to Commissioner Gillman and he was given an opportunity to respond at a meeting on November 13, 1970. A copy of this response is on file in the Office of the Legislative Fiscal Director. However, the committee feels compelled to comment on the following areas:

LONG-RANGE PLANNING

The General Assembly should take an in-depth look at the long-range planning for capital improvements and the methods of rehabilitation and vocational instruction at the institutions under the Department of Social Services. Because this committee has observed apparent philosophical differences in certain areas in the department, specifically in its system of correctional administration, this committee recommends that the Department of Social Services be required to submit a long-range plan (five-year minimum) outlining their program for capital improvements and rehabilitation.

At the Boy's Training School in Eldora a 14-bed hospital, which was opened in July of 1969, was built at a cost of \$350,000. This hospital facility is located within three blocks of an existing hospital. The committee questions whether this building should be maintained as a hospital unit employing a staff of nurses and an orderly.

At the present time the security unit at the Training School is being expanded at a cost of \$180,000. This expansion will consist of sixteen cells.

The committee also questions the feasibility of maintaining a hospital facility at the Juvenile Home at Toledo where the population averages 100 children. The estimated payroll to staff the hospital facility is \$28,000 annually.

During the committee's visit to the Iowa Soldier's Home in Marshalltown, it was pointed out that by 1982 there will be 178,000 veterans in the State of Iowa over 65 years of age. This compares to a present population of 31,000. While it is not the intent of the institution to build a very large complex, the committee recommends that a long-range plan for capital improvements at the Soldier's Home be presented to the legislature.

A long-range plan should be submitted to the legislature concerning regional jail facilities. This plan should include the number of such facilities anticipated, cost involved, by whom costs will be paid and what services can be expected from regional jail facilities.

FARM OPERATION AT STATE INSTITUTIONS

On June 25, 1970, the Budget and Financial Control Committee made the following recommendation to the Department of Social Services:

The Budget and Financial Control Committee recommends that the Department of Social Services transfer the operation and administration of all farm land, farm machinery, production of farm products, dairy herds and other livestock from the individual institutions to a centralized agency under such department to the end that the products therefrom be used by such institutions in order to reduce the institutional cost of operation and that institutionalized persons, on a trustee basis, be utilized in such operations as a rehabilitative tool to the extent feasible; the budget for such centralized agency shall be presented by the department to the Governor to the end that it will be included in the department's appropriation by the legislature as a line item.

To complement the above recommendation, the committee also unanimously adopted the following statement:

The committee recognizes that this will require some implementation, a great deal of study on the part of the Department of Social Services and also that it might require some legislation. The committee is prepared to talk to the department about these and other problems to implement this recommendation and will put in hand any legislation that is needed.

In our meeting with Commissioner Gillman on November 13, 1970, the Commissioner made the following statement:

"... in recognition of the need to improve the utilization of our farm lands, we felt that there are three good options open to us. The first option would be to hire a full-time farming consultant who would have considerable expertise in farm management. Such an individual would function from Central Office, but spend most of his time at the various institutions, advising institutional administration on ways to better their programs. He could also be effective in coordinating the utilization of useable machinery and arrange for the disposal of obsolete equipment. He would be particularly effective in long-range planning for the department's farm operations."

The Budget and Financial Control Committee unanimously supports this option, with the inclusion of the following:

The present system of individual farm managers would be abolished and the one farm manager operating within the bureau, would be hired to manage the operation of the institutional farms. This farm manager

would work in cooperation with the head administrative officer at each of the institutions. The foreman at each farm would be directly responsible for carrying out orders and instructions as directed by the farm manager.

FAMILY AND CHILDREN'S SERVICES

During a meeting at the Boy's Training School at Eldora, May 4, 1970, members of the Budget and Financial Control Committee were told by the superintendent that a serious problem is coordination between the institution and the Office of Field Services. The topic of field services was also discussed at a meeting with the superintendent of the Juvenile Home at Toledo. He said that in many instances they do not get the results they want from field services.

This criticism was related to Commissioner Gillman and on November 13 he responded by stating that the role of the area social worker, the institutional worker and the county worker is now more clearly defined and reports which he has received to date indicate that a cooperative spirit exists and relationship between the institution and the bureau and field operations is improving.

The committee encourages extended cooperation between the Department of Social Services and local agencies in dealing with dependent, neglected and delinquent children. Considerable time was spent learning about a successful program now being carried on in Black Hawk County which substantially reduced the number of children being admitted to the Training Schools. (Detailed information on the Black Hawk County program is on file in the Office of the Legislative Fiscal Director.)

BOARD OF PAROLE

A joint meeting of the Board of Parole, Department of Social Services and the Budget and Financial Control Committee was held in May, 1970. Implications were that the problems existing between the two departments stemmed from a lack of communications. The two departments, since that time have had many meetings and are jointly proposing the following legislation to the General Assembly:

"Section 369, Chapter 209, Acts of the Sixty-second General Assembly, is hereby amended by striking the entire section and inserting in lieu thereof the following:

"The Board of Parole shall appoint an executive secretary and employ a staff sufficient to carry on the necessary duties of the board. The chief parole officer shall be appointed by the director of the bureau of adult corrections, which chief parole officer shall cooperate with the board of parole through its executive secretary in the supervision of parolees and probationers. The legislature shall appropriate sufficient funds directly to the board of parole as may be necessary to carry on its duties."

This change would have no effect on the provision of institutional and parole services, as this responsibility would continue to be carried out by the bureau of adult corrections. The commissioner and the members of the Board of Parole mutually support this change, and believe that it will be helpful in establishing a harmonious and structurally sound system to assist the board in its administrative functions. The committee voted to support this legislation.

GENERAL COMMENTS

The committee recognizes the enormous problems faced by the Department of Social Services and commends the organization for its imaginative approach to these problems and recommends that they be constantly re-

viewed with a view to bringing more services to more people at no appreciable increase in costs.

The committee has noted vast improvements in return visits to the institutions in areas that had been criticized on previous visits.

Individual members of the committee have expressed concern over the ratio of employees to recipients at many of the institutions, and also the duplication of services and duplication of personnel. The Commissioner is urged to seriously study the programs at the institutions with a view to consolidating duplicate services and duplicate personnel as they are spread through the various institutions.

HIGHER EDUCATION

STATE EDUCATION BUDGET REVISION PROJECT

Because of the increasing complexity of budget competition among higher education programs in Iowa and following the increase in tuitions at the Regents schools after adjournment of the first session of the Sixty-third General Assembly, the Budget and Financial Control Committee deemed it necessary to conduct a study of budget procedures in the State of Iowa. Chairman Den Herder appointed a subcommittee consisting of Senator Flatt, Senator Messerly, Senator Gaudineer, Representative Radl and Representative Ossian to implement this study. Mr. Alfred Baxter, President of Baxter, McDonald and Company was retained as an advisor to prepare a design for studies and staffing of post-secondary education.

To coordinate and give impetus to the program, Governor Ray established the State Education Budget Revision Project in November of 1969 and appointed a Project Policy Committee. Members of this committee were Leroy Petersen, Director of the Office for Planning and Programming, Clayton Ringgenberg, Assistant to the Governor, Representative Den Herder, Chairman of the Budget and Financial Control Committee and State Comptroller, Marvin R. Selden, who served as Chairman. Staff and funding were allocated by the Office for Planning and Programming and the State Comptroller.

Representatives from the regents institutions, area schools, Iowa Association of Private Colleges and Universities, Department of Public Instruction, Comptroller's Office, Legislative Fiscal Director's Office and the Office for Planning and Programming served on seven technical teams who met weekly through January of 1970 and prepared recommendations for the Project Policy Committee.

The new procedures are designed to provide clear communications, an awareness of how a program in one institution affects programs of others, information on all revenues and expenditures, explicit consideration of long-range plans, and an orientation toward maximizing results per dollar.

In implementing Phase I of this project, consideration was given to decision-making needs and the capabilities of participating agencies and institutions. To the extent possible, this new procedure is being implemented in the current budget askings. Full implementation will require gradual development and modification over several budget cycles.

Policy issues to which the Project Policy Committee have not addressed themselves at this time include:

- How much control over appropriations?

- Organization and Governance

- Annual vs. Biennial Budgeting.

The benefits to be realized from the proposed new system are many and substantial. The ultimate test of a new budget system is whether it can

help the Governor and General Assembly in making budget decisions with greater certainty and efficiency. The Policy Committee of the State Education Budget Revision Project believes the procedures being recommended provide substantial progress in this direction. The present Policy Committee should be given a continuing responsibility to guide implementation of the new system and to help evaluate it during and following its use in the coming biennium.

AREA SCHOOLS

As an added responsibility this year, the Budget and Financial Control Committee visited a number of area schools and is impressed generally with their operations. However, this committee feels it necessary to point out to the legislature that there are many varied situations in our area schools and consequently, there are numerous financial problems developing. This committee recommends that the legislature study this situation and take appropriate action to provide proper funding as set out in the Code.

Also, the Budget and Financial Control Committee emphasizes to the Department of Public Instruction that added stress be placed on building trade courses in the area school programs in cooperation with union apprenticeship programs.

While visiting area schools the Budget and Financial Control Committee was surprised and concerned to note that the licensing of Licensed Practical Nurses under the direction of the Board of Nursing in Iowa is being limited and we suggest to the legislature that in light of ample facilities, eager applicants and the great need for nurses, corrective action be taken.

BOARD OF REGENTS

The Budget and Financial Control Committee recommends to the Sixty-fourth General Assembly that the capital budget request for the School for the Deaf at Council Bluffs, as approved by the Board of Regents, be seriously considered and honored without reduction. Because of the influx of rubella babies now of school age, the committee feels the school's request for a capital appropriation is well-founded.

MERIT EMPLOYMENT COMMISSION

During the meeting with the Merit Employment Department, the committee was informed by the State Comptroller that prospective professional employees are being classified as consultants for one day for the purpose of transporting prospective professional employees into the State of Iowa and paying their expenses. It is recommended that the General Assembly consider legislation authorizing departments, with the approval of the Comptroller and the Executive Council, to pay travel expenses of prospective professional employees.

CONTINGENCY FUND

During the interim, the committee was asked by the Executive Council to set a policy regarding expenditures from the contingency fund for fire loss. The following recommendation was proposed to the Executive Council and unanimously adopted by them:

It is recommended that Section 19.7 expenditures be for the actual cost of repairing, rebuilding, or restoring a destroyed facility to be actually repaired, rebuilt, restored or for removal of such destroyed facility. If the governmental function provided in such destroyed facility is to be

provided for in a newly constructed facility or by adding onto another existing facility or which destroyed facility is to be materially improved, it shall be provided for by the General Assembly in a capital appropriation.

The committee recommends that Section 19.7 of the Code be so amended.

In assuming its responsibility of visiting state institutions, the Budget and Financial Control Committee has questioned whether funds being spent for capital improvements are actually fulfilling legislative intent. Also, it seems there is no legislative guidance for spending funds which remain in an account after completion of a project for which funds have been allocated. These funds can be used for other improvements of questionable need without legislative approval. For this reason we recommend that approval of all capital expenditures in state institutions become the duty and responsibility of the Budget and Financial Control Committee. The consensus of the committee is that it is imperative that someone from the legislative branch of government have this authority.

* * * * *

The Budget and Financial Control Committee this year adopted a policy of inviting legislators from all surrounding counties to join them in their visits to the state institutions. The committee members express their thanks to the many legislators who accepted these invitations.

Also, the members of the Budget and Financial Control Committee express their thanks to all state departments, commissions, agencies, and institutions for their cooperation during the biennium.

Respectfully submitted,
ELMER H. DEN HERDER, Chairman
FRANCIS L. MESSERLY, Vice Chairman
KEITH H. DUNTON, Secretary
QUENTIN V. ANDERSON
CHARLES H. BALLOUN
C. JOSEPH COLEMAN
RAY C. CUNNINGHAM
CONRAD OSSIAN
RICHARD M. RADL

REPORTS OF COMMITTEE

Senator DeKoster submitted the following reports:

MR. PRESIDENT: Your committee on judiciary, to which was referred **Senate File 3**, a bill for an act relating to blood donors, begs leave to report it has had the same under consideration and recommends the same **do pass**.

LUCAS J. DeKOSTER, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary, to which was referred **Senate File 29**, a bill for an act relating to the standard of proof for termination of the parent-child relationship begs leave to report it has had the same under consideration and recommends the same **do pass**.

LUCAS J. DeKOSTER, Chairman

Ordered passed on file.

AMENDMENTS FILED

- 1 Amend the Temporary Standing Rules of the Senate as follows:
 2 1. Rule 31 as amended, by adding after paragraph 3 the following
 3 new paragraph:
 4 "Unless a request for a fiscal note is made at least two
 5 legislative days prior to the commencement of consideration of
 6 the bill, its consideration shall not be delayed unless otherwise
 7 ordered by the senate."
 8 2. Rule 43, line 15, by striking "forty-one" and inserting in
 9 lieu thereof "thirty-four".
 10 3. Rule 26, line 4, by striking "forty-one" and inserting in
 11 lieu thereof "thirty-four".

COMMITTEE ON RULES
 CLIFTON C. LAMBORN, Chairman

- 1 Amend Senate File 39, page 1, by adding after line 19 the
 2 following new section:
 3 "Sec. Section one hundred eleven A point
 4 four (111A.4), Code 1971, is repealed."

HAROLD A. THORSEN

- 1 Amend House Joint Resolution 1 as follows:
 2 1. Page 2, line 21, by striking the word "portion"
 3 and by inserting in lieu thereof the word, "percentage".
 4 2. Page 2, line 22, by inserting after the word,
 5 "levied" the words, "in each state".
 6 3. Page 2, lines 24 and 25, by striking the words,
 7 "state governments and political subdivisions thereof" and
 8 by inserting in lieu thereof the words, "that state and
 9 its political subdivisions".
 10 4. Page 2, by striking lines 26 through 28, inclusive
 11 and by inserting in lieu thereof the following:
 12 "credits, or both. Any percentage allocated shall
 13 be equal between the several states and shall be in
 14 excess of all other funds usually allocated to the
 15 states for all other federal programs. The Congress
 16 may further direct in what general areas such funds
 17 may be spent."
 18 5. Page 3, by inserting after line 6 the following
 19 new paragraph:
 20 "BE IT FURTHER RESOLVED that in the event the Congress
 21 cannot call a Constitutional Convention for the limited
 22 purpose designated herein pursuant to Article V of the

Page 2

- 1 Constitution of the United States, this resolution
 2 shall be null and void."

Filed

January 13, 1971

LEE H. GAUDINEER, JR.

- 1 Amend the Gaudineer amendment, filed January 13, 1971, to House
 2 tion 1, as follows:
 3 1. By inserting in line 9, after the word, "subdivision"
 4 the words, "from which levied".

Joint Resolu-

- 5 2. By striking in line 13, the word, "equal" and by
6 inserting in lieu thereof the words, "the same percentage".

LEE H. GAUDINEER, JR.

On motion of Senator Lamborn, the Senate adjourned until 10:00
a.m., Tuesday, January 19, 1971.

JOURNAL OF THE SENATE

NINTH DAY

SENATE CHAMBER

DES MOINES, IOWA, TUESDAY, JANUARY 19, 1971

The Senate met in regular session, President Jepsen presiding.

Prayer was offered by the Reverend David Goin, pastor of the Central Christian Church, Jefferson, Iowa.

The Senate pledged allegiance to the flag.

The Journal of Monday, January 18, 1971, was approved.

PRESENTATION OF VISITORS

Senator Lamborn rose on a point of personal privilege and presented to the Senate the Honorable Adolph W. Elvers, former Senator from Clayton County.

The Chair announced the following visitors were present in the Senate gallery:

Thirty-three students from Phillips Elementary School, Des Moines, Iowa, accompanied by their instructor, Mrs. Cumpton.

Forty-five students from Dubuque Senior High School, Dubuque, Iowa, accompanied by their advisor, Jim Peterson.

INTRODUCTION OF BILL

Senate File 54, by Senator Kennedy, a bill for an act relating to obscenity and providing punishment for violations thereof.

Read first time and **passed on file**.

President pro tempore Kyhl took the chair at 10:05 a.m.

CONSIDERATION OF JOINT RESOLUTION

Senate Joint Resolution 1

On motion of Senator Smith, Senate Joint Resolution 1, a joint resolution making application to the United States Congress to call a convention for the purpose of proposing to the states a constitutional amendment providing that a portion of taxes levied on income by Congress shall be made available to state governments, was taken up and considered.

SUBSTITUTION

Senator Smith asked and received unanimous consent that **House Joint Resolution 1** be substituted for **Senate Joint Resolution 1**.

House Joint Resolution 1

On motion of Senator Smith, House Joint Resolution 1, a joint resolution making application to the United States Congress to call a convention for the purpose of proposing to the states a constitutional amendment providing that a portion of taxes levied on income by Congress shall be made available to state governments, was taken up and considered.

Senator Gaudineer offered the following amendment filed by him on January 13, 1971:

- 1 Amend House Joint Resolution 1 as follows:
- 2 1. Page 2, line 21, by striking the word "portion"
- 3 and by inserting in lieu thereof the word, "percentage".
- 4 2. Page 2, line 22, by inserting after the word,
- 5 "levied" the words, "in each state".
- 6 3. Page 2, lines 24 and 25, by striking the words,
- 7 "state governments and political subdivisions thereof" and
- 8 by inserting in lieu thereof the words, "that state and
- 9 its political subdivisions".
- 10 4. Page 2, by striking lines 26 through 28, inclusive
- 11 and by inserting in lieu thereof the following:
- 12 "credits, or both. Any percentage allocated shall
- 13 be equal between the several states and shall be in
- 14 excess of all other funds usually allocated to the
- 15 states for all other federal programs. The Congress
- 16 may further direct in what general areas such funds
- 17 may be spent."
- 18 5. Page 3, by inserting after line 6 the following
- 19 new paragraph:
- 20 "BE IT FURTHER RESOLVED that in the event the Congress
- 21 cannot call a Constitutional Convention for the limited
- 22 purpose designated herein pursuant to Article V of the
- Page 2
- 1 Constitution of the United States, this resolution
- 2 shall be null and void."

Senator Gaudineer offered the following amendment to the amendment and moved its adoption:

- 1 Amend the Gaudineer amendment filed January 13, 1971, to House
Joint Resolu-
- 2 tion 1, as follows:
- 3 1. By inserting in line 9, after the word, "subdivisions"
- 4 the words, "from which levied".
- 5 2. By striking in line 13, the word, "equal" and by
- 6 inserting in lieu thereof the words, "the same percentage".

The amendment to the amendment was adopted.

Senator Gaudineer moved the adoption of the amendment as amended and called for a division.

The amendment as amended lost.

Senator Smith moved that the resolution be read the last time now, which motion prevailed, and the resolution was read the last time.

On the question "Shall the resolution be adopted?" (H.J.R. 1) the vote was:

Ayes, 29:

Anderson	Erskine	Lavery	Riley
Arbuckle	Gilley	Milligan	Shaff
Balloun	Graham	Ollenburg	Shawver
Briles	Griffin	Potgeter	Smith
Brownlee	Keith	Potter	Stephens
Carlson	Kyhl	Rabedeaux	Van Drie
Curran	Lamborn	Rhodes	Van Gilst
DeKoster			

Nays, 18:

Bass	Glenn	Mowry	Schaben
Coleman	Hill	Neu	Sullivan
Conklin	Kennedy	Nicholson	Tapscott
Doderer	Messerly	Robinson	Walsh
Gaudineer	Miller		

Absent or not voting, 3:

Davis	Palmer	Thordsen
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The resolution having received a constitutional majority was declared to have been adopted and agreed to by the Senate and the title was agreed to.

SENATE JOINT RESOLUTION WITHDRAWN

Senator Smith asked and received unanimous consent that **Senate Joint Resolution 1** be withdrawn from further consideration of the Senate.

INTRODUCTION OF BILLS

Senate File 55, by Senators Curran and Neu (Drake, Fisher of Greene and Shaw), a bill for an act relating to a reorganization of the Iowa liquor control commission; creating an Iowa beer and liquor control department; providing for the appointment of an Iowa beer and liquor control council and a director of beer and liquor control and designating their powers and duties; amending provisions concerning liquor control licenses, special liquor permits, beer permits, and fees charged therefor; abolishing special distributors; altering liquor sales disclosure provisions and dram shop

liability; declaring certain acts to be unlawful and providing penalties for violations; and otherwise amending current statutory provisions relating to the sale and possession of alcoholic liquor and beer in this state.

Read first time and **passed on file.**

Senate File 56, by Senators Curran, Smith and Neu (Drake, Fisher of Greene and Shaw), a bill for an act relating to the late vehicle registration penalty.

Read first time and **passed on file.**

On motion of Senator Lamborn, the Senate recessed until the fall of the gavel.

AFTERNOON SESSION

The Senate reconvened, President pro tempore Kyhl presiding.

BILLS ASSIGNED TO COMMITTEE

President Jepsen announced the assignment of the following bills to committee:

- S. F. 44 Commerce
- S. F. 45 Judiciary
- S. F. 46 State government
- S. F. 47 State government
- S. F. 48 Commerce
- S. F. 49 Social services
- S. F. 50 Iowa development
- S. F. 51 Agriculture
- S. F. 53 Law enforcement
- S. F. 54 Law enforcement
- S. F. 55 State government
- S. F. 56 Transportation
- H. F. 16 State government

SENATE CONCURRENT RESOLUTION 8

By Lamborn and Gaudineer

Whereas, it is deemed desirable that representatives of the two major

political parties be allowed access to the floor of the Senate and House of Representatives; and

Whereas, it will provide both parties an equal opportunity to be advised on the legislative proceedings;

Now, Therefore, Be It Resolved by the Senate, the House Concurring: That the Secretary of the Senate and the Chief Clerk of the House of Representatives be instructed to issue not more than two passes to each major political party for their use during the Sixty-fourth General Assembly.

INTRODUCTION OF BILL

Senate File 57, by Senator Milligan (Kreamer and Hill), a bill for an act relating to district court bailiffs.

Read first time and **passed on file**.

AMENDMENTS FILED

- 1 Amend the Temporary Standing Rules of the Senate,
- 2 Senate Rules Governing Lobbyists, as follows:
- 3 1. By adding the following Rule:
- 4 "Each individual engaging in lobbying activities and who
- 5 registers as hereinbefore required shall file with the Secre-
- 6 tary of the Senate on or before the fifteenth day of each
- 7 month during any year in which so engaged, a statement setting
- 8 forth all fees expended for lobbying activities, expenses
- 9 provided, and the names of recipients thereof."

GENE W. GLENN

- 1 Amend Senate File 35 as follows:
- 2 1. Page 1, line 11, by striking the word
- 3 "*ten*" and inserting in lieu thereof the words
- 4 "*not to exceed nine*".
- 5 2. Page 1, line 16, by striking the word "*ten*"
- 6 and inserting in lieu thereof the words "*not to*
- 7 *exceed nine*".

JOHN E. TAPSCOTT

- 1 Amend Senate File 35 by adding after line 18 the following
- 2 new section:
- 3 "Sec. 2. Section four hundred forty-six point seven
- 4 (446.7), unnumbered paragraph one (1), Code 1971, is amended as
- 5 follows:
- 6 Annually, on the first Monday in December the treasurer
- 7 shall offer at his office at public sale all lands, town lots,
- 8 or other real property on which taxes of any description for the
- 9 preceding year or years are delinquent, which sale shall be made
- 10 for the total amount of taxes, interest, and costs due and unpaid
- 11 thereon, including all prior suspended taxes, provided, however,
- 12 that no property, against which the county holds a tax sale cer-
- 13 tificate, shall be offered or sold. No interest or penalty on
- 14 suspended taxes shall be included in the sale price, except that
- 15 six percent interest per annum from the date of suspension shall
- 16 be included as to taxes suspended under the provisions of section
- 17 427.8. *The county treasurer, in behalf of the county, shall*

18 *have the first opportunity to bid and purchase all such lands,*
19 *town lots, or other real property for the county. He shall draw*
20 *his warrant therefor in favor of the county. Any such lands*
21 *town lots, or other real property that the treasurer declines to*
22 *purchase in behalf of the county shall thereafter be offered for*
23 *sale to any other person as provided herein."*

LEE H. GAUDINEER, JR.

On motion of Senator Lamborn, the Senate adjourned until 10:00 a.m., Wednesday, January 20, 1971.

JOURNAL OF THE SENATE

TENTH DAY

SENATE CHAMBER

DES MOINES, IOWA, WEDNESDAY, JANUARY 20, 1971

The Senate met in regular session, President Jepsen presiding.

Prayer was offered by the Reverend Garth Baker, pastor of the Zion Lutheran Church, Wilton Junction, Iowa.

The Senate pledged allegiance to the flag.

The Journal of Tuesday, January 19, 1971, was approved.

PRESENTATION OF VISITORS

The Chair announced that the following visitors were present in the Senate gallery:

Fifty-two students from Merrill Junior High, Des Moines, Iowa, accompanied by their instructors, Mrs. Johnson and Mr. Linthicum.

Seventy-five students from Oskaloosa Community Junior High, Oskaloosa, Iowa, accompanied by their instructors, Curt Frey and Mrs. Lois Scharff.

PETITION

The following petition was received and placed on file:

By Senator Robinson, from one hundred six residents of Linn County opposing any change in the abortion law.

INTRODUCTION OF BILLS

Senate File 58, by Senator Shaff, a bill for an act relating to the definition of indictable misdemeanors as contained in the Iowa Constitution.

Read first time and **passed on file**.

Senate File 59, by Senator Shaff, a bill for an act relating to teachers pension systems.

Read first time and **passed on file**.

Senate File 60, by Senator Tapscott, a bill for an act relating to veteran's benefits in state employment.

Read first time and **passed on file**.

Senate File 61, by Senators Laverty, Erskine, Curran, Smith, Potgeter and Schaben (Varley, Lawson, Blouin, Kennedy, Cochran, Miller, Rodgers, Rex, McCormick and Winkelman), a bill for an act relating to conservation of soil and water resources of the state, and to control of water pollution.

Read first time and **passed on file**.

Senate File 62, by Senators Hill and Neu, a bill for an act to abolish the budget and financial control committee and to create the office of legislative fiscal director.

Read first time and **passed on file**.

Senate File 63, by committee on county government (committee on county government), a bill for an act relating to the dates of settlement with county treasurers and boards of supervisors.

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

ADOPTION OF REPORT OF THE COMMITTEE ON MILEAGE

Senator Nicholson called up the report of the committee on mileage found on pages 76 and 77 of the Senate Journal and moved its adoption.

The motion prevailed and the report was adopted.

EMPLOYEES DULY SWORN

Paul Anthony Romans of Polk County appointed as law and reading clerk effective January 11, 1971, and Dan J. O'Brien of Polk County appointed as reading clerk effective January 20, 1971, appeared before the rostrum and were duly sworn.

ADOPTION OF SENATE CONCURRENT RESOLUTION 8

Senator Lamborn asked and received unanimous consent to take up **Senate Concurrent Resolution 8** found on pages 89 and 90 of the Senate Journal and moved its adoption.

The motion prevailed and the resolution was adopted.

CONSIDERATION OF BILLS

Senate File 35

On motion of Senator Briles, Senate File 35, a bill for an act relating to the rates of interest and interest penalty for the redemption of real property, was taken up and considered.

President pro tempore Kyhl took the chair at 10:25 a.m.

Senator Tapscott asked and received unanimous consent to withdraw the amendment filed by him on January 19, 1971, and found on page 90 of the Senate Journal.

Senator Tapscott offered the following amendment:

- 1 Amend Senate File 35 as follows:
- 2 1. Page 1, line 11, by striking the word "ten" and
- 3 inserting in lieu thereof the word "eight".
- 4 2. Page 1, line 16, by striking the word "ten" and
- 5 inserting in lieu thereof the word "eight".

Senator Messerly offered the following amendment to the amendment by Senators Messerly and Thordsen and moved its adoption:

- 1 Amend the Tapscott amendment, filed January 20, 1971, to
- 2 Senate File 35 as follows:
- 3 1. Line 3, by striking the word "eight" and inserting in
- 4 lieu thereof "nine".
- 5 2. Line 5, by striking the word "eight" and inserting
- 6 in lieu thereof the word "nine".

The Chair called for a division.

The amendment to the amendment lost.

On motion of Senator Tapscott, his amendment was adopted.

Senator Gaudineer offered the following amendment:

- 1 Amend Senate File 35 by adding after line 18 the following
- 2 new section:
- 3 "Sec. 2. Section four hundred forty-six point seven
- 4 (446.7), unnumbered paragraph one (1), Code 1971, is amended as
- 5 follows:
- 6 Annually, on the first Monday in December the treasurer
- 7 shall offer at his office at public sale all lands, town lots,
- 8 or other real property on which taxes of any description for the
- 9 preceding year or years are delinquent, which sale shall be made
- 10 for the total amount of taxes, interest, and costs due and unpaid
- 11 thereon, including all prior suspended taxes, provided, however,
- 12 that no property, against which the county holds a tax sale cer-
- 13 tificate, shall be offered or sold. No interest or penalty on
- 14 suspended taxes shall be included in the sale price, except that
- 15 six percent interest per annum from the date of suspension shall
- 16 be included as to taxes suspended under the provisions of section
- 17 427.8 *The county treasurer, in behalf of the county, shall*
- 18 *have the first opportunity to bid and purchase all such lands,*
- 19 *town lots, or other real property for the county. He shall draw*
- 20 *his warrant therefor in favor of the county. Any such lands,*
- 21 *town lots, or other real property that the treasurer declines to*
- 22 *purchase in behalf of the county shall thereafter be offered for*
- 23 *sale to any person as provided herein."*

Senator Balloun raised a point of order on the amendment for the reason that it was not germane to the bill.

The Chair ruled the point well taken and the amendment out of order.

President Jepsen took the chair at 11:25 a.m.

Senator Briles moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 35) the vote was:

Ayes, 27:

Arbuckle	DeKoster	Messerly	Shaff
Balloun	Gilley	Milligan	Smith
Bass	Graham	Mowry	Sullivan
Briles	Keith	Nicholson	Thordsen
Brownlee	Kyhl	Ollenburg	Van Drie
Carlson	Lamborn	Rabedeaux	Walsh
Davis	Laverty	Rhodes	

Nays, 19:

Anderson	Glenn	Palmer	Shawver
Coleman	Hill	Potgeter	Stephens
Conklin	Kennedy	Potter	Tapscott
Doderer	Miller	Robinson	Van Gilst
Gaudineer	Neu	Schaben	

Absent or not voting, 4:

Curran	Erskine	Griffin	Riley
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 36

On motion of Senator Briles, Senate File 36, a bill for an act to increase cost of filing of a mechanic's lien, was taken up and considered.

Senator Briles moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 36) the vote was:

Ayes, 42:

Anderson	Erskine	Milligan	Shaff
Arbuckle	Gaudineer	Mowry	Shawver
Balloun	Gilley	Neu	Smith
Bass	Graham	Nicholson	Stephens
Briles	Hill	Ollenburg	Sullivan
Brownlee	Keith	Potter	Tapscott
Carlson	Kennedy	Rabedeaux	Thordsen
Conklin	Kyhl	Rhodes	Van Drie
Davis	Lamborn	Robinson	Van Gilst
DeKoster	Laverty	Schaben	Walsh
Doderer	Miller		

Nays, 4:

Coleman	Glenn	Palmer	Potgeter
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Absent or not voting, 4:

Curran	Griffin	Messerly	Riley
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 37

On motion of Senator Briles, Senate File 37, a bill for an act to permit counties to become associated with the Iowa state association of counties, was taken up and considered.

Senator Glenn offered the following amendment:

- 1 Amend Senate File 37 as follows:
- 2 By adding the following new sentence on line 21 after the
- 3 word "assembly.": "Nothing herein shall be construed as
- 4 permitting lobbying activities from funds hereinbefore
- 5 appropriated."

Senator Glenn moved the adoption of the amendment and requested a roll call.

On the question "Shall the amendment be adopted?" (S.F. 37) the vote was:

Rule 24 was invoked.

Ayes, 16:

Carlson	Doderer	Hill	Riley
Coleman	Gaudineer	Kennedy	Robinson
Conklin	Glenn	Miller	Schaben
Davis	Graham	Nicholson	Tapscott

Nays, 30:

Anderson	Gilley	Ollenburg	Smith
Arbuckle	Keith	Potgeter	Stephens
Balloun	Kyhl	Potter	Sullivan
Bass	Lamborn	Rabedeaux	Thordsen
Briles	Messerly	Rhodes	Van Drie
Brownlee	Milligan	Shaff	Van Gilst
DeKoster	Mowry	Shawver	Walsh
Erskine	Neu		

Absent or not voting, 4:

Curran	Griffin	Laverty	Palmer
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The amendment lost.

Senator Briles moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 37) the vote was:

Ayes, 28:

Anderson	Erskine	Mowry	Schaben
Arbuckle	Gilley	Neu	Shaff
Balloun	Hill	Ollenburg	Shawver
Briles	Keith	Potgeter	Smith
Carlson	Kyhl	Potter	Van Drie
Davis	Lamborn	Rabedeaux	Van Gilst
DeKoster	Milligan	Rhodes	Walsh

Nays, 17:

Bass	Gaudineer	Miller	Stephens
Brownlee	Glenn	Nicholson	Sullivan
Coleman	Graham	Riley	Tapscott
Conklin	Kennedy	Robinson	Thordsen
Doderer			

Absent or not voting, 5:

Curran	Laverty	Messerly	Palmer
Griffin			

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

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the the House has adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 5, setting the daily compensation of all chaplains, and officers and employees of the Sixty-fourth General Assembly.

Also: That the House has adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 6, setting the daily compensation of all joint legislative employees of the Sixty-fourth General Assembly.

WILLIAM R. KENDRICK, Chief Clerk

On motion of Senator Lamborn, the Senate recessed until the fall of the gavel.

AFTERNOON SESSION

The Senate reconvened, President pro tempore Kyhl presiding.

INTRODUCTION OF BILLS

Senate File 64, by committee on county government (committee on county government), a bill for an act relating to the deposit of receipts from the taxation of real estate transfers.

Read first time and placed on calendar.

Senate File 65, by committee on county government (committee on county government), a bill for an act relating to taxation of mobile homes.

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

Senate File 66, by committee on county government (committee on county government), a bill for an act relating to the effective date of certification of payment of taxes.

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

Senate File 67, by committee on county government (committee on county government), a bill for an act relating to notification of property owners regarding assessment rolls.

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

Senate File 68, by committee on county government (committee on county government), a bill for an act relating to motor vehicle title fees.

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

Senate File 69, by committee on county government (committee on county government), a bill for an act relating to deposits of public funds.

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

Senate File 70, by Senators Briles, Lamborn and Gaudineer (Anania and Fischer of Grundy), a bill for an act relating to eligibility for unemployment compensation for veterans.

Read first time and **passed on file**.

Senate File 71, by Senator Shaff (Camp), a bill for an act to legalize and validate the proceedings of the City Council of the City of DeWitt, Iowa, in connection with an election for the issuance of swimming pool bonds and declaring the validity of said election and that bonds issued pursuant to and authorized thereby shall constitute valid and binding obligations of said city.

Read first time and **passed on file**.

ANNOUNCEMENT BY PRESIDENT OF THE SENATE

President Jepsen announced the following committee assignments:

ENROLLED BILLS COMMITTEE

Senator Rhodes, Chairman

Senator Milligan

BILLS ASSIGNED TO COMMITTEE

President Jepsen announced the assignment of the following bills to committee:

- S. F. 57 Judiciary
- S. F. 58 Judiciary
- S. F. 59 Schools
- S. F. 60 Human and industrial relations
- S. F. 61 Environmental Preservation
- S. F. 62 State government
- S. F. 70 Human and industrial relations
- S. F. 71 Judiciary

SENATE CONCURRENT RESOLUTION 9

By Messerly

Whereas, the federal government, state government, county government, and municipal government have overwhelmingly recognized and declared a need for well-educated and well-prepared law enforcement personnel to meet the challenge of crime and of rapidly changing laws; and

Whereas, law enforcement personnel express a desire for educational programs at the college level for purposes of professional improvement, promotion, retention, and retirement; and

Whereas, considerable interest is being demonstrated by the Black Hawk County board of supervisors and many others who recognize the need for highly-trained law enforcement personnel; and

Whereas, the University of Northern Iowa is located in a large metropolitan county that would facilitate cooperative assignments in police departments, juvenile and adult correction facilities, and probation, parole, and social work; NOW THEREFORE,

Be It Resolved by the Senate, the House of Representatives Concurring, That the Sixty-fourth General Assembly of the State of Iowa urges the board of regents to establish a college of criminal justice for the purpose of preparing professional law enforcement personnel; and

Be It Further Resolved, That the college of criminal justice be established at the University of Northern Iowa, providing no increase in appropriations is necessary; and

Be It Further Resolved, That copies of this resolution be transmitted to the Governor, the members of the board of regents, and the president of the University of Northern Iowa.

EXPLANATIONS OF VOTES

I was temporarily absent from the Senate floor when the roll call was taken on House Joint Resolution 1. Had I been on the Senate floor, I would have voted "aye".

WILSON L. DAVIS

I was temporarily absent from the Senate floor when the roll call was taken on Senate File 35. Had I been on the Senate floor, I would have voted "aye".

ALDEN J. ERSKINE

REPORT OF COMMITTEE

Senator DeKoster submitted the following report:

MR. PRESIDENT: Your committee on judiciary, to which was referred **Senate File 31**, a bill for an act relating to the interest rates on judgments and decrees, begs leave to report it has had the same under consideration and recommends the same **do pass**.

LUCAS J. DeKOSTER, Chairman

Ordered passed on file.

On motion of Senator DeKoster, the Senate adjourned until 10:00 a.m., Thursday, January 21, 1971.

JOURNAL OF THE SENATE

ELEVENTH DAY

SENATE CHAMBER

DES MOINES, IOWA, THURSDAY, JANUARY 21, 1971

The Senate met in regular session, President pro tempore Kyhl presiding.

Prayer was offered by the Reverend Martin Mosier, pastor of the Billy Sunday Tabernacle, Sioux City, Iowa.

The Senate pledged allegiance to the flag.

The Journal of Wednesday, January 20, 1971, was approved.

PRESENTATION OF VISITORS

The Chair announced that the following visitors were present in the Senate gallery:

Fifty-five students from Lincoln High School, Des Moines, Iowa, accompanied by their instructor, Mrs. Carol Brown.

CONSIDERATION OF BILLS

Senate File 38

On motion of Senator Briles, Senate File 38, a bill for an act relating to fees charged by county recorders, was taken up and considered.

Senator Briles moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 38) the vote was:

Ayes, 44:

Arbuckle	Erskine	Messery	Schaben
Balloun	Gaudineer	Miller	Shaff
Bass	Gilley	Milligan	Shawver
Briles	Glenn	Nicholson	Smith
Brownlee	Graham	Ollenburg	Stephens
Carlson	Hill	Palmer	Sullivan
Conklin	Keith	Potter	Tapscott
Curran	Kennedy	Rabedeaux	Thordsen
Davis	Kyhl	Rhodes	Van Drie
DeKoster	Lamborn	Riley	Van Gilst
Doderer	Laverty	Robinson	Walsh

Nays, 5:

Anderson
Coleman

Mowry

Neu

Potgeter

Absent or not voting, 1:

Griffin

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

Senate File 3

On motion of Senator Brownlee, Senate File 3, a bill for an act relating to blood donors, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Brownlee moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 3) the vote was:

Ayes, 49:

Anderson	Erskine	Miller	Robinson
Arbuckle	Gaudineer	Milligan	Schaben
Balloun	Gilley	Mowry	Shaff
Bass	Glenn	Neu	Shawver
Briles	Graham	Nicholson	Smith
Brownlee	Hill	Ollenburg	Stephens
Carlson	Keith	Palmer	Sullivan
Coleman	Kennedy	Potgeter	Tapscott
Conklin	Kyhl	Potter	Thorsen
Curran	Lamborn	Rabedeaux	Van Drie
Davis	Laverty	Rhodes	Van Gilst
DeKoster	Messerly	Riley	Walsh
Doderer			

Nays, none.

Absent or not voting, 1:

Griffin

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

Senate File 29

On motion of Senator Mowry, Senate File 29, a bill for an act relating to the standard of proof for termination of the parent-child relationship, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Mowry moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 29) the vote was:

Ayes, 49:

Anderson	Erskine	Miller	Robinson
Arbuckle	Gaudineer	Milligan	Schaben
Balloun	Gilley	Mowry	Shaff
Bass	Glenn	Neu	Shawver
Briles	Graham	Nicholson	Smith
Brownlee	Hill	Ollenburg	Stephens
Carlson	Keith	Palmer	Sullivan
Coleman	Kennedy	Potgeter	Tapscott
Conklin	Kyhl	Potter	Thordsen
Curran	Lamborn	Rabedeaux	Van Drie
Davis	Laverty	Rhodes	Van Gilst
DeKoster	Messerly	Riley	Walsh
Doderer			

Nays, none.

Absent or not voting, 1:

Griffin

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

INTRODUCTION OF BILLS

Senate File 72, by Senators Neu, Curran, Smith and Thordsen (Shaw, Fisher of Greene and Drake), a bill for an act relating to rehearing and appeal procedures from Iowa state commerce commission action or decisions.

Read first time and **passed on file**.

Senate File 73, by Senators Neu, Smith and Curran (Shaw and Drake), a bill for an act relating to the internal structure of the department of agriculture.

Read first time and **passed on file**.

Senate File 74, by Senators Neu, Smith and Thordsen (Shaw, Drake and Fisher of Greene), a bill for an act relating to state libraries and the department of history and archives.

Read first time and **passed on file**.

On motion of Senator Lamborn, the Senate recessed until the fall of the gavel.

AFTERNOON SESSION

The Senate reconvened, President pro tempore Kyhl presiding.

INTRODUCTION OF BILLS

Senate File 75, by Senator Stephens, a bill for an act to repeal the local property tax levy for operation of area vocational schools and area community colleges.

Read first time and **passed on file**.

Senate File 76, by Senator Ollenburger (Stromer), a bill for an act relating to temporary registration of snowmobiles.

Read first time and **passed on file**.

Senate File 77, by Senator Tapscott (Bray), a bill for an act relating to the referendum for approval of low-rent housing projects.

Read first time and **passed on file**.

Senate File 78, by Senators Tapscott, Walsh, Potgeter and Robinson (Mayberry, Holden, Jesse and Lipsky), a bill for an act to establish a program to permit doctors' assistants to work under a doctor's supervision.

Read first time and **passed on file**.

Senate Joint Resolution 2, by Senator Stephens, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to property tax levies for school district general fund expenditures.

Read first time and **passed on file**.

PROOF OF PUBLICATION

Published copy of Senate File 71 and verified proof of publication of said bill in The DeWitt Observer, a newspaper published semi-weekly at DeWitt, Iowa, on January 18, 1971, was filed with the Secretary of the Senate prior to the time said bill was placed on passage in the Senate.

REASSIGNMENT OF BILL

President Jepsen announced the reassignment of Senate File 64 from the calendar to the appropriations committee, under Senate Rule 37.

BILLS ASSIGNED TO COMMITTEE

President Jepsen announced the assignment of the following bills to committee:

S.J.R. 2 Constitutional amendments and reapportionment

S. F. 52 Human and industrial relations

- S. F. 72 Judiciary
- S. F. 73 Agriculture
- S. F. 74 State government
- S. F. 75 Ways and means
- S. F. 76 Transportation
- S. F. 77 Cities and towns
- S. F. 78 Social services

AMENDMENT FILED

- 1 Amend Senate File 34, page 1, line 2, by inserting after the
- 2 word "activities" the words ", and providing penalties".

GENE W. GLENN

On motion of Senator Lamborn, the Senate adjourned until 10:00 a.m., Friday, January 22, 1971.

JOURNAL OF THE SENATE

TWELFTH DAY

SENATE CHAMBER
DES MOINES, IOWA, FRIDAY, JANUARY 22, 1971

The Senate met in regular session, President Jepsen presiding.

Prayer was offered by the Reverend Wayne M. Hoffman, pastor of the Westminster United Presbyterian Church, Waterloo, Iowa.

The Senate pledged allegiance to the flag.

The Journal of Thursday, January 21, 1971, was approved.

PRESENTATION OF VISITORS

President Jepsen welcomed to the Senate three students from Northern University High School, Cedar Falls, Iowa: Julie Jepsen, niece of the Lieutenant Governor, Doreen Holmes and Linda Mehmen, who were present in the gallery accompanied by Mrs. Jepsen.

INTRODUCTION OF BILLS

Senate File 79, by Senators Miller, Kennedy, Griffin and Thordsen (Monroe, Tieden, Schmeiser, Dunton and Fischer of Grundy), a bill for an act relating to hunting-safety education and providing a penalty.

Read first time and **passed on file**.

Senate File 80, by Senators Milligan and Carlson (Alt, Hill and Kreamer), a bill for an act relating to the establishment of a municipal tax relief fund.

Read first time and **passed on file**.

CONSIDERATION OF BILLS

Senate File 31

On motion of Senator Mowry, Senate File 31, a bill for an act relating to the interest rates on judgments and decrees, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Mowry moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 31) the vote was:

Ayes, 40:

Anderson	DeKoster	Laverty	Riley
Arbuckle	Doderer	Messerly	Robinson
Balloun	Erskine	Milligan	Shaff
Bass	Gilley	Mowry	Shawver
Briles	Glenn	Nicholson	Smith
Brownlee	Graham	Ollenburg	Stephens
Carlson	Keith	Potgeter	Sullivan
Coleman	Kennedy	Potter	Van Drie
Conklin	Kyhl	Rabedeaux	Van Gilst
Curran	Lamborn	Rhodes	Walsh

Nays, 4:

Hill	Miller	Palmer	Tapscott
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Absent or not voting, 6:

Davis	Griffin	Schaben	Thordsen
Gaudineer	Neu		

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

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

The Senate resumed session, President Jepsen presiding.

CONSIDERATION OF BILLS

Senator Lamborn asked and received unanimous consent to take up for consideration **Senate File 63**.

Senate File 63

On motion of Senator Gilley, Senate File 63, a bill for an act relating to the dates of settlement with county treasurers and boards of supervisors, was taken up and considered.

Senator Gilley moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 63) the vote was:

Ayes, 40:

Anderson	Erskine	Miller	Riley
Arbuckle	Gilley	Milligan	Shaff
Bass	Glenn	Mowry	Shawver
Briles	Graham	Nicholson	Smith
Brownlee	Keith	Ollenburg	Stephens
Carlson	Kennedy	Palmer	Sullivan
Coleman	Kyhl	Potgeter	Tapscott
Conklin	Lamborn	Potter	Van Drie
Curran	Laverty	Rabedeaux	Van Gilst
DeKoster	Messerly	Rhodes	Walsh

Nays, none.

Absent or not voting, 10:

Balloun	Gaudineer	Neu	Schaben
Davis	Griffin	Robinson	Thordsen
Doderer	Hill		

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

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate File 3, a bill for an act relating to blood donors.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 36, a bill for an act to increase cost of filing of a mechanic's lien.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 38, a bill for an act relating to fees charged by county recorders.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 42, a bill for an act relating to shorthand notes of court reporters.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 86, a bill for an act relating to deposits of public funds.

Also: That the House has adopted the following concurrent resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 6, commending General Joseph G. May and Colonel Eric P. Berner and the Iowa National Guard for the outstanding job in arranging the inaugural ceremonies of Governor Robert D. Ray.

Also: That the House has adopted the following concurrent resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 7, providing for a joint convention on Wednesday, January 27, 1971, at 10:45 a.m. for the purpose of hearing the Governor's budget message.

WILLIAM R. KENDRICK, Chief Clerk

HOUSE CONCURRENT RESOLUTION 6

By Lipsky, Curtis, Menefee,
Middleswart, Priebe, and Ewell
(Kuhl, Lamborn, DeKoster, Mowry,
Arbuckle and Rabedaux)

Whereas, General Joseph G. May, Colonel Eric P. Berner, and the Iowa National Guard did an outstanding job in arranging the inaugural ceremonies of Governor Robert D. Ray and Lieutenant Governor Roger W. Jepsen; and

Whereas, this inauguration was a complete success enjoyed by Iowans from all over this great state;

Now, Therefore, Be It Resolved by the Senate, the House of Representatives Concurring: That General Joseph G. May, Colonel Eric P. Berner, and the Iowa National Guard be commended for providing this excellent public service.

Be It Further Resolved: That a copy of this resolution be forwarded to General Joseph G. May and Colonel Eric P. Berner.

HOUSE CONCURRENT RESOLUTION 7

By Varley and Cochran

Be It Resolved by the House, the Senate Concurring: That a joint convention of the two houses of the Sixty-fourth General Assembly be held on Wednesday, January 27, 1971, at 10:45 a.m.

Be It Further Resolved: That Governor Robert D. Ray be invited to present his budget message at this joint convention of the two houses of the General Assembly and that the Speaker of the House and the President of the Senate be designated to deliver the invitation to him.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Rhodes, from the joint committee on enrolled bills, submitted the following report and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: House Joint Resolution 1.

JOHN C. RHODES
Chairman, Senate Committee
ELIZABETH R. MILLER
Chairman, House Committee

Report adopted.

BILL SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate the following resolution: House Joint Resolution 1.

HOUSE MESSAGES CONSIDERED

House File 42, a bill for an act relating to shorthand notes of court reporters.

Read first time and **passed on file**.

House File 86, a bill for an act relating to deposits of public funds

Read first time and **passed on file**.

INTRODUCTION OF BILLS

Senate File 81, by Senators Van Gilst and Briles (Strand and Dougherty), a bill for an act relating to the use of school buses.

Read first time and **passed on file**.

Senate File 82, by Senators Van Gilst and Sullivan (Stokes and Dougherty), a bill for an act relating to the use of school lunch facilities by senior citizen organizations.

Read first time and **passed on file**.

AMENDMENT FILED

- 1 Amend Senate File 68 as follows:
2 1. Page 2, after line 25 by adding the following new
3 section:
4 Sec. 3. Section three hundred twenty-one point one hundred
5 fifty-two (321.152), Code 1971, is amended as follows:
6 321.152 FEE FOR COUNTY. Each county treasurer shall be
7 allowed to retain, for the use and benefit of the county
8 general fund, seventy-five cents for each vehicle registration
9 issued by him out of money collected in each year for the
10 registration of such vehicles and sixty-five [cents for] *percent*
11 *of* each certificate of title *fee* and sixty-five cents for each
12 notation of a lien or encumbrance when a fee therefor is pre-
13 scribed by the provisions of this chapter, the same to be
14 deducted, and reported to the department, when the county
15 treasurer transfers the money collected under the provisions
16 of this chapter; provided, however, that no such deduction shall
17 be lawful unless the county treasurer has complied with the
18 provisions of sections 321.24 and 321.153.

GENE V. KENNEDY
JAMES E. BRILES

On motion of Senator Lamborn, the Senate adjourned until 10:00 a.m., Monday, January 25, 1971.

JOURNAL OF THE SENATE

FIFTEENTH DAY

SENATE CHAMBER
DES MOINES, IOWA, MONDAY, JANUARY 25, 1971

The Senate met in regular session, President Jepsen presiding.

Prayer was offered by the Reverend Hugh Shiveley, pastor of the First Baptist Church, Grinnell, Iowa.

The Senate pledged allegiance to the flag.

The Journal of Friday, January 22, 1971, was approved.

SPECIAL GUEST PRESENTED

President Jepsen presented to the Senate his daughter, Ann, recipient of the Outstanding Citizenship Award from the Davenport Central High School, Davenport, Iowa.

Ann was seated at his right on the rostrum, and President Jepsen advised the Senators that he would be proud and happy to give the same recognition to any young people in their areas who may have received this award.

PETITIONS

The following petitions were presented and placed on file:

By Senator Arbuckle, from fifty-six residents of Boone County favoring a property tax freeze.

By Senator Robinson, from six hundred eighty-two residents of Linn County opposing any change in the abortion law.

CONSIDERATION OF BILLS

Senator Lamborn asked and received unanimous consent to take up for consideration **Senate File 65**.

Senate File 65

On motion of Senator Shaff, Senate File 65, a bill for an act relating to taxation of mobile homes, was taken up and considered.

SENATE FILE DEFERRED

Senator Davis asked and received unanimous consent that further action on **Senate File 65** be deferred and that the bill be placed on the calendar under **unfinished business**.

CONSIDERATION OF BILLS

Senator Lamborn asked and received unanimous consent to take up for consideration **Senate File 66**.

Senate File 66

On motion of Senator Sullivan, Senate File 66, a bill for an act relating to the effective date of certification of payment of taxes, was taken up and considered.

SENATE FILE DEFERRED

Senator Sullivan asked and received unanimous consent that further action on **Senate File 66** be deferred and that the bill be placed on the calendar under **unfinished business**.

INTRODUCTION OF BILLS

Senate File 83, by Senator Van Drie, a bill for an act relating to the auditing committee of a credit union.

Read first time and **passed on file**.

Senate File 84, by Senators Van Drie, Walsh, Doderer and Arbuckle, a bill for an act relating to salaries of the state highway commission and other state employees and making an appropriation.

Read first time and **passed on file**.

Senate File 85, by Senators Laverty, Erskine, Curran, Milligan and Smith (Varley, Blouin, Cochran, Miller, McCormick, Dougherty, Rodgers and Lawson), a bill for an act creating a department of environmental quality, specifying its powers, duties, and functions, and providing penalties for violations thereof.

Read first time and **passed on file**.

Senate File 86, by Senator Doderer, a bill for an act to repeal the procedure for establishment of a convention to ratify amendments to the Constitution of the United States.

Read first time and **passed on file**.

Senate File 87, by Senators Curran, Smith, Milligan and Neu (Welden, Fisher of Greene, Drake and Shaw), a bill for an act to

create a department of general services, transferring services presently performed by designated state agencies to the department of general services, eliminating the performance of certain duties, and providing penalties.

Read first time and **passed on file.**

On motion of Senator Lamborn, the Senate recessed until the fall of the gavel.

AFTERNOON SESSION

The Senate reconvened, President pro tempore Kyhl presiding.

INTRODUCTION OF BILLS

Senate File 88, by Senators Neu and Curran (Shaw), a bill for an act relating to the marketing division of the department of agriculture.

Read first time and **passed on file.**

Senate File 89, by Senators Neu, Curran and Thordsen (Shaw, Drake and Fisher of Greene), a bill for an act relating to the issuance of certificates of convenience and necessity to motor vehicle carriers.

Read first time and **passed on file.**

Senate File 90, by committee on county government, a bill for an act to authorize the consolidation of counties.

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

Senate File 91, by Senator Riley, a bill for an act relating to the appointment of a treasurer of a joint county school system.

Read first time and **passed on file.**

Senate File 92, by Senator Mowry, a bill for an act relating to dog license fees and disposition of dogs by counties.

Read first time and **passed on file.**

Senate File 93, by Senator Kennedy (Doyle), a bill for an act relating to penalties for unlawfully transporting intoxicating liquors.

Read first time and **passed on file.**

Senate File 94, by Senator Kennedy, a bill for an act relating to the death of persons resulting from the operation of motor vehicles, and imposing penalties therefor.

Read first time and **passed on file**.

Senate File 95, by Senators Kennedy, Smith and Thordsen (Shaw and Drake), a bill for an act relating to state land bordering on streams or lakes.

Read first time and **passed on file**.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File 17, a bill for an act relating to the Iowa development commission corporation.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 87, a bill for an act relating to notification of property owners regarding assessment rolls.

Also: That the House has adopted the following concurrent resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 3, directing state departments to make bulk deliveries of information, communications and reports intended for general distribution to members of the House and Senate.

WILLIAM R. KENDRICK, Chief Clerk

HOUSE CONCURRENT RESOLUTION 3

By Schroeder, Fischer of Grundy,
Christensen, Tieden, Radl and Stromer

Whereas, it is the desire and goal of the members of the Sixty-fourth General Assembly, Second Regular Session, to eliminate all unnecessary expenditures; and

Whereas, the cost of envelopes, labeling, and packing could be eliminated and whereas written materials could be distributed more efficiently and expeditiously by the pages under the direction of the Sergeant-at-Arms; now, therefore,

Be It Resolved by the House, the Senate Concurring, that a directive be sent to all state departments, commissions and boards to the effect that all written or printed information, communications or reports intended for general distribution to members of the House and/or Senate be delivered in bulk to the House chamber and/or the Senate chamber to be distributed to the members under the supervision of the Sergeant-at-Arms.

HOUSE MESSAGES CONSIDERED

House File 87, a bill for an act relating to notification of property owners regarding assessment rolls.

Read first time and **passed on file**.

House File 17, a bill for an act relating to the Iowa development commission corporation.

Read first time and **passed on file**.

APPOINTMENT OF SENATE ETHICS COMMITTEE

In accordance with section 68B.10, Code 1971, the Secretary of the Senate has been notified of the following appointments to the Senate ethics committee:

John H. Neiman of Des Moines

Francis L. Cudahy of Jefferson

Appointed by C. Edwin Moore, Chief Justice of the Iowa Supreme Court

Senator Arthur A. Neu

Senator James A. Potgeter

Senator Edward E. Nicholson

Appointed by Clifton C. Lamborn, Senate Majority Leader

Senator Minnette Doderer

Senator Gene V. Kennedy

Appointed by Lee H. Gaudineer, Jr., Senate Minority Leader

BILLS ASSIGNED TO COMMITTEE

President Jepsen announced the assignment of the following bills to committee:

S. F. 79 Conservation and recreation

S. F. 80 Cities and towns

S. F. 81 Schools

S. F. 82 Schools

S. F. 83 Commerce

S. F. 84 State government

S. F. 85 State government

S. F. 86 Constitutional amendments and reapportionment

S. F. 87 State government

S. F. 88 Agriculture

S. F. 89 Commerce

- S. F. 91 Schools
- S. F. 92 County government
- S. F. 93 Law enforcement
- S. F. 94 Law enforcement
- S. F. 95 Conservation and recreation
- H. F. 17 Iowa development
- H. F. 42 Judiciary

REPORTS OF COMMITTEE

Senator Mowry submitted the following reports:

MR. PRESIDENT: Your committee on commerce, to which was referred **Senate File 8**, a bill for an act relating to the acquisition of bridges, begs leave to report it has had the same under consideration and recommends the same **do pass**.

JOHN L. MOWRY, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on commerce, to which was referred **Senate File 17**, a bill for an act relating to the selection of the compensation commissioners, begs leave to report it has had the same under consideration and recommends the same **do pass**.

JOHN L. MOWRY, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on commerce, to which was referred **Senate File 21**, a bill for an act relating to the payment of subsequent damages to property owners, begs leave to report it has had the same under consideration and recommends the same **do pass**.

JOHN L. MOWRY, Chairman

Ordered passed on file.

AMENDMENTS FILED

- 1 Amend the Temporary Rules of the Senate, filed
- 2 January 19, 1971, as follows:
- 3 1. Rule 2, line 6, by striking "forty-one" and
- 4 inserting "thirty-four".
- 5 2. Rule 25, by adding the following new paragraph:
- 6 "A motion to reconsider and lay on the table shall have
- 7 priority over a motion to reconsider if they are both
- 8 filed on the same legislative day".
- 9 3. Rule 28, by adding the following sentence:
- 10 "Privately sponsored bills requested prior to the fore-
- 11 going deadlines, delivered by legislative service bureau
- 12 after the deadline, shall be introduced within one week

13 after delivery to the member”.

14 4. Rule 42, by adding the following paragraph:

15 “The reports of the committees recommending a bill for

16 passage shall not be read while the Senate is in session.

17 All reports shall be printed in the Journal immediately

18 after they are filed with the Secretary of the Senate. If

19 the report recommends a bill for passage with an amendment

20 or contains no recommendation, it shall be read to the

21 Senate by the secretary. All committee reports shall then

22 stand approved unless the Senate directs otherwise”.

COMMITTEE ON RULES

CLIFTON C. LAMBORN, Chairman

1 Amend Senate File 53, line 14, by striking “and” and inserting

2 in lieu thereof “or”.

EDWARD E. NICHOLSON

1 Amend Senate File 78, page 4, line 1, by striking the word

2 “Committed” and inserting the word “Committee”.

JOHN E. TAPSCOTT

On motion of Senator DeKoster, the Senate adjourned until 10:00
a.m., Tuesday, January 26, 1971.

JOURNAL OF THE SENATE

SIXTEENTH DAY

SENATE CHAMBER

DES MOINES, IOWA, TUESDAY, JANUARY 26, 1971

The Senate met in regular session, President Jepsen presiding.

Prayer was offered by Sister Mary Agnes, president of Mount Mercy College, Cedar Rapids, Iowa.

The Senate pledged allegiance to the flag.

The Journal of Monday, January 25, 1971, was approved.

PRESENTATION

President Jepsen presented to the Senate Virginia Brashaw of Monticello, Iowa, who was seated at his right, a sophomore at Mount Mercy College in Cedar Rapids, Iowa, majoring in history and minoring in political science. Virginia has been serving as a Senate page and doing some independent study during the January college interim.

PRESENTATION OF VISITORS

The Chair announced that the following visitors were present in the Senate gallery:

Forty-eight students from the fifth grade class of St. Mary's School, Martensdale, Iowa, accompanied by their instructors, Mrs. Beltz, Mrs. Morris and John Harvey.

Twenty-eight students from the fifth and sixth grade classes of Monroe Elementary School, Des Moines, Iowa, accompanied by their instructors, Mrs. Blum and Mrs. Burkhart.

PETITION

The following petition was presented and placed on file:

By Senator Riley, from eight hundred twelve residents of Linn County opposing any change in the abortion law.

INTRODUCTION OF BILLS

Senate File 96, by Senators Curran and Neu (Shaw), a bill for an act relating to registration fees for motorboats.

Read first time and **passed on file**.

Senate File 97, by Senator Curran (Shaw, Drake and Fisher of Greene), a bill for an act relating to the board of educational examiners.

Read first time and **passed on file**.

Senate File 98, by Senators Curran, Neu, Smith and Kennedy (Shaw, Fisher of Greene and Drake), a bill for an act relating to fees charged by the bureau of labor for certificates of inspection.

Read first time and **passed on file**.

Senate File 99, by Senators Van Drie, Smith, Tapscott, Coleman, Ollenburg, Thordsen, Graham, Balloun, Potter, Keith, Rhodes, Gaudineer, Erskine, Stephens, Sullivan, Arbuckle, DeKoster, Carlson, Griffin, Brownlee, Rabedaux, Walsh, Schaben, Palmer, Miller and Briles, a bill for an act relating to the scheduling of football games between the state university of Iowa and Iowa state university of science and technology.

Read first time and **passed on file**.

Senate File 100, by Senators Anderson and Schaben, a bill for an act relating to the issuance of liquid transport carrier certificates.

Read first time and **passed on file**.

Senate File 101, by Senator Schaben, a bill for an act making an appropriation for the reimbursement of the city of Harlan, Iowa, for expenses incurred at the request of the board of regents in regard to a site for the proposed Western Iowa College.

Read first time and referred to committee on **appropriations** (under Rule 37).

ADOPTION OF HOUSE CONCURRENT RESOLUTIONS

House Concurrent Resolution 6

Senator Kyhl called up the following concurrent resolution and moved its adoption:

HOUSE CONCURRENT RESOLUTION 6

By Lipsky, Curtis, Menefee,
Middleswart, Priebe, and Ewell
(Kyhl, Lamborn, DeKoster, Mowry,
Arbuckle and Rabedaux)

Whereas, General Joseph G. May, Colonel Eric P. Berner, and the Iowa National Guard did an outstanding job in arranging the inaugural

ceremonies of Governor Robert D. Ray and Lieutenant Governor Roger W. Jepsen; and

Whereas, this inauguration was a complete success enjoyed by Iowans from all over this great state;

Now, Therefore, Be It Resolved by the Senate, the House of Representatives Concurring: That General Joseph G. Mays, Colonel Eric P. Berner, and the Iowa National Guard be commended for providing this excellent public service.

Be It Further Resolved: That a copy of this resolution be forwarded to General Joseph G. May and Colonel Eric P. Berner.

The motion prevailed and the resolution was adopted.

House Concurrent Resolution 7

Senator Lamborn called up the following concurrent resolution and moved its adoption:

HOUSE CONCURRENT RESOLUTION 7 By Varley and Cochran

Be It Resolved by the House, the Senate Concurring: That a joint convention of the two houses of the Sixty-fourth General Assembly be held on Wednesday, January 27, 1971, at 10:45 a.m.

Be It Further Resolved: That Governor Robert D. Ray be invited to present his budget message at this joint convention of the two houses of the General Assembly and that the Speaker of the House and the President of the Senate be designated to deliver the invitation to him.

The motion prevailed and the resolution was adopted.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Rhodes, from the joint committee on enrolled bills, submitted the following report and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate Files 3, 36 and 38.

JOHN C. RHODES
Chairman, Senate Committee
ELIZABETH R. MILLER
Chairman, House Committee

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate the following bills: Senate Files 3, 36 and 38.

BILLS SENT TO THE GOVERNOR

Senator Rhodes, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 26th day of January, 1971, sent to the Governor for his approval: Senate Files 3, 36 and 38.

JOHN C. RHODES, Chairman

Passed on file.

UNFINISHED BUSINESS

Senate File 65

On motion of Senator Shaff, Senate File 65, a bill for an act relating to taxation of mobile homes, was taken up for further consideration.

SENATE FILE DEFERRED

Senator Shaff asked and received unanimous consent that further action on **Senate File 65** be deferred and that the bill retain its place on the calendar under **unfinished business**.

UNFINISHED BUSINESS

Senate File 66

On motion of Senator Shaff, Senate File 66, a bill for an act relating to the effective date of certification of payment of taxes, was taken up for further consideration.

SENATE FILE DEFERRED

Senator Shaff asked and received unanimous consent that further action on **Senate File 66** be deferred and that the bill retain its place on the calendar under **unfinished business**.

CONSIDERATION OF BILLS

Senate File 67

On motion of Senator Shaff, Senate File 67, a bill for an act relating to notification of property owners regarding assessment rolls, was taken up and considered.

SUBSTITUTION

Senator Shaff asked and received unanimous consent that **House File 87** be substituted for **Senate File 67**.

House File 87

On motion of Senator Shaff, House File 87, a bill for an act relat-

ing to notification of property owners regarding assessment rolls, was taken up and considered.

Senator Shaff moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 87) the vote was :

Ayes, 48:

Anderson	Erskine	Miller	Robinson
Arbuckle	Gaudineer	Milligan	Schaben
Balloun	Gilley	Mowry	Shaff
Bass	Glenn	Neu	Shawver
Briles	Graham	Nicholson	Smith
Brownlee	Griffin	Ollenburg	Stephens
Carlson	Keith	Palmer	Sullivan
Coleman	Kennedy	Potgeter	Tapscott
Conklin	Kyhl	Potter	Thordsen
Curran	Lamborn	Rabedeaux	Van Drie
Davis	Laverty	Rhodes	Van Gilst
Doderer	Messerly	Riley	Walsh

Nays, none.

Absent or not voting, 2:

DeKoster Hill

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

SENATE FILE WITHDRAWN

Senator Briles asked and received unanimous consent that **Senate File 67** be withdrawn from further consideration of the Senate.

CONSIDERATION OF BILLS

Senate File 68

On motion of Senator Briles, Senate File 68, a bill for an act relating to motor vehicle title fees, was taken up and considered.

SENATE FILE DEFERRED

Senator Briles asked and received unanimous consent that further action on **Senate File 68** be deferred and that the bill retain its place on the calendar.

CONSIDERATION OF BILLS

Senate File 69

On motion of Senator Briles, Senate File 69, a bill for an act relating to deposits of public funds, was taken up and considered.

SUBSTITUTION

Senator Briles asked and received unanimous consent that **House File 86** be substituted for **Senate File 69**.

House File 86

On motion of Senator Briles, House File 86, a bill for an act relating to deposits of public funds, was taken up and considered.

Senator Briles moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 86) the vote was:

Ayes, 42:

Anderson	Gilley	Milligan	Robinson
Arbuckle	Glenn	Mowry	Schaben
Briles	Graham	Neu	Shawver
Brownlee	Griffin	Nicholson	Smith
Carlson	Hill	Palmer	Stephens
Coleman	Kennedy	Potgeter	Sullivan
Curran	Kyhl	Potter	Tapscott
Davis	Lamborn	Rabedaux	Thordsen
Doderer	Laverty	Rhodes	Van Drie
Erskine	Messerly	Riley	Van Gilst
Gaudineer	Miller		

Nays, 6:

Balloun	Conklin	Ollenburg	Shaff
Bass	Keith		

Absent or not voting, 2:

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

SENATE FILE WITHDRAWN

Senator Briles asked and received unanimous consent that **Senate File 69** be withdrawn from further consideration of the Senate.

On motion of Senator Lamborn, the Senate recessed until the fall of the gavel.

AFTERNOON SESSION

The Senate reconvened, President pro tempore Kyhl presiding.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the

House has passed the following bill in which the concurrence of the Senate is asked:

House File 23, a bill for an act relating to the definition of pipeline and pipeline company.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 24, a bill for an act to exempt certain electric utility projects from petition requirements.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 25, a bill for an act relating to a description of land remaining after condemnation or purchase in lieu of condemnation.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 29, a bill for an act relating to the payment of subsequent damages to property owners.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 32, a bill for an act to remove references to the granting of a franchise to an electric utility company by the county board of supervisors.

Also: That the House has adopted the following concurrent resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 8, congratulating the Iowa Department of Public Instruction and its Vocational Rehabilitation branch upon the Golden Anniversary of their vocational rehabilitation program.

WILLIAM R. KENDRICK, Chief Clerk

HOUSE CONCURRENT RESOLUTION 8

By Dunton, Middleswart,
Den Herder and Holden

Whereas, Iowa was one of the pioneer states in establishing a public program of vocational rehabilitation, in cooperation with the Federal Government, to restore handicapped men and women to useful lives and remunerative employment; and

Whereas, the Iowa vocational rehabilitation program administered by the State Department of Public Instruction is currently observing the fiftieth anniversary of its inception in 1921; and

Whereas, the history of the Iowa vocational rehabilitation program during the past fifty years is filled with achievements of thousands of disabled men and women who have overcome their handicaps and often have turned their handicaps into vocational assets; and

Whereas, in this, the Golden Year of the public vocational rehabilitation program in Iowa, new opportunities for rehabilitation are being extended to the severely disabled and others who can benefit from self-help services; and

Whereas, the opening of the expanded vocational rehabilitation center on the Capitol grounds and the Commemorative Program to be held there on February 4, 1971, is another milestone in providing greater opportunities

for enabling handicapped citizens to become personally independent and self supporting; now, therefore,

Be It Resolved by the House, the Senate Concurring, That the Sixty-fourth General Assembly recognizes the contributions that rehabilitated men and women have made and are continuing to make to our society and congratulates the Iowa State Department of Public Instruction and its Vocational Rehabilitation Branch upon the GOLDEN ANNIVERSARY of their vocational rehabilitation program; and

Be It Further Resolved, that the Chief Clerk of the House of Representatives be directed to forward copies of this resolution to the Iowa State Department of Public Instruction, the President of the Iowa Rehabilitation Association, and to the Regional Director of the United States Department of Health, Education, and Welfare, Kansas City, Missouri.

INTRODUCTION OF BILLS

Senate File 102, by Senator Potter, a bill for an act relating to tax receipts.

Read first time and **passed on file**.

Senate File 103, by Senator Gaudineer, a bill for an act relating to excuse of jurors.

Read first time and **passed on file**.

Senate File 104, by Senators Milligan, Glenn, DeKoster, Rabedaux and Potgeter (Andersen, Kennedy, McCormick and Lawson), a bill for an act to provide for the establishment of a metropolitan service corporation.

Read first time and **passed on file**.

Senate File 105, by Senator Shaff, a bill for an act relating to the penalty for embezzlement of secured interests in collateral.

Read first time and **passed on file**.

Senate File 106, by Senator Miller, a bill for an act to equate insurance proceeds payable to medical practitioners.

Read first time and **passed on file**.

Senate File 107, by Senator Miller, a bill for an act relating to property tax exemptions for veterans.

Read first time and **passed on file**.

Senate File 108, by Senator Kennedy, a bill for an act relating to institutions under the management of the department of social services and providing penalties for violations.

Read first time and **passed on file**.

Senate File 109, by Senator Riley, a bill for an act relating to minimum limits for compliance with the motor vehicle financial responsibility law.

Read first time and **passed on file**.

Senate File 110, by Senators Mowry and Gaudineer, a bill for an act relating to the judicial retirement system.

Read first time and **passed on file**.

Senate File 111, by Senators Neu, Curran and Thordsen (Shaw, Fisher of Greene and Drake), a bill for an act relating to subdivided lands and to provide penalties for violations.

Read first time and **passed on file**.

HOUSE MESSAGES CONSIDERED

House File 23, a bill for an act relating to the definition of pipeline and pipeline company.

Read first time and **passed on file**.

House File 24, a bill for an act to exempt certain electric utility projects from petition requirements.

Read first time and **passed on file**.

House File 25, a bill for an act relating to a description of land remaining after condemnation or purchase in lieu of condemnation.

Read first time and **passed on file**.

House File 29, a bill for an act relating to the payment of subsequent damages to property owners.

Read first time and **passed on file**.

House File 32, a bill for an act to remove references to the granting of a franchise to an electric utility company by the county board of supervisors.

Read first time and **passed on file**.

COMMUNICATIONS

The following communications were presented :

OFFICE OF THE GOVERNOR

State Capitol

Des Moines, Iowa 50319

Honorable Roger W. Jepsen
Lieutenant Governor of Iowa
State Capitol
Local

Dear Governor Jepsen:

It is my pleasure to submit to the Senate for their consideration the name of Stephen Garst of Coon Rapids, Carroll County, Iowa, for appointment as a member of the Iowa State Highway Commission under the provisions of section 307.2 of the 1966 Code of Iowa for an unexpired term ending June 30, 1973.

Respectfully yours,
ROBERT D. RAY
Governor

Also:

Dear Governor Jepsen:

It is my pleasure to submit to the Senate for their consideration the name of Arnold M. Reeve of Des Moines, Polk County, Iowa, as Commissioner of Public Health under the provisions of sections 135.2 and 135.4 of the Code of Iowa, 1966, for the unexpired portion of the regular term ending June 30, 1973.

Respectfully yours,
ROBERT D. RAY
Governor

Also:

Dear Governor Jepsen:

It is my pleasure to submit to the Senate for their consideration the name of Stanley R. Barber of Wellman, Washington County, Iowa, for appointment as a member of the State Board of Public Instruction under the provisions of sections 257.1 and 257.2, 1966 Code of Iowa, and chapter 244, sections 23 and 24, Acts of the Sixty-second General Assembly, for the unexpired portion of a term ending January 2, 1974.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Jepsen:

It is my pleasure to submit to the Senate for their consideration the name of Elwyn H. Hemken of Blairsburg, Hamilton County, Iowa, for appointment as a member of the Commission for the Blind under the provisions of section 93.1, 1966 Code of Iowa, for a regular three-year term beginning July 1, 1970, and ending June 30, 1973.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Jepsen:

It is my pleasure to submit to the Senate for their consideration the name of Robert J. Beecher of Creston, Union County, Iowa, for appointment as a member of the State Board of Public Instruction under the provisions of sections 257.1 and 257.2, 1966 Code of Iowa, and chapter 244, sections 23 and 24, Acts of the Sixty-second General Assembly, for the unexpired portion of a term ending January 2, 1972.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Jepsen:

It is my pleasure to submit to the Senate for their consideration the name of John L. Munger of Des Moines, Polk County, Iowa, for appointment as a member of the Advisory Investment Board of the Iowa Public Employees' Retirement System under the provisions of section 97B.8, 1966 Code of Iowa, for the unexpired portion of a term ending June 30, 1975.

Sincerely,
ROBERT D. RAY
Governor

ANNOUNCEMENT OF INVESTIGATING COMMITTEES ON GOVERNOR'S APPOINTMENTS

President Jepsen, in accordance with section 2.32, Code 1971, announced the appointment of the following Senators to investigating committees:

As a member of the Iowa State Highway Commission:

Stephen Garst of Coon Rapids, Carroll County, Iowa, for the unexpired term ending June 30, 1973.

Senator Neu, Chairman
Senator Arbuckle
Senator Graham
Senator Rhodes
Senator Schaben

As a member of the Advisory Investment Board of the Iowa Public Employees' Retirement System:

John L. Munger of Des Moines, Polk County, Iowa, for the unexpired term ending June 30, 1975.

Senator Carlson, Chairman
Senator Lavery
Senator Milligan
Senator Palmer
Senator Van Drie

As members of the State Board of Public Instruction:

Stanley R. Barber of Wellman, Washington County, Iowa, for the unexpired term ending January 2, 1974.

Senator Stephens, Chairman
Senator Davis
Senator Rabedaux
Senator Thordsen
Senator Van Gilst

Robert J. Beecher of Creston, Union County, Iowa, for the unexpired term ending January 2, 1972.

Senator Anderson, Chairman
Senator Bass
Senator Briles
Senator Griffin
Senator Tapscott

As a member of the Commission for the Blind:

Elwyn H. Hemken of Blairsburg, Hamilton County, Iowa, for the regular three-year term ending June 30, 1973.

Senator Potgeter, Chairman
Senator Coleman
Senator Mowry
Senator Ollenburg
Senator Van Drie

As Commissioner of Public Health:

Arnold M. Reeve of Des Moines, Polk County, Iowa, for the unexpired term ending June 30, 1973.

Senator Milligan, Chairman
Senator Conklin
Senator Gaudineer
Senator Riley
Senator Sullivan

REPORTS OF COMMITTEES

Senator Conklin submitted the following report:

MR. PRESIDENT: Your committee on schools, to which was referred **Senate File 59**, a bill for an act relating to teachers pension systems, begs leave to report it has had the same under consideration and recommends the same **do pass**.

W. CHARLENE CONKLIN, Chairman

Ordered passed on file.

Senator Sullivan submitted the following report:

MR. PRESIDENT: Your committee on social services, to which was referred **Senate File 27**, bill for an act relating to eligibility of welfare recipients, begs leave to report it has had the same under consideration and recommends the same **do pass**.

CHARLES K. SULLIVAN, Chairman

Ordered passed on file.

AMENDMENT FILED

- 1 Amend the rules committee amendment, filed January 25, 1971, to
- 2 the Temporary Rules of the Senate by striking lines 15 through
- 3 22 and inserting in lieu thereof the following:
- 4 "All reports shall be printed in the Journal immediately
- 5 after they are filed with the Secretary of the Senate. Reports
- 6 of committees recommending bills for passage shall not be read.

- 7 Reports of committees recommending amendment and passage,
8 indefinite postponement, or without recommendation shall be
9 read to the Senate by the secretary. All committee reports
10 shall then stand approved unless the Senate directs otherwise."

COMMITTEE ON RULES

CLIFTON C. LAMBORN, Chairman

On motion of Senator Lamborn, the Senate adjourned until 10:00 a.m., Wednesday, January 27, 1971.

JOURNAL OF THE SENATE

SEVENTEENTH DAY

SENATE CHAMBER
DES MOINES, IOWA, WEDNESDAY, JANUARY 27, 1971

The Senate met in regular session, President pro tempore Kyhl presiding.

Prayer was offered by the Reverend Douglas Reed, pastor of the United Methodist Church, Indianola, Iowa.

The Senate pledged allegiance to the flag.

The Journal of Tuesday, January 26, 1971, was approved.

PRESENTATION OF VISITORS

The Chair announced that the following visitors were present in the Senate gallery:

Twenty-six students from Iowa Town and Country Y.W.C.A. and Laurens Senior High School, Laurens, Iowa, accompanied by Mrs. Bonnie Grosenickle.

Forty-one students from the fifth-grade class of St. Augustin's School, Des Moines, Iowa, accompanied by their instructors, Sister Dorothy Booms and Mrs. Merle Schlaamp.

Seventy-five ninth grade students from Oskaloosa Community Junior High School, Oskaloosa, Iowa, accompanied by their instructors, Mrs. Lois Scharff and Curt Frey.

UNFINISHED BUSINESS

Senate File 65

On motion of Senator Shaff, Senate File 65, a bill for an act relating to taxation of mobile homes, was taken up for further consideration.

Senator Shaff moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 65) the vote was:

Ayes, 28:

Arbuckle
Balloun

Bass
Briles

Carlson
Erskine

Gilley
Graham

Keith
Kyhl
Lamborn
Messerly
Miller

Milligan
Mowry
Nicholson
Ollenburg
Potgeter

Potter
Rabedaux
Rhodes
Riley
Smith

Sullivan
Thordsen
Van Drie
Van Gilst
Walsh

Nays, 18:

Anderson
Brownlee
Coleman
Conklin
Curran

Davis
Gaudineer
Glenn
Griffin
Hill

Kennedy
Neu
Palmer
Schaben

Shaff
Shawver
Stephens
Tapscott

Absent or not voting, 4:

DeKoster

Doderer

Laverty

Robinson

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

Senate File 66

On motion of Senator Sullivan, Senate File 66, a bill for an act relating to the effective date of certification of payment of taxes, was taken up for further consideration.

President Jepsen took the chair at 10:44 a.m.

(Senate File 66 pending.)

COMMITTEE FROM THE HOUSE

A committee from the House appeared and announced that the House was ready to receive the Senate in joint convention.

In accordance with House Concurrent Resolution 7 duly adopted, the Senate proceeded to the House under the direction of the Secretary of the Senate and the Sergeant-at-Arms.

JOINT CONVENTION

In accordance with law and House Concurrent Resolution 7 duly adopted, the joint convention was called to order, President Jepsen presiding.

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

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

The motion prevailed and President Jepsen appointed as such committee Senators Brownlee of Palo Alto, Van Drie of Story and

Miller of Des Moines, on the part of the Senate, and Representatives Pierson of Mahaska, Clark of Lee and Patton of Buchanan, on the part of the House.

The committee waited upon Governor Ray and escorted him to the Speaker's station. President Jepsen then presented Governor Ray, who delivered the following budget address:

MR. PRESIDENT, MR. SPEAKER, SENATORS AND REPRESENTATIVES, LADIES AND GENTLEMEN:

This is the third and final message in a series of three messages with which I have come to you—and to all the people of Iowa—during a 15-day period, pursuant to both the legal and moral obligation which is laid upon me at the outset of my second term as Governor of the state.

In my message on the condition of the state, I identified some landmarks of the past two years in the social, economic and political life of Iowa, and took a reckoning of our position at the close of that biennium. In my inaugural address, I identified some of the challenges and opportunities which will confront us during the next two years.

In both of those addresses, I told you that specific proposals for meeting certain of these challenges would be included in the budget message, which I am now presenting. Both earlier messages emphasized that Iowa stands at a uniquely crucial crossroads swept by sharp winds of change which we cannot ignore, and that the decisions we must make concerning the paths that we shall follow will importantly determine the kind of place Iowa will be during this decade and the balance of this century. My recommendations for some of these crucial decisions will form the substance of this morning's message.

At the inauguration, I called the impending decisions "difficult, even hazardous", and I repeat that warning to you now. But it has not been my custom or practice to avoid the difficult or hazardous issues and the decisions affecting them. I will not avoid them today. Rather I will give to you a bold new program to meet head-on the financial problems with which we are faced.

We must act wisely and promptly—to prevent today's taxpayer from becoming the first of America's *natural resources* to be exhausted. This can all too easily happen in a social climate in which—when some people learn that money won't buy everything—they start using credit cards. Government isn't the only institution affected by that climate. There is, for example, the case of the two fathers who were discussing their respective sons away at college. One father asked: "What does your boy plan to be when he graduates?" The other father replied: "Judging by the letters he writes home, I'd say he is preparing for a career as a professional fundraiser."

But it would be totally unfair to single out college students or other groups as the only practitioners of a casual attitude toward spending, which—in fact—permeates much of our whole society. It is this widespread psychological climate of carefree spending against which I have taken a stand in Iowa's budget for the past and now for the next biennium, and against which I hope that you—as legislators—will take an equally firm stand in the appropriations bills that you pass. You and I, together, have a responsibility to do what we can to end the myth that the answer to every problem is more spending. This simply isn't true. But it will take persistence and even stubbornness to prove the point, because some minds are like concrete: all mixed up and permanently set. It is your job and mine to

un-mix and un-set the concrete minds hardened for a generation in the mold that spending solves everything.

In our determination to end the philosophy of free public spending, we cannot, on the other hand, accept a meat ax approach which could destroy effective government. In our kind of society, government is important. The quality of government goes a long way in determining the performance of the entire society. If government is inefficient, resources are wasted and taxes are unnecessarily high. If government assumes too many functions, individual and private, performance deteriorates. If government assumes too little responsibility, private economic power may be exercised in ways detrimental to society as a whole; disparities in wealth and income may become too great; and public services worthy of a great and wealthy people may not be provided.

Budgets and appropriations in the government sector are tools by which we strive to achieve the major objectives of growth, stability, equity, and efficiency.

In presenting to you the results of my budget-making efforts, I must emphasize that it is not realistic—or even possible—to plan for government of the State of Iowa as though it operated in a vacuum and in isolation from the whole society and—especially from other levels of government: federal, county, municipal and school. Today all levels of government are intricately inter-connected, and all of them tap the same source of funds—the taxpayer.

For example, the whole economy of Iowa—and hence, the prospective income and expenses of all state and local public agencies in Iowa—will be greatly affected by the consequences which flow from President Nixon's federal budget, scheduled for presentation to the Congress day after tomorrow. The President has already said that his budget for the year beginning July 1, 1971, will be aimed at stimulating the economy: such posture by the government based in Washington will certainly increase both the revenues and costs of the whole nation, including every segment of Iowa state government, and every Iowa county, municipality, and school district.

The scope and thrust of the federal budget is, then, one of the many influences on Iowa public finance over which you and I have no control—certainly no direct control, but which—nonetheless—significantly determines the dollar volume of revenue that will actually be received by Iowa government.

President Nixon in his State of the Union Message last Friday evening gave powerful impetus to the cause that I, as Governor, and other governors and many mayors, have long promoted when he proposed a \$16 billion investment in renewing the role of state and local government—with \$5 billion of this in new and unrestricted funds, to be used as the states and localities see fit. You of the legislature have expressed your support of this approach by resolution calling upon Congress to act affirmatively.

The President in making his recommendation showed good understanding of the financial difficulties which entrap state and municipal governments. The \$5 billion alone, it is estimated, would produce for Iowa more than \$70 million a year, which is equivalent to the proceeds of a one-cent sales tax.

Revenue-sharing must be recognized as an important and necessary goal. It goes to the heart of the over-all problem of American public finance, which is the imbalance among the financial resources and the responsibilities of federal, state, and local government. The President's proposal would start to redress that balance by diverting a small portion of federal tax

collections to state and local purposes. It is a massive attempt to strengthen the levels of government closest to the people.

By enabling the states to spend money on those programs for which they feel the most acute need, the plan strengthens local initiative and slows down distant centralization of power.

As desirable and desperately needed as federal revenue sharing is, the reluctance of Congress indicates this relief will not appear overnight. Therefore, we must face the fact that state and local government in Iowa is being pinched with increased costs and restricted or lowered revenues. In other words, let us hope for the best—but be prepared regardless of what happens. When revenue sharing does become a reality, it will be imperative that the benefits derived therefrom be immediately passed on to our citizens.

For Iowa, the worst is not as bad as it might be. Most states during the last two years raised taxes. I insisted that we not raise taxes and we didn't. Yet all the way from Maine to Hawaii, states today are in a critical financial bind. For instance, New Hampshire was only able to pay the salaries of state employees Christmas Eve after collecting increased liquor revenue during the approaching holiday season. Last November, with the fiscal year only five months underway, neighboring Missouri was already running a \$35 million deficit. Michigan faces a deficit of \$158 million this year. Wisconsin is facing a minimum \$340 million revenue gap. The Commonwealth of Pennsylvania is \$300 million in the red. And the list goes on and on.

The total picture places our own problems in perspective and reminds us what "Old Jake", the hobo, said: "I felt sorry for myself who had no shoes until I met a man who had no feet."

Only a bare financial cupboard was left for my administration when we began two years ago. There was no rainy day fund or nestegg—no surplus.

Economic factors, including the efforts to curb inflation, brought about a business slump nationally that resulted in our gross national product dropping in 1970 for the first time in more than twenty years.

In Iowa, painfully low hog prices aggravated the economic sluggishness which was quickly reflected in reduced receipts from important revenue sources like the sales tax.

Fortunately, we had initiated some tight fiscal controls two years ago which have allowed Iowa to escape the nearly catastrophic financial plight of many other states.

Our spending has been kept within the budgets, but revenues as estimated by the best experts upon which you relied—and upon which I relied—will be less than predicted. These experts could not foresee the strikes which hit the truck industry and General Motors. The drop in hog prices, the withholding of spending by citizens in general, and the effect these and other economic factors would have upon the income of the state.

But I want to tell you that Iowa state government's bills are being paid—and will be paid.

The decrease in tax receipts is compensated for in the budget and revenue plan outlined in the information presented to you today and in the detailed budgets that will be forthcoming in case the economy does not improve sufficiently to pick up the slack.

I am submitting to you legislators a plan that is bold and answers squarely the challenge of meeting our needs on a reasonable revenue basis that our people can understand, can live with and benefit from, and which will let them plan for themselves and their families, without the fear of

being priced from their homes because of unchecked property tax. The revenue proposal that I offer to you today brings new hope for a stabilized taxation program in Iowa.

It is not only new and bold, it makes sense. Here is what it does:

1. It realistically stops property taxes from increasing—taxes that have been skyrocketing during recent years.

2. It avoids the raising of many taxes that have been recommended by various sources.

3. It shifts the burden of financing a substantial part of local education from the slow-growing base of property to the progressive base of income.

4. It will gear school financing to the state's economic growth.

5. It answers the problem not for just a year or two, but for a decade or more. It is a permanent solution.

6. It will allow the state to share its revenue with our cities and towns and to meet current and pressing needs such as drug abuse and environmental control.

7. It will return to our local communities more than 72 percent of the money the state collects.

We must ease the heavy burden of taxation that now presses upon the owners and renters of real property—a burden so onerous that it jeopardizes our whole life—by squeezing our farmer who tills the soil for his living, by inequitably afflicting the elderly who are hemmed in with retirement or very limited income, the young, the physically handicapped, the wage-earner, the salaried employee, the poor, all of whom require decent housing at a reasonable cost. This is overwhelmingly important.

In order to halt the cancerous growth of property taxes, there **MUST** be a shift to taxation of a different form more closely correlated with economic growth.

It is impossible to devise a meaningful budget for 1971-73, or to pass meaningful appropriations for that period, without coming to grips with the basics of tax restructuring. We would be courting disaster if we limited financial planning to only a two-year period and content ourselves with one-shot, short-range, patch-work tax schemes and windfalls. The financial plan I suggest to you today is not that kind of a program. It is a plan for a decade.

The General Assembly in its wisdom a year ago recognized this need and through its tax study committee studiously researched ideas and proposals. I am sure the committee's desire was, as mine is, to permanently cure the state's property tax dilemma so it will not return to bug us again and again.

The legislative tax study committee has made recommendations for considerable change in Iowa's tax structure. Much work and effort went into their proposal and I have not overlooked or failed to see the reasons and understanding of that which went into their plan.

I compliment the committee on having supportive data for their recommendations—not just conclusions without reasoning. I have incorporated some of their valuable suggestions in the plan that I unfold to you today. While both proposals move toward a desired 80 percent foundation plan geared to state economic growth, I found that phasing into such a program can avoid a drastic increase in taxes on our citizens.

My proposal avoids adding more sales tax which bears heaviest on low income families. It avoids the local income tax that has been proposed which, although it certainly has some logic, presents some serious inequities and mechanical problems. The taxpayer must be thought of and never lost

sight of as we analyze plans, and develop tax restructuring for improvement over our existing system.

As you analyze my proposal you will find the primary goal is to arrest the upward spiral of the property taxes levied for school operational purposes. This we do in the 1971-72 school year by appropriating \$30 million—or \$45 per student—in additional school aid. Schools will only be allowed to levy the dollar amount of property taxes of the previous year.

The second year, an additional \$24 million is appropriated for aid to local schools. This injection of state funds, when coupled with a uniform levy of 27½ mills, will put into effect a foundation plan which will fund 70 percent of average per pupil costs. Again the property tax levy in dollars—not the school budgets—will be frozen at the present level.

The third year, the school aid fund will grow by a percentage equal to the economic growth rate of state taxes. In addition, each school can spend the money generated by the growth in the property tax base. The foundation program will then be at the 75 percent level with a uniform 27½ mill levy.

The fourth year, the 1974-75 school year, the goal of an 80 percent foundation plan will be reached.

A uniform levy of 30 mills, plus aid provided by the state, will guarantee each school district, regardless of its local resources, funds to finance 80 percent of the computed average per pupil cost of instruction in Iowa's public schools. The remainder will be by additional district levy.

Every child in this state has a right to a good education regardless of the amount of property valuation where he lives. This plan assures such opportunity.

Before a school district can exceed the state computed average, it must justify to the state school budget review committee the necessity for such an increase. The committee, if it approves the increase, can finance the need from a \$5.5 million state fund provided. If it approves but cannot finance the need, the committee can authorize a limited increase in the district's levy.

Should the committee disapprove the request, the district may still submit the question of increase to its citizens, and if they vote their approval then the increase will be allowed.

This provides safeguards for the taxpayers, yet at the same time provides safety-valves for schools having special needs or unusual circumstances.

It would be much easier, more politically expedient, to come before you with a program and a budget—and leave it up to you to finance. So—to finance this new program for education, for reducing the property tax burden, and to provide funds for other essentials, I recommend restoring the full 100 percent personal income tax rate which has existed in the past in Iowa, and revisions in the rates that will make our income tax more progressive.

Corporations, as well as individual property owners, will benefit significantly from a stabilized property tax. Accordingly, I recommend that corporate income tax rates, now at 4, 6 and 8 percent, be adjusted to 6, 8 and 10 percent. And I ask also that an addition be made to the luxury tax on cigarettes of 3 cents per pack.

Implementation of this budget will stop the property tax increases that bear so heavily on farm families, young married couples buying a home, our workers, our business community and, most of all, on our elderly whose retired or limited income will not stretch to cover the cost of increased crip-

pling taxes on their homes. It effectively shifts much of the cost of education from the slow-growing property tax base to more responsive income taxes.

It will allow school boards and educators to plan ahead, for they will know far in advance what they can count on.

In planning ahead, I also recommend you take action to see that all units of government are put on a uniform fiscal year basis. This will simplify budgeting and make it understandable.

Because this program phases into a foundation plan, it provides both time and funds for school boards to initiate those efficiencies—which will include reorganization of some school districts—so Iowa's public schools can learn to live within the growth rates of the taxes which finance them. This will be made easier because enrollments are now declining. That trend, census figures indicate, will continue for some time.

There will be those, I am sure, who will say I have gone too far, that too much money is being given to support education, cities and towns, public agencies, and to stop property taxes. There will also be those who say I have not gone far enough, that the sales tax and other taxes should have been increased to provide an elimination or a roll-back of property taxes, or that schools need far more money.

However, I find little appeal in lifting one crushing burden from Iowa taxpayers only to have it immediately replaced by another. Iowa has three major sources of revenue—the taxes on property, sales and incomes. What I have achieved in this program is the stabilization of one—the property tax—the elimination of the necessity of boosting another—the sales tax—and have made reasonable increases in the third—the income tax.

We have also been able to construct this system without eliminating the agricultural land tax credit and homestead credit. And even though property taxes will basically freeze, we will be maintaining a double homestead exemption for our low-income elderly.

In addition to the benefits I have already outlined, let me enumerate some other significant priorities which I have established.

I believe all of you here know my awareness and concern for the financial plight of our cities and towns. During the Sixty-third General Assembly we were able to give them more aid than ever before in the history of Iowa, and to open the door for direct and unrestricted revenue sharing. This was done through a grant of \$2 million.

In my budget I propose that this be increased to \$11 million for this biennium. Also, I recommend \$12 million state money to attract \$24 million in federal funds for pollution control, plus an additional \$3 million for retroactive sewage treatment funds to help those communities which forged ahead on their own before additional federal funding was available.

I have provided the necessary state money which, with the contributions made by local governments, will attract \$23 million in federal funds to speed up our war on crime. Between \$12 and \$13 million of this will go exclusively to the local communities..

Also, in the second year of the biennium, cities and towns will receive \$1.5 million in direct aid to replace, in full, for the first time, the monies and credits tax funds.

I could not in a budget message discuss in detail all the ways we will be assisting our local communities, but I would like you to realize there are many programs that do offer support to our cities and towns such as disaster relief, alcoholism treatment, drug abuse education, rehabilitation and treatment, local affairs assistance, community improvement, and our Youth Opportunity Program.

Many of these aids attract federal financing, such as the Youth Opportunity Program which produces 12 federal dollars for each state dollar invested and not only benefits our young people, but also the communities in which they reside.

You will find in the white budget summary sheet, Exhibit D, a line item entitled Extraordinary Program Development. Herein, funds are provided for special priorities such as additional environmental engineers and geological surveys to fight pollution; to combat drug abuse; to expand school lunch programs; to computerize highway safety and crime information records.

Also included are provisions for funds amounting to \$45 per pupil for those students not included in the general return of new state aid money. These funds shall go to the regular school boards in the districts where these children attend their non-public schools, to be used for educational purposes consistent with our laws and with the constitutional provisions of separation of church and state. If the money is not so expended, it shall revert to the state.

We have not slighted higher education. There will be no tuition increases at our state universities, and I recommend we expand our highly successful tuition grant program to help more needy Iowa young people who wish to attend Iowa's private colleges.

I cannot take time this morning to cover each item in this budget. However, the comptroller and I will be pleased to answer questions you might have and to explain in more detail items of particular interest and concern to you.

To arrive at this budget it was necessary to trim over 25 percent from the asking of the many agencies, boards and departments of government. There are not, nor will there ever be enough funds to finance every request that comes to a Governor. For example, we will not be able to expand educational television as requested or as we did during my first two years in office.

A year ago I expressed a sincere desire to help Still College of Osteopathic Medicine and Surgery in its endeavor to build a new school. During this past year, however, the ball game has changed. Instead of talking about \$1 million, the request now is for \$8 million state money and to have the state take over the operation of the school.

We have been priced out of the market to help.

As critical as our shortage of doctors is in Iowa, we cannot, in my opinion, accept the complete ownership and operation of another school. Still College has been a good citizen and it is my hope that it will be able to continue.

Many hundreds of hours have gone into the preparation of this budget and revenue plan. The plan provides for bridge years which apply not only to education, but also to spending on the state level. Austerity in state government began two years ago. I am certainly not content now to stop looking for ways to streamline our government operations. One good way you can help is to enact the recommendations of my Governor's economy committee.

Federal laws, federal programs and state legislation continue to force an increase in the number of employees. To insure against burgeoning payrolls, we are going to have a rule in state government that when a state employee quits, *the vacancy will not be filled until it can be justified—to me!*

I have presented to you this morning a stabilized financial program for our state. And I have given to you my recommendations for traveling the financial bridge into the future.

Exactly what that future holds for each of us no human can foretell. We can only offer our best recommendations at this crossroads in time, forged from our experience and sense of history, and from our sensitivity for divining future wants and needs.

As we look ahead with expectation and anticipation we find reason for encouragement: an upswing in our economy; a checking of public spending; control and preservation of our environment, our natural resources and good quality of life; our determination to advance the healthy improvement of our state; the possibility of Congress following the President's lead in improving the welfare system and in providing for sharing of federal revenue; and a stabilizing revenue and financing program for the State of Iowa as outlined in this message and accompanying schedules.

If revenue sharing becomes a reality, then I shall insist immediate steps be taken to reduce taxes to benefit each Iowan within the framework of the tax structure I have proposed.

We have removed inequities, and offered procedures for constructive action that will stand the test of time for this decade. Overwhelmingly, with 72 percent of all money the state collects returning to the local level along with millions in federal funds that we are able to attract, *this is truly a "local aid" budget, with only a very modest growth in state expenditures.*

This is an important budget, to meet the needs of important times. Study it; question it; evaluate it.

Then, in the words of an old Roman poet, I ask you to "begin, be bold, and venture to be wise" in setting our state on the course of sound and progressive advancement—the course that my budget lays before you.

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

Varley of Adair moved that the joint convention be now dissolved.

The motion prevailed.

The Senate returned to the Senate chamber and resumed regular session, President Jepsen presiding.

BILLS ASSIGNED TO COMMITTEE

President Jepsen announced the assignment of the following bills to committee:

- S. F. 96 Conservation and recreation
- S. F. 97 Schools
- S. F. 98 Human and industrial relations
- S. F. 99 Higher education
- S. F. 100 Commerce

S. F. 102 County government

S. F. 103 Judiciary

S. F. 104 Cities and towns

S. F. 105 Judiciary

S. F. 106 Social services

S. F. 107 Ways and means

S. F. 108 Social services

S. F. 109 Judiciary

S. F. 110 Appropriations

S. F. 111 Commerce

H. F. 23 Commerce

H. F. 24 Commerce

H. F. 25 Commerce

H. F. 32 Commerce

INTRODUCTION OF BILLS

Senate File 112, by Senators Hill and Potter, a bill for an act relating to annual budgeting and reporting for state departments, agencies, boards, and commissions.

Read first time and **passed on file**.

Senate File 113, by Senators Smith, Sullivan, Balloun, Lamborn, Thordsen, Potgeter, Messerly, Rhodes and Bass, a bill for an act relating to the recovery of the cost of maintaining an inmate at a state training school from a person legally liable for the inmate's support.

Read first time and **passed on file**.

REPORTS OF COMMITTEES

Senator Erskine submitted the following report:

MR. PRESIDENT: Your committee on conservation and recreation, to which was referred **Senate File 28**, a bill for an act relating to public recreation on private lands, begs leave to report it has had the same under consideration and recommends the same **do pass**.

ALDEN J. ERSKINE, Chairman

Ordered passed on file.

Senator Briles submitted the following report:

MR. PRESIDENT: Your committee on county government, to which was referred **Senate File 39**, a bill for an act relating to aid for local historical society, begs leave to report it has had the same under consideration and recommends the same **do pass**.

JAMES E. BRILES, Chairman

Ordered passed on file.

Senator Griffin submitted the following report:

MR. PRESIDENT: Your committee on human and industrial relations, to which was referred **Senate File 70**, a bill for an act relating to eligibility for unemployment compensation for veterans, begs leave to report it has had the same under consideration and recommends the same **do pass**.

JAMES W. GRIFFIN, SR., Chairman

Ordered passed on file.

Senator Thordsen submitted the following report:

MR. PRESIDENT: Your committee on law enforcement, to which was referred **Senate File 43**, a bill for an act relating to violation of the beer and liquor laws by minors, begs leave to report it has had the same under consideration and recommends the same **do pass**.

HAROLD A. THORSEN, Chairman

Ordered passed on file.

Senator Potgeter submitted the following reports:

MR. PRESIDENT: Your committee on state government, to which was referred **House File 13**, a bill for an act relating to the selection of the compensation commissioners, begs leave to report it has had the same under consideration and recommends the same **do pass**.

JAMES A. POTGETER, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on state government, to which was referred **House File 18**, a bill for an act relating to notaries public, begs leave to report it has had the same under consideration and recommends the same **be amended as follows; and when so amended the bill do pass**:

- 1 Amend House File 18 as follows:
- 2 1. Page 2, line 4, by striking the words "in each county"
- 3 and inserting in lieu thereof the words ["in each county".]
- 4 2. Page 3, by striking lines 23 through 32, inclusive.
- 5 3. Page 3, line 33, by striking the number "6" and inserting
- 6 in lieu thereof the number "5".
- 7 4. Page 4, by striking line 3 and inserting in lieu thereof
- 8 the words ["and also the clerk of the district court of the
- 9 proper county".]
- 10 5. Page 4, line 5, by striking the number "7" and inserting
- 11 in lieu thereof the number "6".
- 12 6. Page 4, line 14, by striking the number "8" and inserting
- 13 in lieu thereof the number "7".
- 14 7. Page 4, by adding after line 23 the following new sections:
- 15 1. "Sec. 8. Section seventy-seven point fourteen (77.14),
- 16 Code 1971, is amended as follows:

17 77.14 Death—resignation—removal. On the death, resignation,
18 or removal from office of any notary, his records, with all his
19 official papers, shall, within three months therefrom, be
20 deposited in the office of the [clerk of the district court in the
21 county for which such notary shall have been appointed] *secretary*
22 *of state*.”

23 2. “Sec. 9. Section seventy-seven point sixteen (77.16),
24 Code 1971, is amended as follows:

25 77.16 Neglect of executor to deposit records. If an executor
Page 2

1 or administrator of a deceased notary willfully neglects, for
2 three months after his acceptance of that appointment, to
3 deposit in [said clerk’s] *the secretary of state’s* office the
4 records and papers of a deceased notary which came into his
5 hands, he shall be held guilty of a misdemeanor.”

6 3. “Sec. 10. Section seventy-seven point eighteen (77.18),
7 Code 1971, is amended as follows:

8 77.18 Duty of [clerk] *secretary of state* as to records.
9 [Each clerk aforesaid] *The secretary of state* shall receive and
10 safely keep all such records and papers of the notary in the
11 cases above-named, and shall give attested copies of them,
12 under the seal of his [court] *office*, for which he may demand such
13 fees as by law may be allowed to the notaries, and such copies
14 shall have the same effect as if certified by the notary.”

15 4. “Sec. 11. Section seventy-eight point one (78.1), subsec-
16 tion five (5), Code 1971, is amended as follows:

17 5. Notaries public [within the county of their appointment,
18 and within any county in which they have filed with the clerk of
19 the district court of said county a certified copy of their
20 certificate of appointment.”]

21 5. “Sec. 12. Section nine point three (9.3), Code 1971, is
22 amended as follows:

23 9.3 Commissions. All commissions issued by the governor
24 shall be countersigned by the secretary, who shall register
25 each commission in a book to be kept for that purpose, specify-

Page 3
1 ing the office, name of officer, date of commission, and tenure
2 of office, and forthwith forward to the state comptroller a copy
3 of said registration[; provided, however, that notarial commis-
4 sions shall be registered only in the office of the governor].”

5 6. “Sec. 13. Section seventy-seven point five (77.5), Code
6 1971, is repealed.”

JAMES A. POTGETER, Chairman

Ordered passed on file.

AMENDMENTS FILED

1 Amend Senate File 27 as follows:

2 1. Page 2, line 5, by striking the words “five hundred”
3 and inserting in lieu thereof the words [“five hundred] *one*
4 *thousand*”.

5 2. Page 2, line 5, by striking the word “one” and
6 inserting in lieu thereof the word [“one] *two*”.

C. JOSEPH COLEMAN

- 1 Amend Senate File 66, line 10, by striking the word
- 2 "*fifteen*" and inserting in lieu thereof, the word
- 3 "*seven*".

FRANCIS L. MESSERLY
H. L. OLLENBURG

- 1 Amend Senate File 66 as follows:
- 2 Page 1, line 11, by inserting after the word "*office*"
- 3 the words "*unless paid by certified check, money order or*
- 4 *cash*".

ARTHUR A NEU

On motion of Senator Kyhl, the Senate adjourned until 10:00 a.m.,
Thursday, January 28, 1971.

JOURNAL OF THE SENATE

EIGHTEENTH DAY

SENATE CHAMBER
DES MOINES, IOWA, THURSDAY, JANUARY 28, 1971

The Senate met in regular session, President Jepsen presiding.

Prayer was offered by Father William J. Menster, pastor of the Saint Mary's Catholic Church, Waverly, Iowa.

The Senate pledged allegiance to the flag.

The Journal of Wednesday, January 27, 1971, was approved.

PRESENTATION OF VISITORS

President Jepsen welcomed to the Senate the Honorable Andrew G. Frommelt, former member of the Senate and the House of Representatives from Dubuque County, who served as majority floor leader in the Senate during the Sixty-first and Sixty-second General Assemblies, and minority floor leader during the Fifty-ninth, Sixtieth, Sixtieth Extraordinary and Sixty-third General Assemblies.

Senator Riley rose on a point of personal privilege and presented to the Senate the Honorable Ernest Kosek, former member of the Senate and the House of Representatives from Linn County.

The Chair announced that the following visitors were present in the Senate gallery :

Fifty-two students from Saylor Center School, Saydel Consolidated School District, Polk County, Iowa, accompanied by their instructors, Mrs. Alva Pillman and Mrs. Chew.

PETITION

The following petition was presented and placed on file :

By Senator Robinson, from five hundred eleven residents of Linn County opposing any change in the abortion law.

MESSAGES FROM THE HOUSE

The following messages were received from the House :

MR. PRESIDENT: I am directed to inform your honorable body that the

House has passed the following bill in which the concurrence of the House was asked:

Senate File 63, a bill for an act relating to the dates of settlement with county treasurers and boards of supervisors.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 71, a bill for an act making hemp a noxious weed.

Also: That the House has adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 8, allowing representatives of the two major political parties access to the legislative chambers.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 1, a bill for an act relating to the regulation and control of certain substances.

WILLIAM R. KENDRICK, Chief Clerk

HOUSE AMENDMENT TO SENATE FILE 1

- 1 Amend Senate File 1, as amended and passed by the
- 2 Senate and reprinted, as follows:
- 3 1. Page 2, by inserting after line 10 the
- 4 following:
- 5 "Nothing contained in this Act shall be construed to
- 6 prevent a physician, dentist, or veterinarian from
- 7 delegating the administration of controlled substances
- 8 under this Act to a nurse or intern, or, as to
- 9 veterinarians, to an orderly or assistant, under his
- 10 direction and supervision."
- 11 2. Page 2, by inserting in line 12 after the word
- 12 "distributor," the word "practitioner,".
- 13 3. Page 6, by inserting in line 12 before the
- 14 word "Annually" the words "The board shall administer
- 15 the regulatory provisions of this Act."
- 16 4. Page 6, by striking in line 14 the words
- 17 "additions to,".
- 18 5. Page 6, by striking line 35, and page 7, by
- 19 striking line 1, and inserting in lieu thereof the words
- 20 "the change which should be made in existing schedules,
- 21 if it finds that the potential for abuse or lack thereof
- 22 of the substance is not properly reflected by the
- 23 existing schedules."
- 24 6. Page 7, by inserting in line 8 after the word
- 25 "any" the word "new" and striking the words ", rescheduled,
- 26 or deleted".
- 27 7. Page 7, by striking lines 11 through 23 and by
- 28 inserting in lieu thereof the following: "similarly
- 29 control the new substance under this Act after the
- 30 expiration of thirty days from publication in the
- 31 Federal Register of a final order designating a new

Page 2

1 substance as a controlled substance, unless within
2 that thirty-day period the board objects to the new
3 designation. In that case the board shall publish
4 the reasons for objection and afford all interested
5 parties an opportunity to be heard. At the
6 conclusion of the hearing the board shall announce
7 its decision which shall be final unless altered
8 by statute. Upon publication of objection to new
9 substance delegation under this Act by the board,
10 control under this Act is stayed until the board
11 publishes its decision. If a substance is controlled
12 by the board under this paragraph the control shall be
13 temporary and, if within sixty days after the next
14 regular session of the general assembly convenes it
15 has not made the corresponding changes in this Act,
16 the temporary control of the substance so controlled
17 by the board shall be nullified."

18 8. Page 7, by inserting in line 28 after the
19 number "(212)" the words "of this Act".

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

21 "If the board finds that any substance included in
22 schedule I does not meet these criteria, it shall
23 recommend that the general assembly place the substance
24 in a different schedule or remove it from the list of
25 controlled substances, as appropriate."

26 10. Page 11, by inserting after line 14 the following:

27 "If the board finds that any substance included in
28 schedule II does not meet these criteria, it shall
29 recommend that the general assembly place the substance
30 in a different schedule or remove it from the list of
31 controlled substances, as appropriate."

Page 3

1 11. Page 11, by striking lines 18 through 35
2 and inserting in lieu thereof the following:

3 "2. Narcotic drugs as defined herein, except those
4 narcotic drugs listed in other schedules."

5 12. Page 13, by inserting after line 9 the following:

6 "If the board finds that any substance included
7 in schedule III does not meet these criteria, it shall
8 recommend that the general assembly place the substance
9 in a different schedule or remove it from the list of
10 controlled substances, as appropriate."

11 13. Page 15, by inserting after line 34 the
12 following:

13 "If the board finds that any substance included in
14 schedule IV does not meet these criteria, it shall
15 recommend that the general assembly place the substance
16 in a different schedule or remove it from the list of
17 controlled substances, as appropriate."

18 14. Page 16, line 13, strike the word "methoprobamate"
19 and insert in lieu thereof the word "meprobamate".

20 15. Page 16, by inserting after line 17 the following:

21 "3. Any compound, mixture, or preparation containing
22 limited quantities of any of the following narcotic drugs,

23 which shall include one or more nonnarcotic active
24 medicinal ingredients in sufficient proportion to confer
25 upon the compound, mixture, or preparation, valuable
26 medicinal qualities other than those possessed by the
27 narcotic drug alone:

28 a. Not more than one hundred milligrams of
29 dihydrocodeine, or any of its salts, per one hundred
30 milliliters or per one hundred grams;

31 b. Not more than one hundred milligrams of
32 ethylmorphine, or any of its salts, per one hundred
33 milliliters or per one hundred grams;

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1 c. Not more than two point five milligrams of
2 diphenoxylate and not less than twenty-five micrograms
3 of atropine sulfate per dosage unit;

4 d. Not more than one hundred milligrams of opium
5 per one hundred milliliters or per one hundred grams."

6 16. Page 16, by striking from line 18 the numeral
7 "3" and inserting in lieu thereof the numeral "4".

8 17. Page 17, by inserting after line 3 the
9 following:

10 "If the board finds that any substance included in
11 schedule V does not meet these criteria, it shall
12 recommend that the general assembly place the substance
13 in a different schedule or remove it from the list of
14 controlled substances, as appropriate."

15 18. Page 17, by striking from line 15 the semicolon
16 and inserting in lieu thereof a period, and by striking
17 lines 16 through 26.

18 19. Page 17, by inserting in line 31 after the
19 number "(17A)" the words "of the Code".

20 20. Page 18, by striking lines 24, 25, and 26.

21 21. Page 18, by striking from line 27 the numeral
22 "5" and inserting in lieu thereof the numeral "4".

23 22. Page 18, by striking from line 27 the word
24 "at" and inserting in lieu thereof the word "for".

25 23. Page 18, by striking from line 31 the numeral
26 "6" and inserting in lieu thereof the numeral "5".

27 24. Page 19, by striking from line 28 the word
28 "must" and inserting in lieu thereof the word "shall".

29 25. Page 20, by inserting in line 10 after the
30 number "(303)" the words "of this Act".

31 26. Page 20, by inserting in line 22 after the word
32 "guilty" the words ", a forfeiture of bail or
33 collateral deposited to secure a defendant's appearance

Page 5

1 in court which forfeiture has not been vacated,".

2 27. Page 20, by striking from line 23 the words
3 "plea or finding" and inserting in lieu thereof the
4 words "judgment or sentence".

5 28. Page 21, by inserting in line 25 after the
6 number "(304)" the words "of this Act".

7 29. Page 22, line 2, by inserting after the word
8 "board." the words "A practitioner who engages in
9 dispensing any controlled substance to his patients

10 shall keep records of receipt and disbursements of such
11 drugs, including dispensing or other disposition, and
12 information as to controlled substances stolen, lost, or
13 destroyed. In every such case the records of controlled
14 substance received shall show the date of receipt, the
15 name and address of the person from whom received, and
16 the kind and quantity of drugs received. The record of
17 all controlled substances dispensed or otherwise
18 disposed of, shall show the date of dispensing, the
19 name and address of the person to whom or for whose use,
20 or the owner and species of animal for which the drugs
21 were dispensed and the kind and quantity of drugs.

22 Every such record shall be kept for a period of two
23 years from the date of the transaction recorded. Records
24 of controlled substances lost, destroyed or stolen, shall
25 contain a detailed list of the kind and quantity of such
26 drugs and the date of the discovery of such loss,
27 destruction, or theft."

28 30. Page 22, line 10, by striking the word
29 "pharmacist" and inserting the word "pharmacy".

30 31. Page 22, line 20, by striking the word "When"
31 and inserting in lieu thereof the words "Except when".

32 32. Page 22, line 25, by inserting after the word
33 "written" the words "or oral".

Page 6

1 33. Page 23, by striking from line 5 the words
2 "consort with,".

3 34. Page 23, by striking from line 23 the word
4 "and" and inserting in lieu thereof the word "or".

5 35. Page 23, by inserting in line 23 after the
6 word "dollars" the words ", or by both such imprisonment
7 and fine".

8 36. Page 23, by striking from line 27 the word "and"
9 and inserting in lieu thereof the word "or".

10 37. Page 23, line 31, by striking the words "consort
11 with,".

12 38. Page 24A, by striking from line 14 the word "and"
13 and inserting in lieu thereof the word "or".

14 39. Page 24A, by inserting in line 14 after the word
15 "dollars" the words ", or by both such imprisonment and
16 fine".

17 40. Page 24A, by striking from line 18 the word "and"
18 and inserting in lieu thereof the word "or".

19 41. Page 24A, by inserting in line 19 after the word
20 "dollars" the words ", or by both such imprisonment and
21 fine."

22 42. Page 24A, by striking all of line 25 after the
23 word "subsection" and inserting in lieu thereof the words
24 "with respect to:".

25 43. Page 24A, by inserting after line 25 the following:

26 "a. A substance classified in schedule I or II which
27 is a narcotic drug, is guilty of a public offense and upon
28 conviction shall be punished by imprisonment in the
29 penitentiary for not to exceed five years or in the county
30 jail for not to exceed one year, or by a fine of not more

31 than one thousand dollars, or by both such imprisonment
32 and fine.

33 b. Any controlled substance which is not a narcotic
34 drug classified in schedule I or II is guilty".

Page 7

1 44. Page 24A, by striking from line 28 the words
2 "less than three hundred dollars nor".

3 45. Page 24B, by inserting in line 45 after the
4 number "(308)" the words "of this Act".

5 46. Page 25, by striking from line 11 the words
6 "or suffer".

7 47. Page 25, by striking from lines 12 and 13 the
8 words "store, shop, warehouse, dwelling, temporary or
9 permanent building" and inserting in lieu thereof the
10 word "premises".

11 48. Page 25, by striking from line 20 the words
12 "consorts with,".

13 49. Page 26, by striking from line 1 the words
14 "one or more times".

15 50. Page 26, by striking from lines 26 and 27 the
16 words "consorts with,".

17 51. Page 27, by inserting in line 9 after the
18 number "(1)" the words "of this Act".

19 52. Page 27, by striking from line 12 the words
20 "who is at least three years his junior".

21 53. Page 27, by striking lines 13 and 14 and
22 inserting in lieu thereof the words "by a fine and".

23 54. Page 27, by striking from line 15 the words
24 "of up to" and inserting in lieu thereof the words
25 "that may be".

26 55. Page 27, by inserting in line 17 after the
27 number "(1)" the words "of this Act".

28 56. Page 27, by inserting in line 19 after the
29 number "(1)" the words "of this Act".

30 57. Page 27, by striking from line 22 the words
31 "the fine" and inserting in lieu thereof the words

32 "a fine not to exceed that".

Page 8

1 58. Page 27, by inserting in line 24 after the
2 number "(3)" the words "of this Act".

3 59. Page 27, by striking from line 24 the word
4 "and" and inserting in lieu thereof the word "or".

5 60. Page 27, by striking from line 25 the words
6 "up to" and inserting in lieu thereof the words

7 "that may be".

8 61. Page 27, by inserting in line 27 after the
9 number "(3)" the words "of this Act".

10 62. Page 27, by inserting in line 27 after the
11 numeral "(3)" the words ", or by both such fine or
12 imprisonment".

13 63. Page 27, by striking lines 28 through 35.

14 64. Page 28, by striking lines 1 through 35.

15 65. Page 29A, by striking lines 1 through 31 and
16 inserting the following new section:

17 "Sec. 407. GATHERINGS WHERE CONTROLLED SUBSTANCES

18 UNLAWFULLY USED—PENALTIES.

19 It is unlawful for any person to sponsor, promote,
20 or aid, or assist in the sponsoring or promoting of
21 a meeting, gathering, or assemblage with the knowledge
22 or intent that a controlled substance be there
23 distributed, used or possessed, in violation of this
24 Act.

25 Any person who violates this section and where the
26 controlled substance is any one other than marijuana
27 is guilty of a public offense and upon conviction shall
28 be punished by imprisonment in the penitentiary for
29 not to exceed five years or by a fine of not to exceed
30 ten thousand dollars or by both such imprisonment and
31 fine.

32 Any person who violates this section, and where the
33 controlled substance is marijuana only, is guilty of a
Page 9

1 public offense and upon conviction shall be punished
2 by imprisonment in the county jail for not to exceed
3 one year or by a fine of not to exceed one thousand
4 dollars or by both such fine and imprisonment.

5 The district court shall grant an injunction barring
6 a meeting, gathering, or assemblage if upon hearing
7 the court finds that the sponsors or promoters of the
8 meeting, gathering, or assemblage have not taken
9 reasonable means to prevent the unlawful distribution,
10 use or possession of a controlled substance. Further
11 injunctive relief may be granted against all persons
12 furnishing goods or services to such meeting, gathering,
13 or assemblage.

14 The district court may, upon application and a
15 showing of one or more of the grounds provided in
16 section 639.3 of the Code, grant to the state or
17 governmental subdivision thereof a writ of attachment,
18 ex parte, without bond, in an amount necessary to
19 secure the payment of any fine that may be imposed and
20 the payment of costs. The reasonable expense to the state
21 and governmental subdivisions thereof to provide the
22 necessary law enforcement resulting from a meeting,
23 gathering or assemblage held in violation of this section
24 may be taxed as costs in the criminal action.

25 Court costs and court-appointed attorney fees incurred
26 in the prosecution of any person charged with violation
27 of this Act shall be taxed against the defendants who
28 are found guilty of violating this section. If no
29 defendant is found guilty of violating this section, or
30 if the court costs and court-appointed attorney fees are
31 not satisfied by the defendants, the court costs and
32 court-appointed attorney fees shall be paid by the state
33 of Iowa.

Page 10

1 66. Page 30, line 4, by striking the words "shall
2 not", and inserting in lieu thereof the word "may".

3 67. Page 30, by striking all in line 6 after the
4 word "indicted" and all of line 7, and the words "not

5 ex parte," in line 8 and inserting in lieu thereof the
6 words "if it appears".

7 68. Page 30, by inserting in line 18 after the
8 number "(3)" the words "of this Act".

9 69. Page 30, by inserting after the period in line
10 21 the words "When a person is placed on probation
11 under this subsection, his appearance bond may be
12 discharged at the discretion of the court."

13 70. Page 31, by striking from line 1 the words
14 "is in custody unable to make bail" and inserting in
15 lieu thereof the words "who consents thereto".

16 71. Page 31, by striking from line 3 the words
17 "has not", and by striking lines 4 through 6, and by
18 striking from line 7 the words "hallucinogenic drugs,".

19 72. Page 31, by striking from line 10 the words
20 " , if the person consents,".

21 73. Page 31, by inserting after the period in
22 line 13 the following: "A person committed under
23 this subsection who is not possessed of sufficient
24 income or estate to enable him to make payment of the
25 costs of such treatment in whole or in part shall be
26 considered a state patient. The determination of
27 ability to pay shall be made by the court within
28 criteria set by the state department of health. The
29 court shall require the patient, or his parent,
30 guardian, or custodian to complete under oath a
31 detailed financial statement. The court may enter
32 appropriate orders requiring the patient to reimburse
33 the state agency charged with the costs."

Page 11

1 74. Page 31, by striking from line 23 the word
2 "shall" and inserting in lieu thereof the word "may".

3 75. Page 31, by inserting in line 27 after the
4 word "has" the words "received maximum benefit from
5 the program or has".

6 76. Page 31, by striking from line 27 the words
7 "or arrested".

8 77. Page 32A, by inserting in line 18 after the
9 number "(3)" the words "of this Act".

10 78. Page 32A, by striking from line 18 all after
11 the period, and by striking lines 19 and 20.

12 79. Page 32A, by inserting in line 28 after the
13 word "his" the words "commission and".

14 80. Page 32A, by striking from line 29 the words
15 "at any time".

16 81. Page 32A, by inserting in line 34 after the
17 number "(3)" the words "of this Act".

18 82. Page 32B, by inserting in line 36 after the
19 word "to" the words " , or forfeits bail or
20 collateral deposited to secure his appearance in
21 court, and such forfeiture is not vacated,".

22 83. Page 33, by striking from lines 8 and 9 the
23 words " , in its discretion," and inserting in lieu
24 thereof the words "recommend that the appropriate
25 state board or officer".

26 84. Page 33, by inserting in line 26 after the
27 number "(8)" the words "of the Code".
28 85. Page 34, by inserting in line 32 after the
29 number "(501)" the words "of this Act".
30 86. Page 40, by striking from lines 11 and 12 the
31 words "or intended to be used".
32 87. By adding to Division V the following new section:
33 "Any peace officer who arrests for any crime, any
Page 12

1 known unlawful user of the drugs described in
2 Schedule I, II, III, IV, or who arrests any
3 person for a violation of this Act, or charges any
4 person with a violation of this Act subsequent
5 to the person's arrest, shall within five days after
6 the arrest or the filing of the charge, whichever is
7 later, report the arrest and the charge filed to the
8 department. The peace officer or any other peace
9 officer or law-enforcement agency which makes or obtains
10 any quantitative or qualitative analysis of any
11 substance seized in connection with the arrest of the
12 person charged, shall report to the department the
13 results of the analysis at the time the arrest is
14 reported or at such later time as the results of the
15 analysis become available.

16 This information is for the exclusive use of the
17 division of narcotic and drug enforcement, in the
18 department of public safety, and shall not be a matter
19 of public record."

20 88. Page 45, by inserting in line 18 after the
21 number "8" the words "of the Code".

22 89. By renumbering sections and cross references
23 in accordance with the foregoing amendments.

24 90. Amend the title by striking all after the word
25 "control" in line 1 and inserting in lieu thereof the
26 following: "of certain drugs and other substances
27 affecting the public health, herein designated as
28 controlled substances, and providing procedures for
29 enforcement and penalties."

INTRODUCTION OF BILLS

Senate File 114, by Senator Conklin (Moffitt, Hill, Radl, Willits, Alt, Miller, Pelton, Campbell and Pierson), a bill for an act relating to, and providing criminal penalties for, the illegal termination of a pregnancy.

Read first time and **passed on file**.

Senate File 115, by Senator Rabedaux, a bill for an act relating to election precincts.

Read first time and **passed on file**.

Senate File 116, by committee on conservation and recreation (committee on conservation and recreation), a bill for an act relating to the penalty for violation of the snowmobile regulations.

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

Senate File 117, by Senators Thordsen, Sullivan, Kennedy, Van Drie and Walsh (Ellsworth, Holden, Skinner, Shaw and Doyle), a bill for an act relating to private employment agency fees and appeals from decisions of the labor commissioner.

Read first time and **passed on file**.

Senate File 118, by Senators Van Drie and DeKoster (Alt, Dougherty, Stokes, Edelen and Dunton), a bill for an act relating to savings and loan associations.

Read first time and **passed on file**.

Senate File 119, by Senators Gaudineer, Riley, Kennedy and Van Drie, a bill for an act relating to the salary of municipal court judges.

Read first time and **passed on file**.

Senate File 120, by committee on higher education, a bill for an act relating to the control of vehicles at institutions under the jurisdiction of the state board of regents.

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

HOUSE MESSAGE CONSIDERED

House File 71, a bill for an act making hemp a noxious weed.

Read first time and **passed on file**.

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

The Senate resumed session, President Jepsen presiding.

BILLS ASSIGNED TO COMMITTEE

President Jepsen announced the assignment of the following bills to committee :

S. F. 112 State government

S. F. 113 Social services

S. F. 114 Judiciary

S. F. 115 County government

S. F. 117 Human and industrial relations

S. F. 118 Commerce

S. F. 119 Cities and towns

H. F. 71 Agriculture

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on January 28, 1971, the Governor had approved and transmitted to the Secretary of State the following bills:

Senate File 3, relating to blood donors.

Senate File 36, relating to increase cost of filing of a mechanic's lien.

Senate File 38, relating to fees charged by county recorders.

REASSIGNMENT OF BILL

President Jepsen announced the reassignment of **Senate File 100** from the committee on **commerce** to the committee on **transportation**.

AMENDMENTS FILED

- 1 Amend Senate File 39, page 1, by adding after line 19
- 2 the following new section:
- 3 "Sec. 2. Section one hundred eleven A point four (111A.4),
- 4 Code 1971, is amended by striking subsection eleven (11)."

HAROLD A. THORSEN

- 1 Amend Senate File 57, page 1, line 5 by striking the words
- 2 "one hundred seventy-five" and inserting in lieu thereof the
- 3 words "one hundred sixty".

TOM RILEY

- 1 Amend Senate File 111 as follows:
- 2 1. On page 3, line 15, by striking the word "adresses"
- 3 and inserting in lieu thereof the word "addresses".
- 4 2. On page 7, line 19, by striking the word "bee"
- 5 and inserting in lieu thereof the word "been".

ARTHUR A. NEU

On motion of Senator Lamborn, the Senator adjourned until 10:00 a.m., Friday, January 29, 1971.

JOURNAL OF THE SENATE

NINETEENTH DAY

SENATE CHAMBER

DES MOINES, IOWA, FRIDAY, JANUARY 29, 1971

The Senate met in regular session, President pro tempore Kyhl presiding.

Prayer was offered by the Reverend J. M. Steffenson, pastor of St. Paul's United Methodist Church, Williamsburg, Iowa.

The Senate pledged allegiance to the flag.

The Journal of Thursday, January 28, 1971, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Sullivan for the day on request of Senator Lamborn; Senator Milligan for the day on request of Senator Glenn.

PRESENTATION OF VISITORS

The Chair announced that the following visitors were present in the Senate gallery:

Twenty-five fifth-grade students from Percy Hoak School, Des Moines, Iowa, accompanied by their instructor, Miss Brady.

PETITION

The following petition was presented and placed on file:

By Senator Van Drie, from twelve residents of Story County favoring repeal of the present abortion law in Iowa.

President Jepsen took the chair at 10:30 a.m.

ADOPTION OF HOUSE CONCURRENT RESOLUTION 8

Senator Van Gilst called up for consideration **House Concurrent Resolution 8**, found on pages 124 and 125 of the Senate Journal, and moved its adoption.

The motion prevailed and the resolution was adopted.

SENATE FILES DEFERRED

Senate Lamborn asked and received unanimous consent that action on **Senate File 66** be deferred and that the bill retain its place on the calendar under **unfinished business**.

Senator Lamborn asked and received unanimous consent that action on **Senate File 68** be deferred and that the bill retain its place on the calendar.

CONSIDERATION OF BILLS

Senate File 8

On motion of Senator Ollenburg, Senate File 8, a bill for an act relating to the acquisition of bridges, was taken up, considered, and the report of the committee adopted.

Senator Ollenburg moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 8) the vote was:

Ayes, 38:

Anderson	Erschine	Miller	Robinson
Arbuckle	Gilley	Mowry	Schaben
Balloun	Glenn	Nicholson	Shaff
Briles	Griffin	Ollenburg	Shawver
Carlson	Hill	Palmer	Stephens
Coleman	Keith	Potgeter	Tapscott
Conklin	Kyhl	Potter	Thordsen
Curran	Lamborn	Rabedeaux	Van Drie
Davis	Laverty	Rhodes	Walsh
DeKoster	Messerly		

Nays, 1:

Neu

Absent or not voting, 11:

Bass	Gaudineer	Milligan	Sullivan
Brownlee	Graham	Riley	Van Gilst
Doderer	Kennedy	Smith	

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

Senate File 17

On motion of Senator Ollenburg, Senate File 17, a bill for an act relating to the selection of the compensation commissioners, was taken up, considered, and the report of the committee adopted.

SUBSTITUTION

Senator Ollenburg asked and received unanimous consent that **House File 13** be substituted for **Senate File 17**.

House File 13

On motion of Senator Ollenburg, House File 13, a bill for an act relating to the selection of the compensation commissioners, was taken up, considered, and the report of the committee adopted.

Senator Ollenburg moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 13) the vote was:

Ayes, 40:

Anderson	Erskine	Miller	Robinson
Arbuckle	Gilley	Mowry	Schaben
Balloun	Glenn	Neu	Shaff
Briles	Griffin	Nicholson	Shawver
Carlson	Hill	Ollenburg	Stephens
Coleman	Keith	Palmer	Tapscott
Conklin	Kyhl	Potgeter	Thordsen
Curran	Lamborn	Potter	Van Drie
Davis	Laverty	Rabedeaux	Van Gilst
DeKoster	Messerly	Rhodes	Walsh

Nays, none.

Absent or not voting, 10:

Bass	Gaudineer	Milligan	Smith
Brownlee	Graham	Riley	Sullivan
Doderer	Kennedy		

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

SENATE FILE WITHDRAWN

Senator Ollenburg asked and received unanimous consent that **Senate File 17** be withdrawn from further consideration of the Senate.

CONSIDERATION OF BILLS**Senate File 21**

On motion of Senator Ollenburg, Senate File 21, a bill for an act relating to the payment of subsequent damages to property owners, was taken up, considered, and the report of the committee adopted.

SUBSTITUTION

Senator Ollenburg asked and received unanimous consent that **House File 29** be substituted for **Senate File 21**.

House File 29

On motion of Senator Ollenburg, House File 29, a bill for an act relating to the payment of subsequent damages to property owners, was taken up and considered.

Senator Ollenburg moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 29) the vote was:

Ayes, 40:

Anderson	Glenn	Mowry	Schaben
Arbuckle	Griffin	Neu	Shaff
Briles	Hill	Nicholson	Shawver
Carlson	Keith	Ollenburg	Smith
Coleman	Kennedy	Palmer	Stephens
Conklin	Kyhl	Potgeter	Tapscott
Curran	Lamborn	Potter	Thordsen
Davis	Laverty	Rabedaux	Van Drie
Erskine	Messerly	Rhodes	Van Gilst
Gilley	Miller	Robinson	Walsh

Nays, 1:

Balloun

Absent or not voting, 9:

Bass	Doderer	Graham	Riley
Brownlee	Gaudineer	Milligan	Sullivan
DeKoster			

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

SENATE FILE WITHDRAWN

Senator Ollenburg asked and received unanimous consent that **Senate File 21** be withdrawn from further consideration of the Senate.

CONSIDERATION OF BILLS**Senate File 90**

On motion by Senator Shaff, Senate File 90, a bill for an act to authorize the consolidation of counties, was taken up and considered.

Senator Balloun offered the following amendment and moved its adoption:

- 1 Amend Senate File 90 as follows:
- 2 1. Page 2, line 11, by striking the word "may" and insert-
- 3 ing the word "shall".
- 4 2. Page 3, by striking lines 12 through 15.

- 5 3. Page 3, line 31, by striking the word "majority" and
6 inserting the words "two-thirds".

Senator Glenn called for a division of the amendment, section 1 to be considered as division 1, section 2 as division 2, and section 3 as division 3.

On motion of Senator Balloun, division 1 of the amendment was adopted.

SENATE FILE 90 DEFERRED

Action on **Senate File 90** was deferred and the bill placed on the calendar under **unfinished business**.

SENATE FILE 27 DEFERRED

Senator Stephens asked and received unanimous consent that further action on **Senate File 27** be deferred and that the bill retain its place on the calendar.

CONSIDERATION OF BILLS

Senate File 59

On motion of Senator Shaff, Senate File 59, a bill for an act relating to teachers pension systems, was taken up, considered, and the report of the committee adopted.

Senator Shaff moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 59) the vote was:

Ayes, 41:

Anderson	Glenn	Mowry	Schaben
Arbuckle	Griffin	Neu	Shaff
Balloun	Hill	Nicholson	Shawver
Briles	Keith	Ollenburg	Smith
Carlson	Kennedy	Palmer	Stephens
Coleman	Kyhl	Potgeter	Tapscott
Conklin	Lamborn	Potter	Thordsen
Curran	Laverty	Rabedeaux	Van Drie
DeKoster	Messerly	Rhodes	Van Gilst
Erskine	Miller	Robinson	Walsh
Gilley			

Nays, none.

Absent or not voting, 9:

Bass	Doderer	Graham	Riley
Brownlee	Gaudineer	Milligan	Sullivan
Davis			

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

Senate File 28

On motion of Senator Curran, Senate File 28, a bill for an act relating to public recreation on private lands, was taken up, considered, and the report of the committee adopted.

Senator Curran moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 28) the vote was:

Ayes, 39:

Anderson	Glenn	Neu	Shaff
Arbuckle	Griffin	Nicholson	Shawver
Balloun	Keith	Ollenburg	Smith
Briles	Kennedy	Palmer	Stephens
Carlson	Kyhl	Potgeter	Tapscott
Coleman	Lamborn	Potter	Thordsen
Conklin	Lavery	Rabedeaux	Van Drie
Curran	Messerly	Rhodes	Van Gilst
Erskine	Miller	Robinson	Walsh
Gilley	Mowry	Schaben	

Nays, none.

Absent or not voting, 11:

Bass	DeKoster	Graham	Riley
Brownlee	Doderer	Hill	Sullivan
Davis	Gaudineer	Milligan	

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

Senate File 39

On motion of Senator Ollenburg, Senate File 39, a bill for an act relating to aid for local historical society, was taken up, considered, and the report of the committee adopted.

Senator Thordsen asked and received unanimous consent to withdraw the amendment filed by him on January 18, 1971, and found on page 84 of the Senate Journal.

Senator Thordsen offered the following amendment and moved its adoption:

- 1 Amend Senate File 39, page 1, by adding after line 19
- 2 the following new section:
- 3 "Sec. 2. Section one hundred eleven A point four (111A.4),
- 4 Code 1971, is amended by striking subsection eleven (11)."

The amendment lost.

Senator Ollenburg moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 39) the vote was:

Ayes, 17:

Arbuckle	Glenn	Mowry	Shaff
Briles	Keith	Ollenburg	Stephens
Curran	Lamborn	Palmer	Van Drie
Davis	Laverty	Potter	Walsh
DeKoster			

Nays, 22:

Anderson	Hill	Nicholson	Shawver
Balloun	Kennedy	Potgeter	Smith
Carlson	Kyhl	Rabedaux	Tapscott
Coleman	Messerly	Rhodes	Thordsen
Erskine	Miller	Schaben	Van Gilst
Gilley	Neu		

Absent or not voting, 11:

Bass	Doderer	Griffin	Robinson
Brownlee	Gaudineer	Milligan	Sullivan
Conklin	Graham	Riley	

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has adopted the following joint resolution in which the concurrence of the Senate is asked:

House Joint Resolution 6, proposing an amendment to the Constitution of the State of Iowa relating to judges of the district court and supreme court.

Also: That the House has adopted the following joint resolution in which the concurrence of the Senate is asked:

House Joint Resolution 7, proposing an amendment to the Constitution of the State of Iowa relating to the terms of office of elected state officials.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 31, a bill for an act relating to the condemnation of existing utility facilities by cities and towns.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 47, a bill for an act relating to the registration of animals.

WILLIAM R. KENDRICK, Chief Clerk

INTRODUCTION OF BILLS

Senate File 121, by Senator Potgeter (Welden), a bill for an act limiting payment of state aid to schools.

Read first time and **passed on file**.

Senate File 122, by committee on higher education (committee on higher education), a bill for an act relating to academic and administrative buildings and facilities and utilities services for such buildings and facilities and the financing by the state board of regents.

Read first time and referred to committee on **appropriations** (under Rule 37).

Senate File 123, by committee on judiciary, a bill for an act relating to supreme and district court judges' expenses.

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

Senate File 124, by Senator Riley, a bill for an act to encourage consolidation of county offices.

Read first time and **passed on file**.

Senate File 125, by Senators Smith, Erskine, Sullivan, Coleman, Conklin, Doderer and Schaben (Roorda, Holden and Gluba), a bill for an act relating to a renal disease program and to provide an appropriation therefor.

Read first time and referred to committee on **appropriations** (under Rule 37).

Senate File 126, by Senators Smith, Sullivan, Balloun, Lamborn, Thordsen, Potgeter and Messerly, a bill for an act relating to recovering the cost of institutionalization at the state training schools from inmate's income.

Read first time and **passed on file**.

Senate File 127, by Senators Walsh, Van Drie, Nicholson, Van Gilst, Miller and Kennedy, a bill for an act relating to the limitation of certain damage actions arising out of improvements or work upon real property.

Read first time and **passed on file**.

Senate File 128, by Senators Walsh, Thordsen and Palmer (Ellsworth, Freeman, Drake, Wells, Taylor and Waugh), a bill for an act relating to the taxation of coin-operated laundries.

Read first time and **passed on file**.

HOUSE MESSAGES CONSIDERED

House Joint Resolution 6, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to judges of the district court and supreme court.

Read first time and **passed on file.**

House Joint Resolution 7, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the terms of office of elected state officials.

Read first time and **passed on file.**

House File 31, a bill for an act relating to the condemnation of existing utility facilities by cities and towns.

Read first time and **passed on file.**

House File 47, a bill for an act relating to the registration of animals.

Read first time and **passed on file.**

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which House File 13 passed the Senate.

JOHN M. WALSH

MR. PRESIDENT: I move to reconsider the vote by which House File 29 passed the Senate.

JOHN M. WALSH

MR. PRESIDENT: I move to reconsider the vote by which Senate File 39 failed to pass the Senate.

FRANCIS L. MESSERLY

BILLS ASSIGNED TO COMMITTEE

President Jepsen announced the assignment of the following bills to committee:

S. F. 121 Schools

S. F. 124 County government

S. F. 126 Social services

S. F. 127 Judiciary

S. F. 128 Ways and means

H.J.R. 6 Constitutional amendments and reapportionment

H.J.R. 7 Constitutional amendments and reapportionment

H. F. 31 Commerce

H. F. 47 Agriculture

AMENDMENTS FILED

1 Amend the Neu amendment to Senate File 66, filed January 27,
2 1971, by inserting in line 3 after the word "*check*" the words
3 "*, real estate broker's trust account check*".

JAMES A. POTGETER
RALPH W. POTTER

1 Amend Senate File 90, page 2, line 19, by striking the
2 word "may" and inserting in lieu thereof "shall".

ROGER J. SHAFF

1 Amend Senate File 90, page 3, by striking all of lines 10
2 through 15 and inserting in lieu thereof the following:
3 "tions."

CHARLES F. BALLOUN

1 Amend Senate File 90, page 3, line 31, by inserting before
2 the word "majority" the following: "two-thirds".

CHARLES F. BALLOUN

1 Amend Senate File 108 by adding the following new section:
2 Section seven hundred forty point thirteen (740.13),
3 Code 1971, is amended as follows:
4 "740.13 Solicitation for political purposes. It shall be
5 unlawful for any person or political organization either directly
6 or indirectly to solicit or demand from any member [of the board
7 of control] or any employee of any commission, board or agency
8 created under the statutes of Iowa, any contribution of money or
9 any other thing of value for election purposes or for the purpose
10 of paying expenses of any political organization or any person
11 seeking election to public office."

GENE V. KENNEDY

1 Amend Senate File 116 by striking lines 11 through 15 and
2 inserting in lieu thereof the following:
3 "Sec. 2. This Act, being deemed of immediate importance,
4 shall take effect and be in force from and after its publi-
5 cation in The Sioux City Journal, a newspaper published in
6 Sioux City, Iowa, and in The Spirit Lake Beacon, a newspaper
7 published in Spirit Lake, Iowa."

ALDEN J. ERSKINE

On motion of Senator Lamborn, the Senate adjourned until 10:00
a.m., Monday, February 1, 1971.

JOURNAL OF THE SENATE

TWENTY-SECOND DAY

SENATE CHAMBER

DES MOINES, IOWA, MONDAY, FEBRUARY 1, 1971

The Senate met in regular session, President Jepsen presiding.

Prayer was offered by the Reverend James Ransom, pastor of the United Presbyterian Church of Christ, LeMars, Iowa.

The Senate pledged allegiance to the flag.

The Journal of Friday, January 29, 1971, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Erskine for the week due to the death of his father, on request of Senator Sullivan.

PETITIONS

The following petitions were presented and placed on file:

By Senator Sullivan, from thirteen hundred sixty-six residents of Woodbury County opposing the liberalization of the abortion law.

By Senator Doderer, from twenty-six residents of Johnson County favoring the pending abortion law.

UNFINISHED BUSINESS

Senate File 66

On motion of Senator Sullivan, Senate File 66, a bill for an act relating to the effective date of certification of payment of taxes, was taken up for further consideration.

Senator Ollenburg offered the following amendment filed by Senators Messerly and Ollenburg and moved its adoption:

- 1 Amend Senate File 66, line 10, by striking the word
- 2 "*fifteen*" and inserting in lieu thereof, the word
- 3 "*seven*".

The amendment was adopted.

Senator Neu offered the following amendment filed by him:

- 1 Amend Senate File 66 as follows:

- 2 Page 1, line 11, by inserting after the word "office"
 3 the words "unless paid by certified check, money order or
 4 cash".

Senator Potgeter offered the following amendment to the amendment filed by Senators Potgeter and Potter:

- 1 Amend the Neu amendment to Senate File 66, filed January 27,
 2 1971, by inserting in line 3 after the word "check" the words
 3 " , real estate broker's trust account check".

Senator Potgeter moved the adoption of the amendment to the amendment and called for a division.

The amendment to the amendment lost.

On motion of Senator Neu, his amendment was adopted.

Senator Sullivan moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 66) the vote was:

Ayes, 19:

Arbuckle	Graham	Nicholson	Shawver
Briles	Griffin	Ollenburg	Smith
Carlson	Keith	Palmer	Sullivan
Curran	Lamborn	Rabedaux	Van Drie
Gilley	Laverty	Rhodes	

Nays, 29:

Anderson	Doderer	Milligan	Schaben
Balloun	Gaudineer	Mowry	Shaff
Bass	Glenn	Neu	Stephens
Brownlee	Hill	Potgeter	Tapscott
Coleman	Kennedy	Potter	Thordsen
Conklin	Kyhl	Riley	Van Gilst
Davis	Miller	Robinson	Walsh
DeKoster			

Absent or not voting, 2:

Erskine	Messerly
---------	----------

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

Senate File 90

On motion of Senator Shaff, Senate File 90, a bill for an act to authorize the consolidation of counties, was taken up for further consideration.

The Senate resumed consideration of divisions 2 and 3 of the Balloun amendment.

Senator Balloun asked and received unanimous consent to withdraw divisions 2 and 3 of the amendment filed by him on January 29, 1971, and found on pages 159 and 160 of the Senate Journal.

Senator Shaff offered the following amendment filed by him and moved its adoption :

- 1 Amend Senate File 90, page 2, line 19, by striking the
- 2 word "may" and inserting in lieu thereof "shall".

The amendment was adopted.

Senator Balloun offered the following amendment and moved its adoption :

- 1 Amend Senate File 90, page 3, by striking lines 12 through
- 2 19.

The amendment was adopted.

Senator Balloun asked and received unanimous consent to withdraw the amendment filed by him on January 29, 1971, and found on page 165 of the Senate Journal.

Senator Balloun offered the following amendment and moved its adoption :

- 1 Amend Senate File 90, page 3, line 31, by inserting before
- 2 the word "majority" the following: "two-thirds".

The amendment lost.

Senator Shaff moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 90) the vote was :

Ayes, 39:

Arbuckle	Gaudineer	Milligan	Schaben
Bass	Glenn	Mowry	Shaff
Brownlee	Graham	Neu	Smith
Carlson	Griffin	Nicholson	Sullivan
Coleman	Hill	Palmer	Tapscott
Conklin	Keith	Potgeter	Thordsen
Curran	Kennedy	Potter	Van Drie
Davis	Kyhl	Rhodes	Van Gilst
DeKoster	Lamborn	Riley	Walsh
Doderer	Miller	Robinson	

Nays, 9:

Anderson	Gilley	Ollenburg	Shawver
Balloun	Laverty	Rabedeaux	Stephens
Briles			

Absent or not voting, 2:

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

INTRODUCTION OF BILLS

Senate File 129, by Senator Bass (Harbor), a bill for an act to legalize and validate the proceedings of the City Council of Red Oak, in the County of Montgomery, Iowa, in the purchase of Lot No. 6 and the West Half of Lot No. 5 in Block No. 28 in the City of Red Oak for the purpose of constructing off-street parking facilities in accordance with chapter 390 of the 1966 Code of Iowa.

Read first time and **passed on file**.

Senate File 130, by Senators Gaudineer, Robinson, Tapscott, Coleman, Palmer, Van Gilst, Hill, Glenn, Schaben, Doderer, Kennedy and Miller, a bill for an act to appropriate funds for each year of the biennium to the office of Governor to establish pilot programs for drug abuse, treatment, rehabilitation, education.

Read first time and referred to committee on **appropriations** (under Rule 37).

Senate File 131, by Senators Potgeter, Ollenburg, Riley, Arbuckle, Coleman, DeKoster, Neu and Walsh (Rex, Mayberry, Drake, Nystrom, Dunton, Lipsky, Middleswart, Ellsworth and Priebe), a bill for an act relating to support of the mentally ill.

Read first time and **passed on file**.

Senate File 132, by Senators Curran and Messerly, a bill for an act relating to the compensation of appointive jury commissioners.

Read first time and **passed on file**.

On motion of Senator Lamborn, the Senate recessed until the fall of the gavel.

AFTERNOON SESSION

The Senate reconvened, President pro tempore Kyhl presiding.

INTRODUCTION OF BILLS

Senate File 133, by committee on judiciary, a bill for an act relating to the establishment of a second grand jury in certain counties and to the appointment of assistant clerks in such counties.

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

Senate File 134, by Senators Potter, Conklin, Keith, Van Gilst, Coleman, Shaff, Sullivan and Nicholson, a bill for an act relating to

free distribution of the Code of Iowa to members of Iowa's congressional delegation.

Read first time and **passed on file.**

POINT OF PERSONAL PRIVILEGE

Senator Riley rose on a point of personal privilege to announce that he had appointed as his administrative assistant, James A. Albert of Cedar Rapids, Iowa, a student at Drake University.

BILLS ASSIGNED TO COMMITTEE

President Jepsen announced the assignment of the following bills to committee:

S. F. 129 Judiciary

S. F. 131 Social services

S. F. 132 County government

PROOF OF PUBLICATION

Published copy of Senate File 129 and verified proof of publication of said bill in the Red Oak Express, a semiweekly newspaper published at Red Oak, Iowa, on December 31, 1970, was filed with the Secretary of the Senate prior to the time said bill was placed on passage in the Senate.

CARROLL A. LANE
Secretary of the Senate

REPORTS OF COMMITTEE

Senator DeKoster submitted the following reports:

MR. PRESIDENT: Your committee on judiciary, to which was referred **Senate File 57**, a bill for an act relating to district court bailiffs, beg leave to report it has had the same under consideration and recommends the same **do pass.**

LUCAS J. DeKOSTER, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary, to which was referred **Senate File 71**, a bill for an act to legalize and validate the proceedings of the City Council of the City of DeWitt, Iowa, in connection with an election for the issuance of swimming pool bonds and declaring the validity of said election and that bonds issued pursuant to and authorized thereby shall constitute valid and binding obligations of said City, begs leave to report it has had the same under consideration and recommends the same **do pass.**

LUCAS J. DeKOSTER, Chairman

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on judiciary, to which was referred **House File 42**, a bill for an act relating to shorthand notes of court reporters, begs leave to report it has had the same under consideration and recommends the same **do pass**.

LUCAS J. DeKOSTER, Chairman

Ordered passed on file.

AMENDMENT FILED

- 1 Amend Senate File 125 as follows:
- 2 Page 3, lines 7 and 8, by striking the
- 3 word "preparation" and inserting in lieu
- 4 thereof the word "prevention".

MARVIN W. SMITH

On motion of Senator Glenn, the Senate adjourned until 10:00 a.m., Tuesday, February 2, 1971.

JOURNAL OF THE SENATE

TWENTY-THIRD DAY

SENATE CHAMBER
DES MOINES, IOWA, TUESDAY, FEBRUARY 2, 1971

The Senate met in regular session, President Jepsen presiding.

Prayer was offered by the Reverend Dean Chapman, pastor of the Grandview United Methodist Church, Dubuque, Iowa. This was the twenty-first consecutive session that Reverend Chapman offered the opening prayer.

The Senate pledged allegiance to the flag.

The Journal of Monday, February 1, 1971, was approved.

ANNOUNCEMENT

Senator Lamborn rose on a point of personal privilege to advise the Senate of the passing of a former member of the Senate, the Honorable Earl Elijah from Cedar County.

PRESENTATION OF VISITORS

The Chair announced that the following visitors were present in the Senate gallery:

Twelve senior high students from Grand Junction High School, Grand Junction, Iowa, accompanied by Russell Mahaffey, superintendent of schools, and Mrs. Neel, instructor.

PETITIONS

The following petitions were presented and placed on file:

By Senator Messerly, from four hundred thirty-one residents of Black Hawk County opposing the proposed abortion bill.

By Senator Conklin, from two hundred thirty-six residents of Black Hawk County opposing liberalization of the abortion law.

By Senator Bass, from one hundred five residents of Mills County opposing the proposed abortion bill.

By Senator Van Drie, from twenty-nine residents of Iowa favoring legislation to improve compensation of state employees to cover the high cost of living.

By Senator Carlson, from fifty-five residents of Polk County favoring a property tax freeze and a limit on per pupil costs.

SENATE FILES DEFERRED

Senator Briles asked and received unanimous consent that further action on **Senate File 68** be deferred and that the bill **retain its place on the calendar**.

Senator Smith asked and received unanimous consent that further action on **Senate File 27** be deferred and that the bill **retain its place on the calendar**.

CONSIDERATION OF BILLS

Senate File 43

On motion of Senator Stephens, Senate File 43, a bill for an act relating to violation of the beer and liquor laws by minors, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

RE-REFERRED TO COMMITTEE

On motion of Senator Thordsen, **Senate File 43** was re-referred to the committee on law enforcement.

CONSIDERATION OF BILLS

Senate File 70

On motion of Senator Briles, Senate File 70, a bill for an act relating to eligibility for unemployment compensation for veterans, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Briles moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 70) the vote was:

Ayes, 49:

Anderson	Davis	Kennedy	Ollenburg
Arbuckle	DeKoster	Kyhl	Palmer
Balloun	Doderer	Lamborn	Potgeter
Bass	Gaudineer	Laverty	Potter
Briles	Gilley	Messerly	Rabedaux
Brownlee	Glenn	Miller	Rhodes
Carlson	Graham	Milligan	Riley
Coleman	Griffin	Mowry	Robinson
Conklin	Hill	Neu	Schaben
Curran	Keith	Nicholson	Shaff

Shawver
Smith
Stephens

Sullivan
Tapscott

Thordsen
Van Drie

Van Gilst
Walsh

Nays, none.

Absent or not voting, 1:

Erskine

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

House File 18

On motion of Senator Bass, House File 18, a bill for an act relating to notaries public, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Bass offered the following committee amendment and moved its adoption:

1 Amend House File 18 as follows:

2 1. Page 2, line 4, by striking the words "in each county"

3 and inserting in lieu thereof the words ["in each county".]

4 2. Page 3, by striking lines 23 through 32, inclusive.

5 3. Page 3, line 33, by striking the number "6" and inserting
6 in lieu thereof the number "5".

7 4. Page 4, by striking line 3 and inserting in lieu thereof

8 the words ["and also the clerk of the district court of the
9 proper county".]

10 5. Page 4, line 5, by striking the number "7" and inserting
11 in lieu thereof the number "6".

12 6. Page 4, line 14, by striking the number "8" and inserting
13 in lieu thereof the number "7".

14 7. Page 4, by adding after line 23 the following new sections:

15 1. "Sec. 8. Section seventy-seven point fourteen (77.14),
16 Code 1971, is amended as follows:

17 77.14 Death—resignation—removal. On the death, resignation,
18 or removal from office of any notary, his records, with all his
19 official papers, shall, within three months therefrom, be
20 deposited in the office of the [clerk of the district court in the
21 county for which such notary shall have been appointed] *secretary*
22 *of state.*"

23 2. "Sec. 9. Section seventy-seven point sixteen (77.16),
24 Code 1971, is amended as follows:

25 77.16 Neglect of executor to deposit records. If an executor
Page 2

1 or administrator of a deceased notary willfully neglects, for
2 three months after his acceptance of that appointment, to
3 deposit in [said clerk's] *the secretary of state's office* the
4 records and papers of a deceased notary which came into his
5 hands, he shall be held guilty of a misdemeanor."

6 3. "Sec. 10. Section seventy-seven point eighteen (77.18),
7 Code 1971, is amended as follows:

8 77.18 Duty of [clerk] *secretary of state* as to records.

9 [Each clerk aforesaid] *The secretary of state* shall receive and
 10 safely keep all such records and papers of the notary in the
 11 cases above-named, and shall give attested copies of them,
 12 under the seal of his [court] *office*, for which he may demand such
 13 fees as by law may be allowed to the notaries, and such copies
 14 shall have the same effect as if certified by the notary."

15 4. "Sec. 11. Section seventy-eight point one (78.1), subsec-
 16 tion five (5), Code 1971, is amended as follows:

17 5. Notaries public [within the county of their appointment,
 18 and within any county in which they have filed with the clerk of
 19 the district court of said county a certified copy of their
 20 certificate of appointment.]"

21 5. "Sec. 12. Section nine point three (9.3), Code 1971, is
 22 amended as follows:

23 9.3 Commissions. All commissions issued by the governor
 24 shall be countersigned by the secretary, who shall register
 25 each commission in a book to be kept for that purpose, specify-

Page 3

1 ing the office, name of officer, date of commission, and tenure
 2 of office, and forthwith forward to the state comptroller a copy
 3 of said registration [; provided, however, that notarial commis-
 4 sions shall be registered only in the office of the governor]."

5 6. "Sec. 13. Section seventy-seven point five (77.5), Code
 6 1971, is repealed."

The amendment was adopted.

Senator Potgeter offered the following amendment and moved
 its adoption:

1 Amend House File 18 as follows:

2 1. Page 2, line 13, by striking "*eight (8)*" and inserting in
 3 lieu thereof "*seven (7)*".

4 2. Page 2, line 15, by striking "*eight (8)*" and inserting in
 5 lieu thereof "*seven (7)*".

6 3. Page 3, line 18, by striking "*eight (8)*" and inserting in
 7 lieu thereof "*seven (7)*".

The amendment was adopted.

Senator Bass moved that the bill be read the last time now, which
 motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 18) the vote was:

Ayes, 45:

Anderson	Doderer	Messerly	Rhodes
Arbuckle	Gaudineer	Miller	Riley
Balloun	Gilley	Milligan	Robinson
Bass	Glenn	Mowry	Shawver
Briles	Graham	Neu	Smith
Brownlee	Griffin	Nicholson	Stephens
Carlson	Hill	Ollenburg	Sullivan
Coleman	Keith	Palmer	Thordsen
Conklin	Kyhl	Potgeter	Van Drie
Curran	Lamborn	Potter	Van Gilst
Davis	Laverty	Rabedaux	Walsh
DeKoster			

Nays, 3:**Kennedy****Schaben****Tapscott****Absent or not voting, 2:****Erskine****Shaff**

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

SENATE FILE WITHDRAWN

Senator DeKoster asked and received unanimous consent that **Senate File 45** be withdrawn from further consideration of the Senate.

MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File 83, a bill for an act legalizing proceedings of the City of DeWitt, Iowa, on issuance of swimming pool bonds.

WILLIAM R. KENDRICK, Chief Clerk

HOUSE MESSAGE CONSIDERED

House File 83, a bill for an act to legalize and validate the proceedings of the City Council of the City of DeWitt, Iowa, in connection with an election for the issuance of swimming pool bonds and declaring the validity of said election and that bonds issued pursuant to and authorized thereby shall constitute valid and binding obligations of said City.

Read first time and **passed on file**.

INTRODUCTION OF BILLS

Senate File 135, by Senator Arbuckle (Campbell), a bill for an act relating to hearings for the mentally ill.

Read first time and **passed on file**.

Senate File 136, by Senator Sullivan, a bill for an act relating to public utility regulation.

Read first time and **passed on file**.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Rhodes, from the joint committee on enrolled bills, submitted the following report and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate File 63; House Files 86 and 87.

JOHN C. RHODES
Chairman, Senate Committee
ELIZABETH R. MILLER
Chairman, House Committee

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate the following bills: Senate File 63; House Files 86 and 87.

BILL SENT TO THE GOVERNOR

Senator Rhodes, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 2nd day of February, 1971, sent to the Governor for his approval: Senate File 63.

JOHN C. RHODES, Chairman

Passed on file.

On motion of Senator Lamborn, the Senate recessed until the fall of the gavel.

AFTERNOON SESSION

The Senate reconvened, President pro tempore Kyhl presiding.

INTRODUCTION OF BILLS

Senate File 137, by Senator Keith, a bill for an act relating to improvements in drainage and levee districts.

Read first time and **passed on file**.

Senate File 138, by Senator Miller, a bill for an act to establish a chiropractic examining board fund and to increase the fee for renewal of a license to practice chiropractic.

Read first time and **passed on file**.

SENATE RESOLUTION 2

By Rabedaux

Whereas, the Honorable Earl Elijah of Cedar County formerly served with distinction for twelve years in the Senate of the State of Iowa, and

Whereas, Mr. Elijah faithfully devoted many years of his life as an elected and appointed public servant to the people of the State of Iowa, and

Whereas, the citizens of Iowa and of his county have now been deprived of his talents, and

Whereas, his wife, Martha, and two sons, Richard and Robert, have suffered a deep personal loss; *Now Therefore*,

Be It Resolved by the Senate, that the sincere condolences of the members of this body be extended to Mr. Elijah's family, and

Be It Further Resolved, that the Secretary of the Senate be directed to send copies of this resolution to his wife and two sons.

SENATE CONCURRENT RESOLUTION 10

By Neu, Hill, Curran, Smith,
Thordsen and Kennedy

Whereas, the state commerce commission regulates activities which are rapidly changing due to inventions, new techniques, and innovations; and

Whereas, the state commerce commission is directed to administer statutory controls of intrastate commerce, some of which were enacted ninety-eight years ago; and

Whereas, the Governor's Economy Committee recognized the necessity to provide the state commerce commission with up-to-date functions for the modern activities it controls, *Now Therefore*,

Be It Resolved by the Senate, the House Concurring, That the legislative council create a study committee to study the functions of the state commerce commission and make recommendations to update present Code provisions which relate to the state commerce commission functions. The study committee membership shall include members of the appropriate standing committees, persons knowledgeable in areas regulated by the commission, and citizens representing the interests of the consumer; and

Be It Further Resolved, That the study committee shall make periodic reports to the legislative council and shall submit a final report, including necessary bill drafts to implement the recommendations, to the legislative council. Copies of the report approved by the legislative council shall be submitted to members of the General Assembly meeting in the year 1972.

BILLS ASSIGNED TO COMMITTEE

President Jepsen announced the assignment of the following bills to committee:

S.C.R. 9 Higher education

S.C.R. 10 Commerce

REPORT OF COMMITTEE

Senator Mowry submitted the following report:

MR. PRESIDENT: Your committee on commerce, to which was referred **Senate File 83**, a bill for an act relating to the auditing committee of a credit union, begs leave to report it has had the same under consideration and recommends the same **do pass**.

JOHN L. MOWRY, Chairman

Ordered passed on file.

AMENDMENTS FILED

1 Amend Senate File 39 as follows:

2 Page 1, following line 19, add the following new
3 sections:

4 "Sec. 2. The county board of supervisors may appoint,
5 and upon receipt of a petition containing not less than
6 two hundred signatures of qualified electors of the county,
7 shall appoint, a county historical board. The county
8 historical board shall be composed of five residents of
9 the county selected on the basis of their demonstrated
10 interest in county historical matters. Members of the
11 county historical board shall not receive any salary or
12 expense money.

13 Sec. 3. The county historical board shall aid in the
14 acquisition and preservation of property having historical
15 significance, cooperate and coordinate efforts with any
16 county historical society, and aid in the establishment
17 and maintenance of public museums for the benefit and use
18 of the people of the county. In order to carry out its
19 duties the county historical board may:

20 1. Expend and apply all moneys received from the
21 county or other source in the furtherance of historical
22 purposes within the county.

23 2. Cooperate with historical societies or associa-
24 tions organized within the county, coordinate its
25 functions with such organizations, and enter into

Page 2

1 contracts or agreements pursuant thereto.

2 3. Succeed to the authority vested in county conser-
3 vation boards by chapter one hundred eleven A (111A)
4 of the Code, to establish and maintain public museums.

5 4. Accept in the name of the county any gifts,
6 bequests, or contributions of property, as well as
7 appropriations of money, for historical purposes.

8 5. Enter into agreements with public library
9 trustees, either jointly with a county historical
10 association or separately, as provided in section three
11 hundred seventy-eight point sixteen (378.16) of the Code.

12 Sec. 4. Upon the adoption by any county of the
13 provisions of sections two (2) and three (3) of this
14 Act, the county board of supervisors may appropriate
15 from the general fund of the county an amount not
16 exceeding two thousand dollars per year for the use of
17 a county historical board. Gifts, contributions, and
18 bequests received in moneys by the county historical
19 board, shall be used for the purchase of land or
20 other property for historical purposes, and for payment
21 of expenses incurred in carrying out the activities of
22 the board. However, any gift, contribution, bequest,
23 or trust, upon which a condition is attached, shall be
24 held and applied in accordance with the condition."

H. L. OLLENBURG
CLIFTON C. LAMBORN

1 Amend Senate File 57 as follows:

2 1. Line 7, by adding the words "and peace officer"
3 after the word "assistant".

4 2. By adding the following section:

5 "Sec. 2. Section seven hundred forty-eight point
6 three (748.3), Code 1971, is amended by adding the follow-
7 ing new subsection:

8 "8. Bailiffs appointed pursuant to section six
9 hundred four point fourteen (604.14)".

ARTHUR A. NEU

1 Amend Senate File 115, page 2, line 14, by striking the word "is".
W. R. RABEDEAUX

1 Amend Senate File 117 as follows:

2 Page 2, line 23, by striking the word
3 "applicant" and inserting in lieu thereof
4 the word "payor".

HAROLD A. THORSEN

1 Amend Senate File 120, page 2, by striking lines
2 27 through 31, inclusive, and inserting in lieu thereof
3 the following :

4 Sec. 2. This Act, being deemed of immediate
5 importance, shall take effect and be in force from and
6 after its publication in The Denison Bulletin, a news-
7 paper published in Denison, Iowa, and in the Estherville
8 Daily News, a newspaper published in Estherville, Iowa.

ARTHUR A. NEU
S. J. BROWNLEE

1 Amend Senate File 133, page 2, by striking lines 27 through 31
2 and inserting in lieu thereof the following:

3 "Sec. 3. This Act, being deemed of immediate importance,
4 shall take effect and be in force from and after its publication
5 in The Sioux County Index-Reporter, a newspaper published in
6 Hull, Iowa, and in The Clinton Herald, a newspaper published
7 in Clinton, Iowa."

LUCAS J. DeKOSTER

On motion of Senator Lamborn, the Senate adjourned until 10:00
a.m., Wednesday, February 3, 1971.

JOURNAL OF THE SENATE

TWENTY-FOURTH DAY

SENATE CHAMBER

DES MOINES, IOWA, WEDNESDAY, FEBRUARY 3, 1971

The Senate met in regular session, President Jepsen presiding.

Prayer was offered by the Reverend John Beebout, pastor of the United Methodist Church, Clarinda, Iowa.

The Senate pledged allegiance to the flag.

The Journal of Tuesday, February 2, 1971, was approved.

PRESENTATION OF VISITORS

The Chair announced that the following visitors were present in the Senate gallery :

Seventy-five ninth-grade students from Oskaloosa Community Junior High School, Oskaloosa, Iowa, accompanied by their instructors, Mrs. Lois Scharff and Curt Frey.

PETITIONS

The following petitions were presented and placed on file:

By Senator Conklin, from eighty residents of Black Hawk County opposing increased taxes.

By Senator Messerly, from five hundred fifty-six residents of Black Hawk County favoring a maximum ceiling below the present millage rate levied on real estate in Black Hawk County.

MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has adopted the following concurrent resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 11, urging the Congress of the United States to retain the Department of Agriculture as an entity of cabinet status.

WILLIAM R. KENDRICK, Chief Clerk

HOUSE CONCURRENT RESOLUTION 11
By Committee on Agriculture

Whereas, the President has recommended sweeping governmental reorganization at the federal level; and

Whereas, the midwest virtually stakes its entire future on the agricultural industry in the production of corn, beans, livestock and produce; and is in fact the "bread basket" of the nation; and

Whereas, a majority of Iowa Senators and Congressmen have expressed their concern for the future of the Department of Agriculture under the aforesaid plan of governmental reorganization, *Now Therefore*,

Be It Resolved by the House, the Senate Concurring, That the General Assembly of the State of Iowa urges the Congress of the United States to retain the Department of Agriculture as an entity of cabinet status and that duties and responsibilities of the Secretary of Agriculture and his department be redefined and clarified with emphasis on local and regional control of crop production, acreage allotments, conservation practices and controls of environmental pollution; and

Be It Further Resolved, That copies of this resolution be transmitted to the President of the United States, President of the United States Senate, Speaker of the United States House of Representatives and to each member of the Iowa delegation to the Congress of the United States.

COMMUNICATION

The following communication was presented:

OFFICE OF THE GOVERNOR
State Capitol
Des Moines, Iowa 50319

February 1, 1971

The Honorable Roger W. Jepsen
Lieutenant Governor of Iowa
State Capitol
Local

Dear Governor Jepsen:

It is my pleasure to submit to the Senate for their consideration the name of Donald G. Briggs of West Des Moines, Polk County, Iowa, for appointment as Director of Revenue for the State of Iowa effective February 1, 1971, under the provisions of section 421.2, 1971 Code of Iowa, to serve at the pleasure of the Governor.

Sincerely,
ROBERT D. RAY
Governor

REPORT OF INVESTIGATING COMMITTEE

Senator Carlson submitted the following report and moved its adoption:

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of John L. Munger of Des Moines, Polk County, Iowa, for appointment as a member of the Advisory Investment Board of the Iowa Public Employees' Retirement System under the provisions of section

97B.8, 1966 Code of Iowa, for the unexpired portion of a term ending June 30, 1975, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

REINHOLD O. CARLSON, Chairman
CHARLES O. LAVERTY
GEORGE F. MILLIGAN
WILLIAM D. PALMER
RUDY VAN DRIE

The motion prevailed and the report was adopted.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 49:

Anderson	Gaudineer	Miller	Robinson
Arbuckle	Gilley	Milligan	Schaben
Bass	Glenn	Mowry	Shaff
Briles	Graham	Neu	Shawver
Brownlee	Griffin	Nicholson	Smith
Carlson	Hill	Ollenburg	Stephens
Coleman	Keith	Palmer	Sullivan
Conklin	Kennedy	Potgeter	Tapscott
Curran	Kyhl	Potter	Thordsen
Davis	Lamborn	Rabedaux	Van Drie
DeKoster	Laverty	Rhodes	Van Gilst
Doderer	Messerly	Riley	Walsh
Erskine			

Nays, none.

Absent or not voting, 1:

Balloun

President Jepsen declared the appointment of John L. Munger as a member of the Advisory Investment Board of the Iowa Public Employees' Retirement System confirmed for the unexpired portion of the term ending June 30, 1975.

MOTION TO RECONSIDER FAILED

Senator Messerly called up the following motion filed by him on January 29, 1971, and moved its adoption:

MR. PRESIDENT: I move to reconsider the vote by which Senate File 39 failed to pass the Senate.

On the question "Shall the motion to reconsider be adopted?" (S.F. 39) the vote was:

Ayes, 19:

Arbuckle	Keith	Ollenburg	Shaff
Bass	Lamborn	Palmer	Stephens
Curran	Messerly	Potgeter	Sullivan
DeKoster	Milligan	Potter	Walsh
Gaudineer	Mowry	Riley	

Nays, 29:

Anderson	Gilley	Laverty	Schaben
Balloun	Glenn	Miller	Shawver
Brownlee	Graham	Neu	Smith
Carlson	Griffin	Nicholson	Tapscott
Coleman	Hill	Rabedeaux	Thordsen
Conklin	Kennedy	Rhodes	Van Drie
Davis	Kyhl	Robinson	Van Gilst
Erskine			

Absent or not voting, 2:

Briles Doderer

The motion lost.

SENATE FILES DEFERRED

Consideration of **Senate Files 68 and 27** was deferred and the bills retained their place on the calendar.

CONSIDERATION OF BILLS

Senate File 116

On motion of Senator Erskine, Senate File 116, a bill for an act relating to the penalty for violation of the snowmobile regulations, was taken up and considered.

Senator Erskine offered the following amendment filed by him and moved its adoption:

- 1 Amend Senate File 116 by striking lines 11 through 15 and
- 2 inserting in lieu thereof the following:
- 3 "Sec. 2. This Act, being deemed of immediate importance,
- 4 shall take effect and be in force from and after its publi-
- 5 cation in The Sioux City Journal, a newspaper published in
- 6 Sioux City, Iowa, and in The Spirit Lake Beacon, a newspaper
- 7 published in Spirit Lake, Iowa."

The amendment was adopted.

Senator Mowry offered the following amendment and moved its adoption:

- 1 Amend Senate File 116 by striking in lines 7 and 8 "or any
- 2 regulation of the commission or commissioner of public
- 3 safety" and inserting in lieu thereof the following: "[or any
- 4 regulation of the commission or commissioner of public
- 5 safety]".

The amendment was adopted.

Senator Erskine moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 116) the vote was:

Ayes, 45:

Anderson	Erskine	Milligan	Shaff
Arbuckle	Gaudineer	Mowry	Shawver
Balloun	Gilley	Neu	Smith
Bass	Graham	Nicholson	Sullivan
Briles	Griffin	Ollenburger	Tapscott
Brownlee	Keith	Palmer	Thordsen
Carlson	Kennedy	Potgeter	Van Drie
Conklin	Kyhl	Potter	Van Gilst
Curran	Lamborn	Rhodes	Walsh
Davis	Laverty	Riley	
DeKoster	Messerly	Robinson	
Doderer	Miller	Schaben	

Nays, 1:

Glenn

Absent or not voting, 4:

Coleman

Hill

Rabedeaux

Stephens

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

SENATE FILE DEFERRED

Senator Nicholson asked and received unanimous consent that further action on **Senate File 120** be deferred and that the bill retain its place on the calendar.

CONSIDERATION OF BILLS

Senate File 57

On motion of Senator Milligan, Senate File 57, a bill for an act relating to district court bailiffs, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

SENATE FILE DEFERRED

Senator Milligan asked and received unanimous consent that further action on **Senate File 57** be deferred and that the bill be placed on the calendar under **unfinished business**.

CONSIDERATION OF BILLS

Senate File 71

On motion of Senator Shaff, Senate File 71, a bill for an act to legalize and validate the proceedings of the City Council of the City of DeWitt, Iowa, in connection with an election for the issuance of swimming pool bonds and declaring the validity of said

election and that bonds issued pursuant to and authorized thereby shall constitute valid and binding obligations of said City, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

SUBSTITUTION

Senator Shaff asked and received unanimous consent that **House File 83** be substituted for **Senate File 71**.

House File 83

On motion of Senator Shaff, House File 83, a bill for an act to legalize and validate the proceedings of the City Council of the City of DeWitt, Iowa, in connection with an election for the issuance of swimming pool bonds and declaring the validity of said election and that bonds issued pursuant to and authorized thereby shall constitute valid and binding obligations of said City, was taken up and considered.

Senator Shaff moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 83) the vote was:

Ayes, 41:

Anderson	Erschine	Laverty	Robinson
Arbuckle	Gaudineer	Messerly	Schaben
Balloun	Gilley	Miller	Shaff
Bass	Glenn	Milligan	Shawver
Briles	Graham	Mowry	Smith
Brownlee	Griffin	Ollenburg	Sullivan
Carlson	Keith	Palmer	Thordsen
Conklin	Kennedy	Potgeter	Van Drie
Curran	Kyhl	Potter	Van Gilst
Davis	Lamborn	Rhodes	Walsh
DeKoster			

Nays, none.

Absent or not voting, 9:

Coleman	Neu	Rabedaux	Stephens
Doderer	Nicholson	Riley	Tapscott
Hill			

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

SENATE FILE WITHDRAWN

Senator Shaff asked and received unanimous consent that **Senate File 71** be withdrawn from further consideration of the Senate.

CONSIDERATION OF BILLS

House File 42

On motion of Senator Glenn, House File 42, a bill for an act relating to shorthand notes of court reporters, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Glenn moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 42) the vote was:

Ayes, 41:

Anderson	Erschine	Laverty	Robinson
Arbuckle	Gaudineer	Messerly	Schaben
Balloun	Gilley	Miller	Shaff
Bass	Glenn	Milligan	Shawver
Briles	Graham	Mowry	Smith
Brownlee	Griffin	Ollenburg	Sullivan
Carlson	Keith	Palmer	Thordsen
Conklin	Kennedy	Potgeter	Van Drie
Curran	Kyhl	Potter	Van Gilst
Davis	Lamborn	Rhodes	Walsh
DeKoster			

Nays, none.

Absent or not voting, 9:

Coleman	Neu	Rabedeaux	Stephens
Doderer	Nicholson	Riley	Tapscott
Hill			

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

INTRODUCTION OF BILLS

Senate File 139, by Senators Sullivan and Van Gilst (Stokes and Strand), a bill for an act relating to identification cards for persons sixty-five years of age or older.

Read first time and **passed on file**.

Senate File 140, by Senators Sullivan and Van Gilst (Dougherty and Stokes), a bill for an act relating to county and city programs for senior citizens.

Read first time and **passed on file**.

Senate File 141, by Senators Briles, Ollenburg and Griffin (Holden, Stromer, Priebe and Fischer of Grundy), a bill for an act relating to compensation for refinancing costs where property is acquired for a public use.

Read first time and **passed on file**.

Senate File 142, by Senators Briles and Miller (Mendenhall, Rex, Dunton and Pellett), a bill for an act to provide state aid to counties or groups of counties for purchase of mental health services from community mental health centers, and making an appropriation.

Read first time and referred to the committee on **appropriations** (under Rule 37).

Senate File 143, by Senators Milligan, Lamborn, Balloun, Rabedaux, Smith, Anderson, Mowry, Van Drie and Miller (Tieden, Pellett, Christensen, Dunton and Mayberry), a bill for an act relating to the enucleating of eyes by funeral directors or embalmers.

Read first time and **passed on file**.

Senate File 144, by Senators Thordsen, Schaben, Kennedy, Sullivan and Rabedaux (Den Herder, Radl and Doyle), a bill for an act relating to the board of parole.

Read first time and **passed on file**.

Senate File 145, by committee on ways and means, a bill for an act to provide limitations on the property tax levy for general fund expenditures of school corporations, county boards of education, and joint boards of education and to make an appropriation to the department of public instruction for allocation to school districts.

Read first time and referred to the committee on **appropriations** (under Rule 37).

On motion of Senator Lamborn, the Senate recessed until the fall of the gavel.

AFTERNOON SESSION

The Senate reconvened, President pro tempore Kyhl presiding.

INTRODUCTION OF BILLS

Senate File 146, by committee on state government (committee on state government), a bill for an act relating to the disposal of certain used state motor vehicles.

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

Senate File 147, by committee on conservation and recreation, a bill for an act relating to the use of trotlines.

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

Senate File 148, by committee on conservation and recreation (committee on conservation and recreation), a bill for an act relating to the state park and institutional road system.

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

Senate File 149, by committee on conservation and recreation, a bill for an act relating to the imposition of a general criminal penalty for violations of the fish and game conservation laws.

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

Senate File 150, by Senators Erskine, Palmer, Carlson and Briles (Willits, Tieden, Drake, Skinner and Cochran), a bill for an act relating to administrative and maintenance facilities for county conservation boards.

Read first time and **passed on file**.

Senate File 151, by Senator Sullivan, a bill for an act relating to deductions of federal tax payments by corporations in computing their Iowa income tax.

Read first time and **passed on file**.

Senate File 152, by committee on agriculture, a bill for an act relating to specifications and standards for cheese and cheese products.

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

Senate File 153, by Senator Gaudineer, a bill for an act relating to the powers and duties of the budget and financial control committee.

Read first time and **passed on file**.

Senate File 154, by Senators Walsh, Kyhl, Potgeter and Schaben (Tieden, Camp, Fischer of Grundy and Harbor), a bill for an act relating to the establishment of a regional medical education board and providing an appropriation.

Read first time and **passed on file**.

ANNOUNCEMENT BY THE PRESIDENT OF THE SENATE

President Jepsen announced the appointment of Senator Wilson L. Davis to the Capitol Planning Commission to replace Senator Charles G. Mogged for the unexpired term ending April 30, 1971.

AMENDMENT TO HOUSE AMENDMENT TO SENATE FILE 1

- 1 1. Amend House amendment 7, line 29, by striking the word
- 2 "control" and inserting in lieu thereof the words "designate
- 3 as controlled".
- 4 2. Amend House amendment 7, lines 8 and 9 by striking the
- 5 words "new substance delegation" and by inserting in lieu there-
- 6 of the words "a new substance being designated as a controlled

7 substance".

8 3. Amend House amendment 7, line 11, by inserting after the
9 word "is" the words "designated as".

10 4. Amend House amendment 7, line 16, by inserting after the
11 word "temporary" the words "designation of".

12 5. Amend House amendment 7, line 16, by striking the words
13 "so controlled".

14 6. Amend House amendment 11, line 3, by striking the word
15 "herein" and inserting the words "in this Act".

16 7. Amend House amendment 43, by striking lines 33 and 34
17 and inserting in lieu thereof "is guilty" .

18 8. Amend House amendment 47, line 10, by inserting after
19 the word "premises" the following: ", store, shop, warehouse,
20 dwelling, temporary, or permanent building,".

21 9. Strike division 54 of the House amendment and insert in
22 lieu thereof the following:

23 54. Page 27, by striking from line 15, the words "of up
24 to two times" and inserting in lieu thereof the words "not to
25 exceed twice".

Page 2

1 10. Amend House amendment 60, line 7, by striking the words
2 "that may be" and inserting in lieu thereof "not to exceed".

3 11. Amend House amendment 62, lines 11 and 12, by striking
4 the words "fine or imprisonment" and inserting in lieu thereof
5 "fine and imprisonment".

6 12. Amend House amendment 65 by inserting after line 4 a new
7 paragraph as follows:

8 "The district court shall, upon application of the attorney
9 general or county attorney, grant an ex parte temporary injunction
10 barring a meeting, gathering, or assemblage wherein the court
11 finds from evidence produced in open court or supported by
12 affidavit that reasonable grounds have not been taken to prevent
13 unlawful distribution or possession of a substance controlled
14 under this Act. Such temporary injunction shall be effective
15 for five days and thereafter stand dissolved unless continued
16 by the court, upon hearing, and after notice to all parties in
17 interest as ordered by the court."

18 13. Amend House amendment 65, line 5, by striking the words
19 "an injunction" and inserting in lieu thereof "a permanent
20 injunction upon application of the attorney general or the
21 county attorney".

22 14. Amend House amendment 65, line 14, by inserting after the
23 word "application" the following: "of the attorney general
24 or the county attorney".

25 15. Amend House amendment 65 by striking lines 25 through 33,

Page 3

1 inclusive, and inserting in lieu thereof the following
2 paragraph:

3 "Court appointed attorney fees incurred in the defense
4 of any person charged with a felony under this Act shall be
5 taxed as part of the costs against the defendants who are
6 found guilty. If the defendant does not discharge such
7 costs within ninety days, the county paying such costs may
8 seek indemnification therefor from the Iowa general assembly."

9 16. Amend House amendment 68, line 8, by inserting after the
10 word "Act" the following: "or is sentenced pursuant to
11 section four hundred ten (410) of the Code".

12 17. Amend House amendment 73, lines 27 and 28, by striking
13 the following: "within criteria set by the state department
14 of health".

15 18. Amend House amendment 73, line 32, by inserting after the
16 word "patient" the following: "or those legally liable for
17 his support".

18 19. Amend House amendment 73, line 33, by striking the words
19 "agency charged with the costs" and inserting in lieu thereof
20 the following: "with the costs, or any part thereof".

21 20. Strike division 79 of the House amendment and insert in
22 lieu thereof the following:

23 79. Page 32A, line 28, by striking the word "conviction"
24 and inserting in lieu thereof "having been convicted".

25 21. Amend House amendment 80, line 15, by inserting before

Page 4

1 the period the following: "and inserting in lieu thereof
2 the word 'ever'".

3 22. Amend House amendment 83 by striking from lines 24 and
4 25 the words "recommend that the appropriate state board or
5 officer" and inserting in lieu thereof the following: ", in
6 its considered judgment,".

7 23. Strike division 86 of the House amendment and insert in
8 lieu thereof the following:

9 86. Page 40, by striking lines 11 through 13, inclusive,
10 and inserting in lieu thereof the following: "shall be
11 applicable to conveyances used to transport or hold any
12 controlled substance listed in schedules I, II, III, or IV
13 of this Act."

14 24. Add a new division after House amendment 88 as follows:

15 Amend Senate File 1 as amended and passed by the Senate
16 by adding a new section on page 48:

17 "Sec. 612. If any phrase, clause, subsection or section
18 of this Act shall be declared unconstitutional or invalid by
19 any court of competent jurisdiction, it shall be conclusively
20 presumed that the legislature would have enacted this Act with-
21 out the phrase, clause, subsection or section so held
22 unconstitutional or invalid; and the remainder of this Act
23 shall not be affected as a result of such part being held
24 unconstitutional or invalid."

JOHN L. MOWRY
LEE H. GAUDINEER, JR.

REPORTS OF COMMITTEES

Senator Erskine submitted the following report:

MR. PRESIDENT: Your committee on conservation and recreation, to which was referred **Senate File 10**, a bill for an act relating to the leasing of property by the state conservation commission, begs leave to report it has had the same under consideration and recommends the same **do pass**.

ALDEN J. ERSKINE, Chairman

Ordered passed on file.

Senator Briles submitted the following report:

MR. PRESIDENT: Your committee on county government, to which was referred **Senate File 40**, a bill for an act relating to the notification of mobile homeowners of tax assessments, begs leave to report it has had the same under consideration and recommends the same **be amended as follows; and when so amended the bill do pass:**

- 1 Amend Senate File 40, page 1, by striking lines 18 through
- 2 25, and page 2, by striking line 1, and inserting in lieu
- 3 thereof: "to the same penalties herein set out. *Not more*
- 4 *than thirty days nor less than ten days prior to the date*
- 5 *that the tax becomes delinquent, the county treasurer shall*
- 6 *cause to be published in a newspaper of general circulation*
- 7 *in the county, a notice to mobile homeowners. The notifi-*
- 8 *cation shall include the date the tax becomes delinquent,*
- 9 *and the penalty which will apply when delinquent.*
- 10 *Mobile homeowners shall register the address, township,*
- 11 *and school district, of the location where the mobile home*
- 12 *is parked with the county treasurer's office. Failure to*
- 13 *comply shall be punishable as set out in section eighteen (18), of*
- 14 *this chapter. The county treasurer shall report any viola-*
- 15 *tions of this chapter to the county attorney's office for*
- 16 *enforcement.*

JAMES E. BRILES, Chairman

Ordered passed on file.

Senator DeKoster submitted the following report:

MR. PRESIDENT: Your committee on judiciary, to which was referred **Senate File 105**, a bill for an act relating to the penalty for embezzlement of secured interests in collateral, begs leave to report it has had the same under consideration and recommends the same **be amended as follows; and when so amended the bill do pass:**

- 1 Amend Senate File 105 by striking the title and inserting in lieu
- 2 thereof the following: "An Act making the embezzlement of secured
- 3 interests in collateral a crime and providing a penalty therefore."

LUCAS J. DeKOSTER, Chairman

Ordered passed on file.

Senator Potgeter submitted the following reports:

MR. PRESIDENT: Your committee on state government, to which was referred **House File 16**, a bill for an act relating to qualifications of certain state libraries, begs leave to report it has had the same under consideration and recommends the same **do pass.**

JAMES A. POTGETER, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on state government, to which was referred **House File 22**, a bill for an act relating to the state entomologist, begs leave to report it has had the same under consideration and recommends the same **do pass.**

JAMES A. POTGETER, Chairman

Ordered passed on file.

AMENDMENT FILED

1 Amend Senate File 122, page 3, by striking lines
2 6 through 10, inclusive, and inserting in lieu thereof
3 the following:

4 Sec. 3. This Act, being deemed of immediate
5 importance, shall take effect and be in force from and
6 after its publication in The Record, a newspaper
7 published in Cedar Falls, Iowa and in The Cedar Rapids
8 Gazette, a newspaper published in Cedar Rapids, Iowa.

ARTHUR A. NEU

On motion of Senator Lamborn, the Senate adjourned until 10:00
a.m., Thursday, February 4, 1971.

JOURNAL OF THE SENATE

TWENTY-FIFTH DAY

SENATE CHAMBER

DES MOINES, IOWA, THURSDAY, FEBRUARY 4, 1971

The Senate met in regular session, President Jepsen presiding.

Prayer was offered by the Reverend Carl Sinning, Presbyterian minister from West Des Moines, Iowa.

The Senate pledged allegiance to the flag.

The Journal of Wednesday, February 3, 1971, was approved.

PRESENTATION OF VISITORS

The Chair announced that the following visitors were present in the Senate gallery :

Ninety fourth-grade students from Delaware Elementary School, Des Moines, Iowa, accompanied by their instructors, Mrs. Jamison, Mrs. Higgins and Miss Davis.

PETITIONS

The following petitions were presented and placed on file :

By Senator Messerly, from thirty-seven residents of Black Hawk County opposing the proposed abortion bill.

By Senator Nicholson, from forty residents of Scott County, favoring liberalization of the abortion law.

By Senator Erskine, from five hundred ninety-four residents of Woodbury County opposing liberalization of the abortion law.

By Senator Lamborn, from three hundred thirty-six residents of Delaware County opposing legalized abortions.

By Senator Van Gilst, from one hundred seven residents of Mahaska County favoring the proposed legislation requiring negotiations between public employees and their employers.

By Senator Potgeter, from eighty-eight residents of Hamilton County and fifty-five residents of Wright County favoring the proposed legislation requiring negotiations between public employees and their employers.

INTRODUCTION OF BILLS

Senate File 155, by Senator Arbuckle (Campbell), a bill for an act relating to findings of the commission of hospitalization.

Read first time and **passed on file**.

Senate File 156, by committee on commerce, a bill for an act relating to the renewal of automobile insurance.

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

Senate File 157, by committee on commerce, a bill for an act relating to conflicts of interest of officers and directors of insurance companies.

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

Senate File 158, by committee on conservation and recreation (committee on conservation and recreation), a bill for an act relating to the use of firearms on state preserves.

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

Senate File 159, by committee on conservation and recreation, a bill for an act relating to water safety regulations.

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

Senate File 160, by committee on conservation and recreation, a bill for an act to allow black bass to be bought, sold, bartered, or offered for sale.

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

Senate File 161, by Senator Erskine, a bill for an act to require annual inspection of motor vehicles as a condition of registering or renewing registration of such motor vehicles and providing a penalty.

Read first time and **passed on file**.

Senate File 162, by Senator Erskine, a bill for an act to provide financial sources for the development and maintenance of recreational facilities of the state.

Read first time and **passed on file**.

EXPRESSION OF THANKS

To The Secretary of the Senate
State House
Des Moines, Iowa 50319

I wish to convey the sincere appreciation of the Arthur L. Erskine

family to the Iowa Senate for the beautiful floral arrangement and to express my sincere thanks to members of the Senate, the secretaries and the staff for their expressions of sympathy due to the death of my father, January 30, 1971.

Sincerely yours,
ALDEN J. ERSKINE

UNFINISHED BUSINESS

Senate File 57

On motion of Senator Milligan, Senate File 57, a bill for an act relating to district court bailiffs, was taken up for further consideration.

Senator Milligan offered the following amendment filed by Senator Riley and moved its adoption :

- 1 Amend Senate File 57, page 1, line 5 by striking the words
- 2 "one hundred seventy-five" and inserting in lieu thereof the
- 3 words "one hundred sixty".

The amendment was adopted.

President pro tempore Kyhl took the chair at 10:20 a.m.

Senator Neu offered the following amendment :

Division 1

- 1 Amend Senate File 57 as follows:
- 2 1. Line 7, by adding the words "and peace officer"
- 3 after the word "assistant".

Division 2

- 4 2. By adding the following section:
- 5 "Sec. 2. Section seven hundred forty-eight point
- 6 three (748.3), Code 1971, is amended by adding the follow-
- 7 ing new subsection:
- 8 "8. Bailiffs appointed pursuant to section six
- 9 hundred four point fourteen (604.14)".

Senator Neu called for a division of the amendment, section 1 to be considered as division 1 and section 2 as division 2.

Senator Neu asked and received unanimous consent to withdraw division 1 of the amendment.

On motion of Senator Neu, division 2 of the amendment was adopted.

Senator Milligan moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 57) the vote was :

Ayes, 40:

Anderson
Arbuckle

Briles
Brownlee

Coleman
Curran

Erskine
Gaudineer

Gilley	Lamborn	Ollenburg	Shaff
Glenn	Lavery	Palmer	Shawver
Graham	Messerly	Potgeter	Smith
Griffin	Miller	Rabedaux	Tapscott
Hill	Milligan	Rhodes	Thorsen
Keith	Mowry	Riley	Van Drie
Kennedy	Neu	Robinson	Van Gilst
Kyhl	Nicholson	Schaben	Walsh

Nays, 3:

Balloun	Potter	Sullivan
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Absent or not voting, 7:

Bass	Conklin	DeKoster	Stephens
Carlson	Davis	Doderer	

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

HOUSE AMENDMENT CONSIDERED

Senate File 1

Senator Mowry called up for consideration Senate File 1, a bill for an act relating to the regulation and control of certain substances, and providing procedures for enforcement and penalties, and the House amendment found on pages 146-153, inclusive, of the Senate Journal.

Senator Mowry offered the following amendment to the House amendment by Senators Mowry and Gaudineer and moved its adoption:

- 1 1. Amend House amendment 7, line 29, by striking the word
- 2 "control" and inserting in lieu thereof the words "designate
- 3 as controlled".
- 4 2. Amend House amendment 7, lines 8 and 9 by striking the
- 5 words "new substance delegation" and by inserting in lieu there-
- 6 of the words "a new substance being designated as a controlled
- 7 substance".
- 8 3. Amend House amendment 7, line 11, by inserting after the
- 9 word "is" the words "designated as".
- 10 4. Amend House amendment 7, line 16, by inserting after the
- 11 word "temporary" the words "designation of".
- 12 5. Amend House amendment 7, line 16, by striking the words
- 13 "so controlled".
- 14 6. Amend House amendment 11, line 3, by striking the word
- 15 "herein" and inserting the words "in this Act".
- 16 7. Amend House amendment 43, by striking lines 33 and 34
- 17 and inserting in lieu thereof "is guilty".
- 18 8. Amend House amendment 47, line 10, by inserting after
- 19 the word "premises" the following: " , store, shop, warehouse,
- 20 dwelling, temporary, or permanent building,".
- 21 9. Strike division 54 of the House amendment and insert in
- 22 lieu thereof the following:

23 54. Page 27, by striking from line 15, the words "of up
24 to two times" and inserting in lieu thereof the words "not to
25 exceed twice".

Page 2

1 10. Amend House amendment 60, line 7, by striking the words
2 "that may be" and inserting in lieu thereof "not to exceed".

3 11. Amend House amendment 62, lines 11 and 12, by striking
4 the words "fine or imprisonment" and inserting in lieu thereof
5 "fine and imprisonment".

6 12. Amend House amendment 65 by inserting after line 4 a new
7 paragraph as follows:

8 "The district court shall, upon application of the attorney
9 general or county attorney, grant an ex parte temporary injunction
10 barring a meeting, gathering, or assemblage wherein the court
11 finds from evidence produced in open court or supported by
12 affidavit that reasonable grounds have not been taken to prevent
13 unlawful distribution or possession of a substance controlled
14 under this Act. Such temporary injunction shall be effective
15 for five days and thereafter stand dissolved unless continued
16 by the court, upon hearing, and after notice to all parties in
17 interest as ordered by the court."

18 13. Amend House amendment 65, line 5, by striking the words
19 "an injunction" and inserting in lieu thereof "a permanent
20 injunction upon application of the attorney general or the
21 county attorney".

22 14. Amend House amendment 65, line 14, by inserting after the
23 word "application" the following: "of the attorney general
24 or the county attorney".

25 15. Amend House amendment 65 by striking lines 65 through 31,

Page 3

1 inclusive, and inserting in lieu thereof the following
2 paragraph:

3 "Court appointed attorney fees incurred in the defense
4 of any person charged with a felony under this Act shall be
5 taxed as part of the costs against the defendants who are
6 found guilty. If the defendant does not discharge such
7 costs within ninety days, the county paying such costs may
8 seek indemnification therefor from the Iowa general assembly."

9 16. Amend House amendment 68, line 8, by inserting after the
10 word "Act" the following: "or is sentenced pursuant to
11 section four hundred ten (410) of the Code".

12 17. Amend House amendment 73, lines 27 and 28, by striking
13 the following: "within criteria set by the state department
14 of health".

15 18. Amend House amendment 73, line 32, by inserting after the
16 word "patient" the following: "or those legally liable for
17 his support".

18 19. Amend House amendment 73, line 33, by striking the words
19 "agency charged with the costs" and inserting in lieu thereof
20 the following: "with the costs, or any part thereof".

21 20. Strike division 79 of the House amendment and insert in
22 lieu thereof the following:

23 79. Page 32A, line 28, by striking the word "conviction"
24 and inserting in lieu thereof "having been convicted".

25 21. Amend House amendment 80, line 15, by inserting before

Page 4

1 the period the following: "and inserting in lieu thereof
2 the word 'ever'".

3 22. Amend House amendment 83 by striking from lines 24 and
4 25 the words "recommend that the appropriate state board or
5 officer" and inserting in lieu thereof the following: "in
6 its considered judgment,".

7 23. Strike division 86 of the House amendment and insert in
8 lieu thereof the following:

9 86. Page 40, by striking lines 11 through 13, inclusive,
10 and inserting in lieu thereof the following: "shall be
11 applicable to conveyances used to transport or hold any
12 controlled substance listed in schedules I, II, III, or IV
13 of this Act."

14 24. Add a new division after House amendment 88 as follows:
15 Amend Senate File 1 as amended and passed by the Senate
16 by adding a new section on page 48:

17 "Sec. 612. If any phrase, clause, subsection or section
18 of this Act shall be declared unconstitutional or invalid by
19 any court of competent jurisdiction, it shall be conclusively
20 presumed that the legislature would have enacted this Act with-
21 out the phrase, clause, subsection or section so held
22 unconstitutional or invalid; and the remainder of this Act
23 shall not be affected as a result of such part being held
24 unconstitutional or invalid."

Senator Gaudineer offered the following amendment to the Mowry-Gaudineer amendment by Senators Mowry and Gaudineer and moved its adoption:

1 Amend the Mowry-Gaudineer amendment, filed February 3, 1971, to
2 the House amendment to Senate File 1 as follows:

3 1. Page 3, line 8, by inserting after the period the following:

4 "A county may also seek indemnification from the general assembly
5 of court appointed attorney fees incurred in the defense of any
6 person charged with a felony under this Act who was found not
7 guilty."

8 2. Page 3, line 11, by striking "the Code" and inserting in
9 lieu thereof "this Act".

The amendment to the Mowry-Gaudineer amendment was adopted.

Senator Gaudineer moved to reconsider the vote by which the amendment to the Mowry-Gaudineer amendment was adopted by the Senate, which motion prevailed.

Senator Gaudineer asked and received unanimous consent to withdraw the amendment to the Mowry-Gaudineer amendment.

Senator Gaudineer offered the following amendment to the Mowry-Gaudineer amendment by Senators Mowry and Gaudineer and moved its adoption:

1 Amend the Mowry-Gaudineer amendment, filed February 3, 1971, to
2 the House amendment to Senate File 1 as follows:

- 3 1. Page 3, line 4, by striking the word "Act" and inserting
4 in lieu thereof the word "section".
5 2. Page 3, line 8, by inserting after the period the following:
6 "A county may also seek indemnification from the general assembly
7 of court appointed attorney fees incurred in the defense of any
8 person charged with a felony under this section who was found
9 not guilty."
10 3. Page 3, line 11, by striking "the Code" and inserting in
11 lieu thereof "this Act".

The amendment to the amendment was adopted.

Senator DeKoster offered the following amendment to the Mowry-Gaudineer amendment:

- 1 Amend the Mowry-Gaudineer amendment, filed February 3, 1971, to
2 the House amendment to Senate File 1 by striking division 14
3 on page 2 and inserting in lieu thereof the following:
4 14. Amend House amendment 65, by striking lines 14 through
5 24 and inserting in lieu thereof the following:
6 "The district court may in its exercise of jurisdiction
7 under this section require the sponsor or promoter of a meeting,
8 gathering or assemblage where there is reasonable likelihood that
9 controlled substances will be distributed or allowed to be
10 distributed in violation of this Act to post as a condition of
11 performance a bond in such amount as the court shall determine
12 necessary to provide necessary law enforcement resulting from
13 such meeting, gathering or assemblage, which bond or portion
14 thereof as may actually be accrued in law enforcement costs shall
15 be taxed against the sponsor or promoter as part of the costs
16 of the injunctive action."

(Consideration of DeKoster amendment pending on recess.)

On motion of Senator Lamborn, the Senate recessed until 1:00 p.m.

AFTERNOON SESSION

The Senate reconvened, President pro tempore Kyhl presiding.

HOUSE AMENDMENT CONSIDERED

Senate File 1

The Senate resumed consideration of the House amendment to Senate File 1, and the DeKoster amendment to the Mowry-Gaudineer amendment to the House amendment.

Senator DeKoster asked and received unanimous consent to withdraw his amendment to the Mowry-Gaudineer amendment.

Senator DeKoster offered the following amendment to the Mowry-Gaudineer amendment and moved its adoption:

- 1 Amend the Mowry-Gaudineer amendment, filed February 3, 1971,
- 2 to the House amendment to Senate File 1, page 2, by striking
- 3 lines 6 through 24, inclusive.

The amendment to the amendment was adopted.

On motion of Senator Gaudineer, the Mowry-Gaudineer amendment to the House amendment was adopted, as amended.

Senator DeKoster offered the following amendment to the House amendment:

- 1 Amend the House amendment to Senate File 1, page 9, by striking
- 2 lines 5 through 24, inclusive.

Senator DeKoster moved the adoption of the amendment to the House amendment and called for a division.

The amendment to the House amendment lost.

Senator Gaudineer offered the following amendment to the House amendment and moved its adoption:

- 1 Amend the House amendment to Senate File 1 as follows:
- 2 1. Amend House amendment 1, line 10, by inserting after the
- 3 word "supervision" the following: "; all pursuant to rules
- 4 and regulations adopted by the board".
- 5 2. Strike all of House amendment 2.

The amendment to the House amendment was adopted.

Senator Mowry moved that the Senate concur in the House amendment as amended.

The motion prevailed and the Senate concurred in the House amendment as amended.

Senator Mowry moved that the bill as amended by the House, further amended and concurred in by the Senate be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 1) the vote was:

Ayes, 48:

Anderson	Doderer	Miller	Robinson
Arbuckle	Erskine	Milligan	Schaben
Balloun	Gaudineer	Mowry	Shaff
Bass	Gilley	Neu	Shawver
Briles	Graham	Nicholson	Smith
Brownlee	Griffin	Ollenburg	Stephens
Carlson	Hill	Palmer	Sullivan
Coleman	Keith	Potgeter	Tapscott
Conklin	Kyhl	Potter	Thordsen
Curran	Lamborn	Rabedaux	Van Drie
Davis	Laverty	Rhodes	Van Gilst
DeKoster	Messerly	Riley	Walsh

Nays, 2:

Glenn Kennedy

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

MOTION TO RECONSIDER

Senate File 57

Senator Thordsen called up the following motion filed by Senators Thordsen and Nicholson and moved its adoption:

MR. PRESIDENT: We move to reconsider the vote by which Senate File 57 passed the Senate.

On the question "Shall the motion to reconsider be adopted?" (S.F. 57) the vote was:

Ayes, 40:

Anderson	Glenn	Neu	Shaff
Brownlee	Graham	Nicholson	Shawver
Carlson	Keith	Ollenburg	Smith
Coleman	Kennedy	Palmer	Stephens
Conklin	Kyhl	Potgeter	Sullivan
Davis	Lamborn	Potter	Tapscott
DeKoster	Messerly	Rabedeaux	Thordsen
Doderer	Miller	Rhodes	Van Drie
Erskine	Milligan	Riley	Van Gilst
Gilley	Mowry	Robinson	Walsh

Nays, 7:

Arbuckle	Bass	Griffin	Lavery
Balloun	Curran	Hill	

Absent or not voting, 3:

Briles	Gaudineer	Schaben
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The motion prevailed.

Senator Riley moved to reconsider the vote by which Senate File 57 went to its last reading, which motion prevailed.

On motion of Senator Riley, Senate File 57, a bill for an act relating to district court bailiffs, was taken up for further consideration.

Senator Riley moved to reconsider the vote by which the amendment filed by him on January 28, 1971, was adopted by the Senate, which motion prevailed.

Senator Riley asked and received unanimous consent to withdraw his amendment filed January 28, 1971, and found on page 155 of the Senate Journal.

Senator Walsh offered the following amendment:

- 1 Amend Senate File 57, page 1, line 5, by striking the words "one hun-
dred
2 seventy-five" and inserting in lieu thereof the word "seventy".

(Senate File 57 and the Walsh amendment pending.)

INTRODUCTION OF BILLS

Senate Joint Resolution 3, by Senator Walsh, a joint resolution proposing an amendment to the Constitution of the State of Iowa repealing the prohibition against lotteries in order that they may be regulated by the general assembly.

Read first time and **passed on file**.

Senate File 163, by committee on cities and towns, a bill for an act relating to retirement systems for policemen and firemen.

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

Senate File 164, by Senator Van Drie, a bill for an act relating to incentive awards for state employees.

Read first time and **passed on file**.

Senate File 165, by Senator Coleman, a bill for an act relating to expenses of members of local boards of health.

Read first time and **passed on file**.

Senate File 166, by Senator Walsh, a bill for an act to exempt certain industrial materials and equipment from retail sales and use taxes.

Read first time and **passed on file**.

Senate File 167, by Senator Gaudineer, a bill for an act relating to juror fees.

Read first time and **passed on file**.

Senate File 168, by Senator Conklin (Ewell and Schwieger), a bill for an act relating to the use of flashing signal lights and stop arms by school buses in cities and towns.

Read first time and **passed on file**.

SENATE CONCURRENT RESOLUTION 11

By Keith

Whereas, Welp's Breeding Farm of Bancroft, Iowa, is recognized as one of the outstanding businesses of its kind in the nation; and

Whereas, on February 5, 1971, the Honorable Wiley Mayne, United States Congressman from the Sixth Congressional District of Iowa, will

present to Welp's Breeding Farm the President's "E" Award for exporting excellence; and

Whereas, the "E" Award is to be made through the United States Department of Commerce and the United States Department of Agriculture, Now Therefore,

Be It Resolved by the Senate, the House of Representatives Concurring, That the Iowa General Assembly recognizes the outstanding achievement of Welp's Breeding Farm of Bancroft, Iowa, and extends its congratulations for earning the "E" Award; and

Be It Further Resolved, That a copy of this resolution be forwarded to Welp's Breeding Farm of Bancroft, Iowa.

ANNOUNCEMENT OF INVESTIGATING COMMITTEE ON GOVERNOR'S APPOINTMENT

President Jepsen, in accordance with section 2.32, Code 1971, announced the appointment of the following Senators to an investigating committee on Donald G. Briggs of West Des Moines, Polk County, Iowa, for appointment as Director of Revenue for the State of Iowa to serve at the pleasure of the Governor.

Senator Milligan, Chairman
Senator Anderson
Senator Mowry
Senator Shaff
Senator Gaudineer

BILLS ASSIGNED TO COMMITTEE

President Jepsen announced the assignment of the following bills to committee:

S.J.R. 3	Constitutional amendments and reapportionment
S. F. 134	Appropriations
S. F. 135	Judiciary
S. F. 136	Commerce
S. F. 137	Agriculture
S. F. 138	Commerce
S. F. 139	Social services
S. F. 140	County government
S. F. 141	Commerce
S. F. 143	Social services
S. F. 144	Social services
S. F. 150	Conservation and recreation
S. F. 151	Ways and means
S. F. 153	State government
S. F. 154	Appropriations
S. F. 155	Social services
S. F. 161	Transportation

- S. F. 162 Ways and means
- S. F. 164 State government
- S. F. 165 Cities and towns
- S. F. 166 Ways and means
- S. F. 167 County government
- S. F. 168 Cities and towns

REPORT OF COMMITTEE

Senator Stephens submitted the following report:

MR. PRESIDENT: Your committee on agriculture, to which was referred **House File 47**, a bill for an act relating to the registration of animals, begs leave to report it has had the same under consideration and recommends the same **do pass**.

RICHARD L. STEPHENS, Chairman

Ordered passed on file.

AMENDMENTS FILED

- 1 Amend Senate File 57, line 7, by striking the word "shall"
- 2 and inserting in lieu thereof the word "may".

RALPH W. POTTER

- 1 Amend Senate File 99 as follows:
- 2 1. Page 1, by inserting after line 12 the following:
- 3 "The net gate receipts from these football games shall be
- 4 equally divided between the two respective universities and
- 5 used to repay the principal and interest on any revenue bonds
- 6 outstanding for the construction of student dormitories at the
- 7 two universities."
- 8 2. Page 1, line 3, by inserting after the word "technology"
- 9 the words "and use of net gate receipts from the football
- 10 games".

RALPH W. POTTER

- 1 Amend Senate File 119 by adding thereto the following additional
- 2 section:
- 3 Sec. 2. This Act, being deemed of immediate importance,
- 4 shall take effect and be in force from and after its publi-
- 5 cation in the Lee Town News, a newspaper published in Des
- 6 Moines, Iowa, and in The Cedar Rapids Gazette, a newspaper
- 7 published in Cedar Rapids, Iowa.

TOM RILEY
LEE H. GAUDINEER, JR.

- 1 Amend House Concurrent Resolution 11 found on
- 2 page 182 of the Senate Journal as follows:
- 3 1. Line four (4) by inserting after the word,
- 4 "industry" the words, "in cooperation with business
- 5 and its employees".
- 6 2. Lines 13 and 14, by striking the words "De-

7 partment of Agriculture as an entity" and by inserting in
8 lieu thereof the words "Departments of Agriculture, Com-
9 merce, and Labor as separate entities".

LEE H. GAUDINEER, JR.

On motion of Senator Lamborn, the Senate adjourned until 10:00 a.m., Friday, February 5, 1971.

JOURNAL OF THE SENATE

TWENTY-SIXTH DAY

SENATE CHAMBER

DES MOINES, IOWA, FRIDAY, FEBRUARY 5, 1971

The Senate met in regular session, President Jepsen presiding.

Prayer was offered by Richard J. Harding, pastor of the Reorganized Church of Jesus Christ of Latter Day Saints, Council Bluffs, Iowa.

The Senate pledged allegiance to the flag.

The Journal of Thursday, February 4, 1971, was approved.

PETITIONS

The following petitions were presented and placed on file :

By Senator Sullivan, from two hundred eighty-seven residents of Woodbury County opposing liberalization of the abortion law.

By Senator Potter, from thirteen residents of Buchanan County urging implementation of the Governor's economy committee report relating to highway commission employees.

INTRODUCTION OF BILL

Senate File 169, by Senators Thordsen, Nicholson, Rabedaux, Shawver, Brownlee, Griffin, Robinson, Davis, Miller, Sullivan, Coleman, Kennedy, Walsh and Tapscott, a bill for an act relating to the time during which alcoholic liquor and beer may be delivered, sold, and consumed.

Read first time and **passed on file**.

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

The Senate resumed session, President Jepsen presiding.

MESSAGES FROM THE HOUSE

The following messages were received from the House :

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate File 70, a bill for an act relating to eligibility for unemployment compensation for veterans.

Also: That the House has concurred in Senate amendment to and passed the following bill in which the concurrence of the House was asked:

House File 18, a bill for an act relating to notaries public.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 63, a bill for an act to provide compensation for the public representatives serving on the committee on child labor.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 114, a bill for an act relating to specifications and standards for cheese and cheese products.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 130, a bill for an act relating to brucellosis tests.

Also: That the House has adopted the following concurrent resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 10, urging the state department of banking to understand the serious nature of the problems faced by agriculture in Iowa.

Also: That the House has adopted the following concurrent resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 13, recognizing the outstanding achievement of Welp's Breeding Farm of Bancroft, Iowa.

WILLIAM R. KENDRICK, Chief Clerk

HOUSE CONCURRENT RESOLUTION 10 By Committee on Agriculture

Whereas, agriculture is eminently Iowa's largest and most important industry; and

Whereas, this industry is peculiarly subject to many devastating hazards, all of which are beyond the control of man, and any one of which hazards can sharply diminish or completely destroy the products of an entire seasons labor and the investment of large sums of capital; and

Whereas, during the 1970 crop year about one fourth of the agricultural area of Iowa was seriously affected by either drought and or Race T southern corn blight; and

Whereas, in excess of forty percent of all Iowa farms are operated by tenant farmers who must depend on each year's crops as security for the financing of the following seasons operation; and

Whereas, a large proportion of owner operators and tenant operators are trained agricultural technicians, who will be lost to the industry if they are unable to secure adequate financial backing, and as a result of inflationary costs of farming and in view of the persistent "cost price squeeze" the Iowa farmer faces a financial crisis, *Now Therefore*,

Be It Resolved by the House, the Senate Concurring, That we jointly and severally go on record as urging the State Department of Banking, landlords, banks, individuals of means, industrial and public and private lending institutions of this state to exercise all means at their disposal to understand the serious nature of the problems faced by this segment of

Iowa industry and earnestly seek fair and economically sound solutions to these critical problems.

HOUSE CONCURRENT RESOLUTION 13

By Priebe and Edelen

Whereas, Welp's Breeding Farm of Bancroft, Iowa, is recognized as one of the outstanding businesses of its kind in the nation; and

Whereas, on February 5, 1971, the Honorable Wiley Mayne, United States Congressman from the Sixth Congressional District of Iowa, will present to Welp's Breeding Farm the President's "E" Award for exporting excellence; and

Whereas, the "E" Award is to be made through the United States Department of Commerce and the United States Department of Agriculture, *Now Therefore*,

Be It Resolved by the House of Representatives, the Senate Concurring, That the Iowa General Assembly recognizes the outstanding achievement of Welp's Breeding Farm of Bancroft, Iowa, and extends its congratulations for earning the "E" Award; and

Be It Further Resolved, That a copy of this resolution be forwarded to Welp's Breeding Farm of Bancroft, Iowa.

HOUSE MESSAGES CONSIDERED

House File 63, a bill for an act to provide compensation for the public representatives serving on the committee on child labor.

Read first time and **passed on file**.

House File 114, a bill for an act relating to specifications and standards for cheese and cheese products.

Read first time and **passed on file**.

House File 130, a bill for an act relating to brucellosis tests.

Read first time and **passed on file**.

ADOPTION OF HOUSE CONCURRENT RESOLUTION 13

Senator Keith asked and received unanimous consent to take up **Senate Concurrent Resolution 11** found on page 204 of the Senate Journal.

Senator Keith asked and received unanimous consent that **House Concurrent Resolution 13** be substituted for **Senate Concurrent Resolution 11**.

Senator Keith moved that House Concurrent Resolution 13 be adopted, which motion prevailed.

Senator Keith asked and received unanimous consent that **Senate Concurrent Resolution 11** be withdrawn from further consideration of the Senate.

ADOPTION OF SENATE RESOLUTION 2

Senator Rabedaux called up for consideration the following resolution and moved its adoption:

SENATE RESOLUTION 2

By Rabedaux

Whereas, the Honorable Earl Elijah of Cedar County formerly served with distinction for twelve years in the Senate of the State of Iowa, and

Whereas, Mr. Elijah faithfully devoted many years of his life as an elected and appointed public servant to the people of the State of Iowa, and

Whereas, the citizens of Iowa and of his county have now been deprived of his talents, and

Whereas, his wife, Martha, and two sons, Richard and Robert, have suffered a deep personal loss; *Now Therefore*,

Be It Resolved by the Senate, that the sincere condolences of the members of this body be extended to Mr. Elijah's family, and

Be It Further Resolved, that the Secretary of the Senate be directed to send copies of this resolution to his wife and two sons.

The motion prevailed and the resolution was adopted.

BILLS ASSIGNED TO COMMITTEE

President Jepsen announced the assignment of the following bills to committee:

S. F. 169 Law enforcement

H. F. 63 Human and industrial relations

H. F. 130 Agriculture

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on February 5, 1971, the Governor approved and transmitted to the Secretary of State the following bills:

S. F. 63—Relating to the dates of settlement with county treasurers and boards of supervisors.

H. F. 86—Relating to deposits of public funds.

H. F. 87—Relating to notification of property owners regarding assessment rolls.

REPORT OF COMMITTEE

Senator Smith submitted the following report:

MR. PRESIDENT: Your committee on constitutional amendments and reapportionment, to which was referred **House Joint Resolution 6**, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to judges of the district court and supreme court, begs leave to report it has had the same under consideration and recommends the same **do pass**.

MARVIN W. SMITH, Chairman

Ordered passed on file.

AMENDMENTS FILED

- 1 Amend Senate File 57, line 8, by striking the word
- 2 "approved" and inserting in lieu thereof the following:
- 3 "subject to approval".

TOM RILEY

- 1 Amend Senate File 139 as follows:
- 2 Page 2, line 7, by adding after the word "place" the
- 3 words "and date".

CHARLES K. SULLIVAN
BASS VAN GILST

- 1 Amend Senate File 161 as follows:
- 2 Page 3, line 11, by striking the word "state" and
- 3 inserting in lieu thereof the word "statement".

ALDEN J. ERSKINE

- 1 Amend Senate File 164 as follows:
- 2 Page 1, line 17, strike the word "general" and insert
- 3 in lieu thereof the word "[general]".

RUDY VAN DRIE

On motion of Senator Lamborn, the Senate adjourned until 10:00 a.m., Monday, February 8, 1971.

JOURNAL OF THE SENATE

TWENTY-NINTH DAY

SENATE CHAMBER

DES MOINES, IOWA, MONDAY, FEBRUARY 8, 1971

The Senate met in regular session, President Jepsen presiding.

Prayer was offered by the Reverend Richard Eis, pastor of the United Methodist Church, Ellsworth, Iowa.

The Senate pledged allegiance to the flag.

The Journal of Friday, February 5, 1971, was approved.

PRESENTATION OF VISITORS

The Chair announced that the following visitors were present in the Senate gallery :

Forty-nine students from the government class of Coon Rapids High School, Coon Rapids, Iowa.

Fourteen students from the agriculture business class of Des Moines Area XI Community College, Ankeny, Iowa, accompanied by their instructor, Harold Gamm.

PETITION

The following petition was presented and placed on file :

By Senator Messerly, from fifteen hundred residents of Black Hawk County opposing liberalization of the abortion bill.

INTRODUCTION OF BILLS

Senate File 170, by committee on state government, a bill for an act relating to the appointment and tenure of the commissioner of public safety.

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

Senate File 171, by committee on appropriations, a bill for an act making an appropriation from the primary road fund to the state highway commission to pay for deficiencies in funds appropriated for field operations.

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

Senate File 172, by Senator Erskine (Andersen), a bill for an act authorizing cities, towns, counties, and school corporations to impose local taxes, making such taxes subject to applicable provisions of the Code, including penalties, and establishing a penalty for violation of a local vehicle tax ordinance.

Read first time and **passed on file**.

Senate File 173, by Senator Stephens, a bill for an act relating to conflicts of interest of officers and employees of political subdivisions of this state and to provide a penalty for violation.

Read first time and **passed on file**.

Senate File 174, by Senators Stephens and Coleman, a bill for an act relating to the merger of county school systems by action of county boards of education.

Read first time and **passed on file**.

Senate File 175, by Senator Stephens, a bill for an act relating to the conflicts of interest by officials, employees, legislative employees, and members of the General Assembly.

Read first time and **passed on file**.

Senate File 176, by Senator Stephens, a bill for an act relating to trespass and prescribing a penalty.

Read first time and **passed on file**.

UNFINISHED BUSINESS

Senate File 57

The Senate resumed consideration of Senate File 57, a bill for an act relating to district court bailiffs.

Senator Milligan moved that Senate File 57 be re-referred to the committee on judiciary.

Senator Milligan withdrew his motion to re-refer Senate File 57 to the committee on judiciary.

SENATE FILES DEFERRED

Senator Milligan asked and received unanimous consent that further action on **Senate File 57** be deferred and that the bill retain its place on the calendar **under unfinished business**.

Senator Lamborn asked and received unanimous consent that action on **Senate File 68** be deferred and that the bill retain its place on the calendar.

Senator Lamborn asked and received unanimous consent that action on **Senate File 27** be deferred and that the bill retain its place on the **calendar**.

CONSIDERATION OF BILLS

Senate File 120

On motion of Senator Nicholson, Senate File 120, a bill for an act relating to the control of vehicles at institutions under the jurisdiction of the state board of regents, was taken up and considered.

Senator Brownlee offered the following amendment filed by Senators Neu and Brownlee and moved its adoption:

- 1 Amend Senate File 120, page 2, by striking lines
- 2 27 through 31, inclusive, and inserting in lieu thereof
- 3 the following:
- 4 Sec. 2. This Act, being deemed of immediate
- 5 importance, shall take effect and be in force from and
- 6 after its publication in The Denison Bulletin, a news-
- 7 paper published in Denison, Iowa, and in the Estherville
- 8 Daily News, a newspaper published in Estherville, Iowa.

The amendment was adopted.

Senator Nicholson moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 120) the vote was:

Ayes, 46:

Anderson	Gaudineer	Milligan	Schaben
Balloun	Gilley	Mowry	Shaff
Bass	Glenn	Neu	Shawver
Briles	Graham	Nicholson	Smith
Brownlee	Griffin	Ollenburg	Stephens
Coleman	Keith	Palmer	Sullivan
Conklin	Kennedy	Potgeter	Tapscott
Curran	Kyhl	Potter	Thordsen
Davis	Lamborn	Rabedeaux	Van Drie
DeKoster	Laverty	Rhodes	Van Gilst
Doderer	Messerly	Robinson	Walsh
Erskine	Miller		

Nays, 1:

Riley

Absent or not voting, 3:

Arbuckle	Carlson	Hill
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 123

On motion of Senator Ollenburg, Senate File 123, a bill for an act relating to supreme and district court judges' expenses, was taken up and considered.

Senator Messerly raised a point of order for the reason that the bill should have been referred to the committee on appropriations, under Rule 37.

The Chair ruled the point not well taken since the bill does not provide for a specific appropriation.

Senator Ollenburg moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 123) the vote was:

Ayes, 31:

Anderson	Doderer	Lamborn	Rabedaux
Bass	Erskine	Milligan	Riley
Briles	Gaudineer	Mowry	Robinson
Brownlee	Glenn	Neu	Schaben
Carlson	Griffin	Nicholson	Tapscott
Curran	Keith	Ollenburg	Thordsen
Davis	Kennedy	Potgeter	Walsh
DeKoster	Kyhl	Potter	

Nays, 16:

Arbuckle	Graham	Rhodes	Stephens
Balloun	Laverty	Shaff	Sullivan
Conklin	Messerly	Shawver	Van Drie
Gilley	Miller	Smith	Van Gilst

Absent or not voting, 3:

Coleman	Hill	Palmer
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 133

On motion of Senator Shaff, Senate File 133, a bill for an act relating to the establishment of a second grand jury in certain counties and to the appointment of assistant clerks in such counties, was taken up and considered.

Senator DeKoster offered the following amendment filed by him and moved its adoption:

- 1 Amend Senate File 133, page 2, by striking lines 27 through 31
- 2 and inserting in lieu thereof the following:
- 3 "Sec. 3. This Act, being deemed of immediate importance,
- 4 shall take effect and be in force from and after its publication
- 5 in The Sioux County Index-Reporter, a newspaper published in

- 6 Hull, Iowa, and in The Clinton Herald, a newspaper published
7 in Clinton, Iowa.

The amendment was adopted.

Senator Shaff moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 133) the vote was:

Ayes, 41:

Anderson	Gaudineer	Mowry	Robinson
Balloun	Glenn	Neu	Schaben
Bass	Graham	Nicholson	Shaff
Briles	Griffin	Ollenburg	Shawver
Brownlee	Keith	Palmer	Smith
Carlson	Kennedy	Potgeter	Tapscott
Coleman	Kyhl	Potter	Thordsen
Curran	Lamborn	Rabedaux	Van Drie
DeKoster	Laverty	Rhodes	Van Gilst
Doderer	Milligan	Riley	Walsh
Erskine			

Nays, 7:

Arbuckle	Gilley	Miller	Sullivan
Conklin	Messerly	Stephens	

Absent or not voting, 2:

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

Senate File 83

On motion of Senator Van Drie, Senate File 83, a bill for an act relating to the auditing committee of a credit union, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Van Drie moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 83) the vote was:

Ayes, 46:

Anderson	Gaudineer	Mowry	Schaben
Arbuckle	Gilley	Neu	Shaff
Balloun	Glenn	Nicholson	Shawver
Brownlee	Graham	Ollenburg	Smith
Carlson	Griffin	Palmer	Stephens
Coleman	Keith	Potgeter	Sullivan
Conklin	Kennedy	Potter	Tapscott
Curran	Kyhl	Rabedaux	Thordsen
Davis	Lamborn	Rhodes	Van Drie
DeKoster	Messerly	Riley	Van Gilst
Doderer	Miller	Robinson	Walsh
Erskine	Milligan		

Nays, 1:

Bass

Absent or not voting, 3:

Briles

Hill

Laverty

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

On motion of Senator Lamborn, the Senate recessed until the fall of the gavel.

AFTERNOON SESSION

The Senate reconvened, President pro tempore Kyhl presiding.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has adopted the following House joint resolution in which the concurrence of the Senate is asked:

House Joint Resolution 8, repealing the prohibition against lotteries.

Also: That the House has amended and passed the following bill in which the concurrence of the Senate is asked:

House File 119, a bill for an act relating to election precincts.

WILLIAM R. KENDRICK, Chief Clerk

INTRODUCTION OF BILLS

Senate File 177, by Senators Shaff, Miller, Mowry, Davis and Thordsen, a bill for an act relating to exemption from sales and use tax on tangible personal property used as railroad rolling stock or materials or parts therefor.

Read first time and **passed on file**.

Senate File 178, by Senators Shaff, Van Gilst and Stephens (Andersen, Grassley, Roorda, Nielsen and Holden), a bill for an act relating to the penalties imposed for driving while under the influence of alcoholic beverages or drugs, and amending the implied consent law.

Read first time and **passed on file**.

Senate File 179, by committee on appropriations, a bill for an act relating to the expenditure of state funds.

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

Senate File 180, by Senator Griffin, a bill for an act relating to attorney's fees.

Read first time and **passed on file.**

Senate File 181, by Senators Arbuckle, Glenn, Miller and Briles (Campbell, Schwartz and Rex), a bill for an act relating to the liability of the commission of hospitalization and the clerk of the district court for certain acts.

Read first time and **passed on file.**

Senate File 182, by Senator Anderson, a bill for an act relating to permits for hunting on private land and providing penalties.

Read first time and **passed on file.**

Senate File 183, by Senator Balloun, a bill for an act relating to disposal of unneeded documents.

Read first time and **passed on file.**

Senate File 184, by Senators Nicholson, Sullivan, Walsh, Miller and Thordsen (Lawson, Knoblauch, Grassley, Millen and Hamilton), a bill for an act relating to licensing and regulation of hearing aid dealers, appropriating license fees for purposes of administration, and providing penalties for a violation.

Read first time and **passed on file.**

Senate File 185, by Senators Miller, Briles, Thordsen and Doderer (Shaw, Holden, Lawson, Sorg, Ellsworth, Dunton, Rex, Egenes, Mendenhall, Pellett and Lipsky), a bill for an act to combine the present county fund for mental health with the state institution fund, redesignating the latter as the county mental health and institutions fund, prescribing the purposes for which such fund may be used, and authorizing a levy therefor.

Read first time and **passed on file.**

Senate File 186, by Senator Tapscott (Kinley), a bill for an act relating to the date on which interest accrues on delinquent real property taxes.

Read first time and **passed on file.**

Senate File 187, by Senator Potgeter (Drake), a bill for an act relating to election precincts.

Read first time and **passed on file.**

HOUSE MESSAGES CONSIDERED

House Joint Resolution 8, a joint resolution proposing an amendment to the Constitution of the State of Iowa repealing the prohibi-

tion against lotteries in order that they may be regulated by the General Assembly.

Read first time and referred to the committee on **constitutional amendments and reapportionment**.

House File 119, a bill for an act relating to election precincts.

Read first time and **passed on file**.

BILLS ASSIGNED TO COMMITTEE

President Jepsen announced the assignment of the following bills to committee:

S. F. 172 Ways and means
S. F. 173 County government
S. F. 174 Schools
S. F. 175 State government
S. F. 176 Judiciary
S. F. 177 Ways and means
S. F. 178 Law enforcement
S. F. 180 Judiciary
S. F. 181 County government
S. F. 182 Conservation and recreation
S. F. 183 State government
S. F. 184 State government
S. F. 185 County government
S. F. 186 Ways and means
S. F. 187 State government
H. F. 119 State government

REPORTS OF COMMITTEES

Senator Mowry submitted the following reports:

MR. PRESIDENT: Your committee on commerce, to which was referred **Senate File 118**, a bill for an act relating to savings and loan associations, begs leave to report it has had the same under consideration and recommends the same **do pass**.

JOHN L. MOWRY, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on commerce, to which was referred **House File 32**, a bill for an act to remove references to the granting of a franchise to an electric utility company by the county board of supervisors, begs leave to report it has had the same under consideration and recommends the same **do pass**.

JOHN L. MOWRY, Chairman

Ordered passed on file.

Senator Curran submitted the following report:

MR. PRESIDENT: Your committee on Iowa development, to which was referred **House File 17**, a bill for an act relating to the Iowa development commission corporation, begs leave to report it has had the same under consideration and recommends the same **do pass**.

LEIGH R. CURRAN, Chairman

Ordered passed on file.

Senator DeKoster submitted the following reports:

MR. PRESIDENT: Your committee on judiciary, to which was referred **Senate File 103**, a bill for an act relating to excuse of jurors, begs leave to report it has had the same under consideration and recommends the same **be amended as follows; and when so amended the bill do pass**:

- 1 Amend Senate File 103, lines 12 and 13, by striking the
- 2 words "*a succeeding petit jury panel in the same calendar*
- 3 *year*" and inserting in lieu thereof the following: "*the*
- 4 *next succeeding petit jury panel*".

LUCAS J. DeKOSTER, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary, to which was referred **Senate File 127**, a bill for an act relating to the limitation of certain damage actions arising out of improvements or work upon real property, begs leave to report it has had the same under consideration and recommends the same **be amended as follows; and when so amended the bill do pass**:

- 1 Amend Senate File 127, page 1, line 10, by striking the
- 2 word "five" and inserting in lieu thereof the word "ten".

LUCAS J. DeKOSTER, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary, to which was referred **Senate File 129**, a bill for an act to legalize and validate the proceedings of the City Council of Red Oak, in the County of Montgomery, Iowa, in the purchase of Lot No. 6 and the West Half of Lot No. 5 in Block No. 28 in the City of Red Oak for the etc., begs leave to report it has had the same under consideration and recommends the same **do pass**.

LUCAS J. DeKOSTER, Chairman

Ordered passed on file.

Senator Thordsen submitted the following report:

MR. PRESIDENT: Your committee on law enforcement, to which was referred **Senate File 53**, a bill for an act relating to a penalty for unauthorized entry into public buildings and the misuse of property, begs leave to report it has had the same under consideration and recommends the same **do pass**.

HAROLD A. THORDSEN, Chairman

Ordered passed on file.

AMENDMENTS FILED

1 Amend Senate File 40, line 2, by inserting after the word
2 "assessments" the following: "and providing certain
3 penalties".

BASS VAN GILST

1 Amend Senate File 40, page 2, by adding after line 1 the
2 following new section:
3 Sec. Section one hundred thirty-five D point twenty-
4 four (135D.24), unnumbered paragraph three (3), Code 1971, is
5 amended as follows:

6 The county treasurer shall report the name of any owner of
7 a mobile home and the year, make, and serial number of each
8 unit on which there is no current registration plate to the
9 [Iowa department of public safety. The motor vehicle regis-
10 tration division shall be the enforcement agency for enforce-
11 ment of registration provisions.] *county sheriff, who shall be*
12 *the enforcement agency for enforcement of the tax provisions*
13 *imposed by this chapter.*

VERNON H. KYHL

On motion of Senator Lamborn, the Senate adjourned until 9:00
a.m., Tuesday, February 9, 1971.

JOURNAL OF THE SENATE

THIRTIETH DAY

SENATE CHAMBER

DES MOINES, IOWA, TUESDAY, FEBRUARY 9, 1971

The Senate met in regular session, President pro tempore Kyhl presiding.

Prayer was offered by the Reverend Robert Hoffman, pastor of the Urbandale United Church of Christ, Urbandale, Iowa.

The Senate pledged allegiance to the flag.

The Journal of Monday, February 8, 1971, was approved.

PRESENTATION OF VISITORS

The Chair announced that the following visitors were present in the Senate gallery:

Twenty-two students from Guthrie Center Community High School, Guthrie Center, Iowa, accompanied by their instructor, Richard Hanson.

PETITIONS

The following petitions were presented and placed on file:

By Senator DeKoster, from fifty-six residents of Plymouth County opposing liberalization of the abortion law.

By Senator Balloun, from one hundred twenty-two residents of Benton County opposing the repeal of the abortion law.

INTRODUCTION OF BILL

Senate File 188, by committee on judiciary, a bill for an act to define criminal trespass and to prescribe the penalty for such trespass.

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

SENATE FILE PLACED AT BOTTOM OF CALENDAR

Senator Lamborn asked and received unanimous consent that **Senate File 68** be placed at the bottom of the regular **calendar**.

SENATE FILE DEFERRED

Senator Lamborn asked and received unanimous consent that action on **Senate File 27** be deferred and that the bill retain its place on the **calendar**.

CONSIDERATION OF BILLS

Senate File 10

On motion of Senator Kennedy, Senate File 10, a bill for an act relating to the leasing of property by the state conservation commission, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Gaudineer requested that action on Senate File 10 be temporarily deferred for the preparation of an amendment.

Senate File 40

On motion of Senator Van Gilst, Senate File 40, a bill for an act relating to the notification of mobile homeowners of tax assessments, with report of committee was taken up, considered, and the report of the committee adopted.

Senator Miller offered the following committee amendment and moved its adoption:

- 1 Amend Senate File 40, page 1, by striking lines 18 through
- 2 25, and page 2, by striking line 1, and inserting in lieu
- 3 thereof: "to the same penalties herein set out. *Not more*
- 4 *than thirty days nor less than ten days prior to the date*
- 5 *that the tax becomes delinquent, the county treasurer shall*
- 6 *cause to be published in a newspaper of general circulation*
- 7 *in the county, a notice to mobile homeowners. The notifi-*
- 8 *cation shall include the date the tax becomes delinquent,*
- 9 *and the penalty which will apply when delinquent.*
- 10 *Mobile homeowners shall register the address, township,*
- 11 *and school district, of the location where the mobile home*
- 12 *is parked with the county treasurer's office. Failure to*
- 13 *comply shall be punishable as set out in section eighteen (18), of*
- 14 *this chapter. The county treasurer shall report any viola-*
- 15 *tions of this chapter to the county attorney's office for*
- 16 *enforcement.*

Senator Van Gilst offered the following amendment to the amendment and moved its adoption:

- 1 Amend the committee on county government amendment,
- 2 filed February 3, 1971, to Senate File 40 by striking
- 3 all after the period in line 14, and lines 15 and 16.

The amendment to the amendment was adopted.

On motion of Senator Miller, the committee amendment as amended was adopted.

Senator Van Gilst offered the following amendment filed by Senator Kyhl and moved its adoption :

- 1 Amend Senate File 40, page 2, by adding after line 1 the
- 2 following new section :
- 3 Sec. Section one hundred thirty-five D point twenty-
- 4 four (135D.24), unnumbered paragraph three (3), Code 1971, is
- 5 amended as follows :
- 6 The county treasurer shall report the name of any owner of
- 7 a mobile home and the year, make, and serial number of each
- 8 unit on which there is no current registration plate to the
- 9 [Iowa department of public safety. The motor vehicle regis-
- 10 tration division shall be the enforcement agency for enforce-
- 11 ment of registration provisions.] *county sheriff, who shall be*
- 12 *the enforcement agency for enforcement of the tax provisions*
- 13 *imposed by this chapter.*

The amendment was adopted.

Senator Van Gilst offered the following amendment filed by him and moved its adoption :

- 1 Amend Senate File 40, line 2, by inserting after the word
- 2 "assessments" the following: "and providing certain
- 3 penalties".

The amendment was adopted.

Senator Miller moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 40) the vote was :

Ayes, 46:

Anderson	Erschine	Milligan	Robinson
Arbuckle	Gaudineer	Mowry	Schaben
Balloun	Gilley	Neu	Shaff
Bass	Glenn	Nicholson	Shawver
Briles	Graham	Ollenburg	Smith
Brownlee	Griffin	Palmer	Stephens
Carlson	Hill	Potgeter	Sullivan
Coleman	Kennedy	Potter	Tapscott
Conklin	Kyhl	Rabedeaux	Thordsen
Curran	Lamborn	Rhodes	Van Drie
DeKoster	Messerly	Riley	Van Gilst
Doderer	Miller		

Nays, none.

Absent or not voting, 4:

Davis	Keith	Laverty	Walsh
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The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senate File 105

On motion of Senator Shaff, Senate File 105, a bill for an act relating to the penalty for embezzlement of secured interests in collateral, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator DeKoster asked and received unanimous consent to withdraw the amendment filed by the committee on judiciary on February 3, 1971, and found on page 192 of the Senate Journal.

Senator DeKoster offered the following amendment and moved its adoption:

- 1 Amend Senate File 105 by striking all of line 1 after the word
- 2 "Act" and all of line 2 and inserting in lieu thereof the
- 3 following: "making the embezzlement of secured interests in
- 4 collateral a crime and providing a penalty therefor."

The amendment was adopted.

Senator Shaff moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 105) the vote was:

Ayes, 47:

Anderson	Doderer	Miller	Robinson
Arbuckle	Erskine	Milligan	Schaben
Balloun	Gaudineer	Mowry	Shaff
Bass	Gilley	Neu	Shawver
Briles	Glenn	Nicholson	Smith
Brownlee	Graham	Ollenburg	Stephens
Carlson	Griffin	Palmer	Sullivan
Coleman	Hill	Potgeter	Tapscott
Conklin	Kennedy	Potter	Thordsen
Curran	Kyhl	Rabedeaux	Van Drie
Davis	Lamborn	Rhodes	Van Gilst
DeKoster	Messerly	Riley	

Nays, none.

Absent or not voting, 3:

Keith	Laverty	Walsh
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The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senate File 146

On motion of Senator Messerly, Senate File 146, a bill for an act relating to the disposal of certain used state motor vehicles, was taken up and considered.

Senator Messerly offered the following amendment and moved its adoption:

- 1 Amend Senate File 146, line 13, by inserting after the
- 2 second comma the following: "*with the approval of*
- 3 *the executive council*,".

The amendment was adopted.

Senator Messerly moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 146) the vote was:

Ayes, 45:

Anderson	Doderer	Messerly	Riley
Arbuckle	Erskine	Miller	Schaben
Balloun	Gaudineer	Milligan	Shaff
Bass	Gilley	Mowry	Shawver
Briles	Glenn	Neu	Smith
Brownlee	Graham	Nicholson	Stephens
Carlson	Griffin	Ollenburg	Sullivan
Coleman	Hill	Potgeter	Tapscott
Conklin	Kennedy	Potter	Thordsen
Curran	Kyhl	Rabedeaux	Van Drie
Davis	Lamborn	Rhodes	Van Gilst
DeKoster			

Nays, none.

Absent or not voting, 5:

Keith	Palmer	Robinson	Walsh
Laverty			

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

Senate File 147

On motion of Senator Erskine, Senate File 147, a bill for an act relating to the use of trotlines, was taken up and considered.

Senator Erskine moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 147) the vote was:

Ayes, 46:

Anderson	Erskine	Miller	Riley
Arbuckle	Gaudineer	Milligan	Robinson
Balloun	Gilley	Mowry	Schaben
Bass	Glenn	Neu	Shaff
Briles	Graham	Nicholson	Shawver
Brownlee	Griffin	Ollenburg	Smith
Carlson	Hill	Palmer	Sullivan
Coleman	Kennedy	Potgeter	Tapscott
Conklin	Kyhl	Potter	Thordsen
Curran	Lamborn	Rabedeaux	Van Drie
Davis	Laverty	Rhodes	Van Gilst
Doderer	Messerly		

Nays, none.

Absent or not voting, 4:

DeKoster	Keith	Stephens	Walsh
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 148

On motion of Senator Erskine, Senate File 148, a bill for an act relating to the state park and institutional road system, was taken up and considered.

Senator Erskine moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 148) the vote was:

Ayes, 44:

Anderson	Gaudineer	Miller	Riley
Arbuckle	Gilley	Milligan	Schaben
Balloun	Glenn	Mowry	Shaff
Briles	Graham	Neu	Shawver
Brownlee	Griffin	Nicholson	Smith
Carlson	Hill	Ollenburg	Stephens
Conklin	Kennedy	Palmer	Sullivan
Davis	Kyhl	Potgeter	Tapscott
DeKoster	Lamborn	Potter	Thordsen
Doderer	Laverty	Rabedaux	Van Drie
Erskine	Messerly	Rhodes	Van Gilst

Nays, none.

Absent or not voting, 6:

Bass	Curran	Robinson	Walsh
Coleman	Keith		

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

Senate File 10

The Senate resumed consideration of Senate File 10 previously deferred.

Senator Gaudineer offered the following amendment by Senators Gaudineer and Rhodes:

- 1 Amend Senate File 10 as follows:
- 2 1. Page 1, line 6, by striking the words " , with
- 3 the approval of" and inserting in lieu thereof the words
- 4 [" , with the approval of] *recommend that*".
- 5 2. Page 1, line 8, by striking the word "its" and
- 6 inserting in lieu thereof the words ["its] *the commission's*".
- 7 3. Page 1, line 11, by inserting after the word
- 8 "purpose." the following:
- 9 "*The council may, if it approves such recommendation*
- 10 *and the lease to be entered into is for five years or less,*

11 *execute such lease in behalf of the state and commission.*
12 *If such recommendation is for a lease in excess of five*
13 *years, the council shall advertise for bids therefor as*
14 *provided in section 19.20. If any such bids are accepted,*
15 *such lease shall be let or executed by the council as*
16 *provided in section 19.21. Any such leasehold interest,*
17 *including any improvements placed thereon, shall be*
18 *listed on the tax rolls as provided in chapters 428 and*
19 *443; assessed and valued as provided in chapter 441;*
20 *taxes levied thereon as provided in chapter 444; collected as*
21 *provided in chapter 445; and subject to tax sale, redemption,*
22 *and apportionment of taxes as provided in chapters 446,*
23 *447, and 448. It shall be the duty of the lessee to dis-*
24 *charge and pay all such taxes."*

Senator Kennedy asked unanimous consent that further action on Senate File 10 be deferred and that the bill be placed on the calendar under unfinished business.

Objection was raised.

REFERRED TO COMMITTEE

Senator Potgeter moved that Senate File 10 be referred to the committee on state government.

The motion prevailed and **Senate File 10** was referred to the committee on **state government**.

CONSIDERATION OF BILLS

Senate File 149

On motion of Senator Erskine, Senate File 149, a bill for an act relating to the imposition of a general criminal penalty for violations of the fish and game conservation laws, was taken up and considered.

RE-REFERRED TO COMMITTEE

Senator Schaben moved that Senate File 149 be re-referred to the committee on conservation and recreation.

The motion prevailed and **Senate File 149** was re-referred to the committee on **conservation and recreation**.

CONSIDERATION OF BILLS

Senate File 152

On motion of Senator Graham, Senate File 152, a bill for an act

relating to specifications and standards for cheese and cheese products was taken up and considered.

SUBSTITUTION

Senator Graham asked and received unanimous consent that **House File 114** be substituted for **Senate File 152**.

House File 114

On motion of Senator Graham, House File 114, a bill for an act relating to specifications and standards for cheese and cheese products, was taken up and considered.

Senator Graham moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 114) the vote was:

Ayes, 47:

Arbuckle	Ersine	Miller	Schaben
Balloun	Gaudineer	Milligan	Shaff
Bass	Gilley	Mowry	Shawver
Briles	Glenn	Neu	Smith
Brownlee	Graham	Nicholson	Stephens
Carlson	Griffin	Ollenburg	Sullivan
Coleman	Hill	Palmer	Tapscott
Conklin	Kennedy	Potgeter	Thordsen
Curran	Kyhl	Potter	Van Drie
Davis	Lamborn	Rabedaux	Van Gilst
DeKoster	Laverty	Rhodes	Walsh
Doderer	Messerly	Riley	

Nays, none.

Absent or not voting, 3:

Anderson	Keith	Robinson
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

SENATE FILE WITHDRAWN

Senator Stephens asked and received unanimous consent that **Senate File 152** be withdrawn from further consideration of the Senate.

CONSIDERATION OF BILLS

House File 16

On motion of Senator Arbuckle, House File 16, a bill for an act relating to qualifications of certain state librarians, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Arbuckle moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 16) the vote was:

Ayes, 46:

Arbuckle	Erskine	Miller	Schaben
Balloun	Gaudineer	Milligan	Shaff
Bass	Gilley	Mowry	Shawver
Briles	Glenn	Neu	Smith
Brownlee	Graham	Nicholson	Stephens
Carlson	Griffin	Ollenburg	Sullivan
Coleman	Hill	Potgeter	Tapscott
Conklin	Kennedy	Potter	Thordsen
Curran	Kyhl	Rabedeaux	Van Drie
Davis	Lamborn	Rhodes	Van Gilst
DeKoster	Laverty	Riley	Walsh
Doderer	Messerly		

Nays, none.

Absent or not voting, 4:

Anderson	Keith	Palmer	Robinson
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

SENATE FILE WITHDRAWN

Senator Arbuckle asked and received unanimous consent that **Senate File 47** be withdrawn from further consideration of the Senate.

CONSIDERATION OF BILLS

House File 22

On motion of Senator Bass, House File 22, a bill for an act relating to the state entomologist, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Bass moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 22) the vote was:

Ayes, 46:

Arbuckle	Davis	Griffin	Mowry
Balloun	DeKoster	Hill	Neu
Bass	Doderer	Kennedy	Nicholson
Briles	Erskine	Kyhl	Ollenburg
Brownlee	Gaudineer	Lamborn	Palmer
Carlson	Gilley	Laverty	Potgeter
Coleman	Glenn	Miller	Potter
Conklin	Graham	Milligan	Rabedeaux

Rhodes	Shaff	Sullivan	Van Gilst
Riley	Shawver	Tapscott	Walsh
Robinson	Smith	Thordsen	
Schaben	Stephens	Van Drie	

Nays, none.

Absent or not voting, 4:

Anderson	Curran	Keith	Messerly
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

SENATE FILE WITHDRAWN

Senator Neu asked and received unanimous consent that **Senate File 51** be withdrawn from further consideration of the Senate.

CONSIDERATION OF BILLS

Senator Mowry asked and received unanimous consent to take up for consideration **Senate File 156**.

Senate File 156

On motion of Senator Mowry, Senate File 156, a bill for an act relating to the renewal of automobile insurance, was taken up and considered.

Senator Griffin moved that Senate File 156 be referred to the committee on law enforcement.

Roll call was requested.

On the question "Shall the motion to refer be adopted?" (S.F. 156) the vote was:

Ayes, 9:

Arbuckle	Davis	Neu	Schaben
Balloun	Griffin	Riley	Shaff
Carlson			

Nays, 37:

Bass	Glenn	Milligan	Robinson
Briles	Graham	Mowry	Shawver
Brownlee	Hill	Nicholson	Smith
Coleman	Kennedy	Ollenburg	Stephens
Conklin	Kyhl	Palmer	Sullivan
DeKoster	Lamborn	Potgeter	Tapscott
Doderer	Lavery	Potter	Thordsen
Erskine	Messerly	Rabedeaux	Van Drie
Gaudineer	Miller	Rhodes	Walsh
Gilley			

Absent or not voting, 4:

Anderson	Curran	Keith	Van Gilst
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The motion lost.

Senator Hill offered the following amendment and moved its adoption:

- 1 Amend Senate File 156, lines 11, 12 and 13 by
- 2 striking the words "the burden of proof in establishing
- 3 reasonable and sufficient grounds for such requirement
- 4 shall rest with the insurer and".

Roll call was requested.

On the question "Shall the amendment be adopted?" (S.F. 156) the vote was:

Ayes, 17:

Arbuckle	Griffin	Messerly	Palmer
Balloun	Hill	Miller	Rhodes
Carlson	Kyhl	Milligan	Riley
Davis	Lavery	Neu	Schaben
DeKoster			

Nays, 26:

Anderson	Gaudineer	Ollenburg	Stephens
Bass	Gilley	Potgeter	Sullivan
Briles	Glenn	Potter	Tapscott
Brownlee	Kennedy	Shaff	Thordsen
Coleman	Lamborn	Shawver	Van Drie
Conklin	Mowry	Smith	Walsh
Doderer	Nicholson		

Absent or not voting, 7:

Curran	Graham	Rabedeaux	Van Gilst
Erskine	Keith	Robinson	

The amendment lost.

Senator Riley offered the following amendment and moved its adoption:

- 1 Amend Senate File 156 by striking lines 8 and 9 and the first
- 2 four words of line 10.

Senator Riley asked and received unanimous consent to withdraw his amendment.

Senator Mowry moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 156) the vote was:

Rule 24 was invoked.

Ayes, 39:

Anderson	Conklin	Keith	Milligan
Arbuckle	Davis	Kennedy	Mowry
Bass	Gaudineer	Kyhl	Nicholson
Briles	Gilley	Lamborn	Ollenberg
Brownlee	Glenn	Lavery	Palmer
Carlson	Graham	Messerly	Potgeter
Coleman	Griffin	Miller	Potter

Rabedeaux
Rhodes
Robinson

Shaff
Shawver
Smith

Stephens
Sullivan
Tapscott

Thordsen
Walsh

Nays, 5:

Balloun
DeKoster

Hill

Neu

Riley

Absent or not voting, 6:

Curran
Doderer

Erskine
Schaben

Van Drie

Van Gilst

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

MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File 121, a bill for an act to provide limitations on the property tax levy for the general fund budget of school districts.

WILLIAM R. KENDRICK, Chief Clerk

HOUSE MESSAGE CONSIDERED

House File 121, a bill for an act to provide limitations on the property tax levy for the general fund budget of school districts, county boards of education, and joint boards of education and to make an appropriation to the department of public instruction for allocation to school districts.

Read first time and referred to the committee on **appropriations** (under Rule 37).

On motion of Senator Lamborn, the Senate recessed until the fall of the gavel.

AFTERNOON SESSION

The Senate reconvened, President pro tempore Kyhl presiding.

INTRODUCTION OF BILL

Senate File 189, by Senators Briles, Ollenburg, Griffin and Potgeter (Holden, Stromer, Priebe, Fischer of Grundy and Dougherty), a bill for an act relating to the acquisition of property by public bodies, corporations and individuals.

Read first time and **passed on file**.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 156 passed the Senate.

JAMES W. GRIFFIN, SR.

SENATE CONCURRENT RESOLUTION 12

By Kyhl and Lamborn

Whereas, the Sixty-fourth General Assembly is advised of a meeting of the Pioneer Lawmakers Association to be held in the Historical Building on Thursday, April 1, 1971, and request the opportunity to formally meet with the General Assembly,

Now, Therefore, Be It Resolved by the Senate, the House Concurring: That the General Assembly meet in joint session in the House chamber on Thursday, April 1, 1971, at 2:00 p.m. and that the Pioneer Lawmakers be invited to attend and present a program on that occasion.

SENATE CONCURRENT RESOLUTION 13

By Committee on Rules

Whereas, Senate Rule 28 of the Temporary Rules of the Senate for the Sixty-fourth General Assembly, First Session, provides that "No bill shall be introduced after 4:00 p.m. on Friday of the seventh week of the first regular session of a General Assembly unless a written request for drafting the bill has been filed with the legislative service bureau before that time."; and

Whereas, House Rule 28 of the Temporary Rules of the House for the Sixty-fourth General Assembly, First Session, provides that "The final day for the introduction of bills shall be the fifty-seventh calendar day of the first regular session of a General Assembly unless a written request for drafting the bill has been filed with the Legislative Service Bureau before that time."; and

Whereas, it is necessary that all members of the General Assembly are fully aware of the exact date for filing written requests for the drafting of bills to be introduced by individual legislators, *Now Therefore,*

Be It Resolved by the Senate, the House Concurring, That Friday, February 26, 1971, is established as the final day for Senate members of the Sixty-fourth General Assembly, First Session, to submit bill requests to the Legislative Service Bureau for introduction by individual members of the Senate in this session of the General Assembly and Monday, March 8, 1971, is established as the final day for House members of the Sixty-fourth General Assembly, First Session, to submit bill requests to the Legislative Service Bureau for introduction by individual members of the House in this session of the General Assembly.

REPORTS OF COMMITTEES

Senator Mowry submitted the following report:

MR. PRESIDENT: Your committee on commerce, to which was referred **Senate File 89**, a bill for an act relating to the issuance of certificates of convenience and necessity to motor vehicle carriers, begs leave to report it

has had the same under consideration and recommends the same **be amended as follows and when so amended the bill do pass:**

1 Amend Senate File 89 as follows:

2 1. By inserting before the period on page 2, line 3,
3 the following: “, provided however that a public
4 hearing has been held on the application”.

5 2. Page 2, by adding after line 5 the following new
6 section:

7 “Sec. Section three hundred twenty-five point six
8 (325.6), Code 1971, is amended by adding the following
9 new paragraph:

10 The commission may allow the provision of temporary
11 service for which there is an immediate and urgent need
12 to point or points requested by the application for a
13 certificate of public convenience and necessity upon a
14 finding that no carrier has operating authority to
15 serve those points and upon meeting the requirements of
16 this chapter and the rules and regulations of the
17 commission. Such temporary authority, unless suspended
18 or revoked for good cause, shall be valid for such time
19 as the commission shall specify but not more than an
20 aggregate of one hundred eighty days, and shall create
21 no presumption that the corresponding application will
22 be granted thereafter.”

JOHN L. MOWRY, Chairman

Ordered passed on file.

Senator Sullivan submitted the following report:

MR. PRESIDENT: Your committee on social services, to which was referred **Senate File 78**, a bill for an act to establish a program to submit doctors' assistants to work under a doctor's supervision, begs leave to report it has had the same under consideration and recommends the same **do pass**.

CHARLES K. SULLIVAN, Chairman

Ordered passed on file.

AMENDMENTS FILED

1 Amend Senate File 171, page 2, by striking lines 9 through
2 13, and inserting in lieu thereof the following:

3 “Sec. 2. This Act, being deemed of immediate importance,
4 shall take effect and be in force from and after its publication
5 in the Waterloo Daily Courier, a newspaper published in
6 Waterloo, Iowa, and in the Jackson Sentinel, a newspaper
7 published in Maquoketa, Iowa.”

FRANCIS L. MESSERLY
CLIFTON C. LAMBORN

1 Amend Senate File 179, page 4, by adding the
2 following new section after line 16 and renumbering
3 the remaining section in conformity therewith:

4 “Sec. 7. The executive council shall forth-
5 with notify the legislative fiscal director of all
6 applications by any department or agency pursuant

7 to this Act and the action taken by the council
8 thereon. The fiscal director shall assess the
9 impact upon the state treasury of any such action
10 of the executive council and report it to the
11 members of the budget and financial control
12 committee."

LEE H. GAUDINEER, JR.

On motion of Senator Balloun, the Senate adjourned until 9:00 a.m., Wednesday, February 10, 1971.

JOURNAL OF THE SENATE

THIRTY-FIRST DAY

SENATE CHAMBER
DES MOINES, IOWA, WEDNESDAY, FEBRUARY 10, 1971

The Senate met in regular session, President Jepsen presiding.

Prayer was offered by the Reverend Wallace Kinzler, pastor of the Menlo Methodist Church, Menlo, Iowa.

The Senate pledged allegiance to the flag.

The Journal of Tuesday, February 9, 1971, was approved.

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

The Senate resumed session, President Jepsen presiding.

PETITIONS

The following petitions were presented and placed on file:

By Senator Davis, from one hundred seventy-six residents of Lee County favoring an effective negotiations bill mandating school boards and other governmental agencies to negotiate with all public employees.

By Senator Shaff, from sixteen hundred residents of Linn County urging the enactment of the recommendations of the legislative interim tax study committee.

By Senator Van Drie, from seventy-three students of Iowa State University, Ames, Iowa, favoring passage of the proposed abortion bill.

CONSIDERATION OF BILLS

Senate File 179

On motion of Senator Riley, Senate File 179, a bill for an act relating to the expenditure of state funds, was taken up and considered.

Senator Gaudineer offered the following amendment filed by him and moved its adoption:

- 1 Amend Senate File 179, page 4, by adding the
- 2 following new section after line 16 and renumbering

3 the remaining section in conformity therewith:
4 "Sec. 7. The executive council shall forth-
5 with notify the legislative fiscal director of all
6 applications by any department or agency pursuant
7 to this Act and the action taken by the council
8 thereon. The fiscal director shall assess the
9 impact upon the state treasury of any such action
10 of the executive council and report it to the
11 members of the budget and financial control
12 committee."

The amendment was adopted.

Senator Neu offered the following amendment:

1 Amend Senate File 179 as follows:
2 Page 2, line 33, by adding the following sentence
3 at the end of section 2: "This section shall not apply
4 to travel paid solely from funds other than those
5 appropriated by the General Assembly."

Senator Riley asked and received unanimous consent that the Legislative Fiscal Director, Gerry D. Rankin, and the State Budget Director, William Krahl, be permitted to remain in the Senate chamber as consultants during the consideration of Senate File 179.

(Senate File 179 pending on recess.)

On motion of Senator Lamborn, the Senate recessed until 1:00 p.m.

AFTERNOON SESSION

The Senate reconvened, President Jepsen presiding.

INTRODUCTION OF BILLS

Senate File 190, by Senators Tapscott, Mowry, Gaudineer, De-Koster, Milligan and Robinson (Jesse, Hill, Franklin and Knoke), a bill for an act relating to the transfer of persons committed to jail.

Read first time and **passed on file**.

Senate File 191, by committee on judiciary, a bill for an act relating to the dissolution of marriage docket.

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

Senate File 192, by Senator Graham, a bill for an act relating to the state tort claims act.

Read first time and **passed on file**.

Senate File 193, by Senators Milligan, Walsh, Riley, Carlson and Potgeter (Kreamer, Alt and Hill), a bill for an act relating to party state central committees.

Read first time and **passed on file**.

Senate File 194, by Senators Kennedy, Graham and Thordsen (Knoblauch), a bill for an act relating to the regulation of assemblages of persons, declaring certain acts to be unlawful, and providing penalties for violations.

Read first time and **passed on file**.

CONSIDERATION OF BILLS

Senate File 179

The Senate resumed consideration of Senate File 179.

Senator Neu asked and received unanimous consent to withdraw the amendment under consideration on recess and offered the following new amendment:

- 1 Amend Senate File 179 as follows:
- 2 Page 2, line 33, by adding the following sentence
- 3 at the end of section 2: "This section shall not apply
- 4 to travel paid solely from funds other than those
- 5 appropriated by the General Assembly and derived
- 6 from general state revenue."

Senator Neu moved the adoption of his amendment and called for a division.

The amendment was adopted.

Senator Riley offered the following amendment by Senators Riley and Lamborn and moved its adoption:

- 1 Amend Senate File 179 as follows:
- 2 1. Page 2, by striking lines 1 through 24, and inserting
- 3 in lieu thereof the following:
- 4 "Section 1. The following amounts of the appropriations
- 5 made to the various departments and agencies for capital ex-
- 6 penditure pursuant to the following enumerated Act shall
- 7 revert to the general fund of the state on the effective
- 8 date of this Act:
- 9 1. Acts of the Sixty-second General Assembly:
- 10 (a) Chapter three (3)\$ 358,410.29
- 11 (b) Chapter six (6) 2,742,000.00
- 12 (c) Chapter eleven (11) 564,090.70
- 13 (d) Chapter twenty-three (23) 60,000.00
- 14 (e) Chapter twenty-eight (28) 434,167.00
- 15 (f) Chapter thirty-three (33) 10,000.00

16	(g) Chapter forty (40)	37,396.64
17	Total	<u>\$4,206,064.63</u>
18	2. Acts of the Sixty-third General Assembly, First Session:	
19	(a) Chapter sixteen (16)	57,600.00
20	(b) Chapter twenty-three (23)	128,665.00
21	(c) Chapter twenty-four (24)	81,000.00
22	(d) Chapter thirty-five (35)	80,126.24
23	(e) Chapter forty-three (43)	2,961.01
24	(f) Chapter fifty-five (55)	1,092,177.13
25	Total	<u>\$1,442,529.38</u>

Page 2

1	3. Acts of the Sixty-third General Assembly, Second Session:	
2	(a) Chapter one thousand two hundred five (1,205), section	
3	seven (7).	<u>\$ 5,000.00</u>

4 2. Page 4, by inserting after line 16 the following new
5 section:

6	"Sec. 7. There is hereby appropriated from the general	
7	fund of the state for the biennium beginning July 1, 1971	
8	and ending June 30, 1973, to the state board of regents and	
9	the department of public instruction, the following amounts,	
10	or so much thereof as may be necessary to be used for the	
11	following purposes, to wit:	
12	1. State board of regents:	
13	For the phase one construction of a veterinary	
14	medicine facility at Iowa state university of science	
15	and technology	<u>\$2,400,000.00</u>

16	2. Public instruction, department of:	
17	To match or supplement federal funds	
18	to be expended by the United States	
19	Treasury or local funds for construction	
20	of area vocation schools	<u>434,167.00</u>

21 3. Any unencumbered balance remain-
22 ing as of June 30, 1973, of the funds
23 appropriated by this section of this
24 Act shall revert to the general fund of
25 the state as of June 30, 1973."

Page 3

1 3. By renumbering the remaining section.

The amendment was adopted.

Senator Glenn offered the following amendment:

1 Amend Senate File 179, page 4, by adding the follow-
2 ing new section after line 16 and renumbering the remain-
3 ing sections:
4 "Sec. The State Comptroller shall provide

- 5 members of the General Assembly with monthly statements
- 6 of the fiscal condition of the general fund."

Senator Glenn moved the adoption of the amendment and requested a roll call.

On the question "Shall the amendment be adopted?" (S.F. 179) the vote was:

Rule 24 was invoked.

Ayes, 14:

Coleman	Hill	Palmer	Tapscott
Doderer	Kennedy	Robinson	Van Drie
Gaudineer	Miller	Schaben	Van Gilst
Glenn	Nicholson		

Nays, 31:

Anderson	Curran	Lamborn	Riley
Arbuckle	DeKoster	Messerly	Shawver
Balloun	Erskine	Milligan	Smith
Bass	Gilley	Mowry	Stephens
Briles	Graham	Neu	Sullivan
Brownlee	Griffin	Ollenburg	Thordsen
Carlson	Keith	Potter	Walsh
Conklin	Kyhl	Rhodes	

Absent or not voting, 5:

Davis	Potgeter	Rabedeaux	Shaff
Laverty			

The amendment lost.

Senator Doderer offered the following amendment and moved its adoption:

- 1 Amend Senate File 179 as follows:
- 2 Page 3, line 14, by adding the following sentence
- 3 at the end of section 3: "This section shall not apply
- 4 to employment paid solely from funds other than those
- 5 appropriated by the General Assembly and derived from
- 6 general state revenues."

The amendment was adopted.

Senator Riley offered the following amendment and moved its adoption:

- 1 Amend Senate File 179, page 1, line 1, by inserting after the
- 2 word "expenditure" the words "and appropriation".

The amendment was adopted.

Senator Hill moved that the Senate resolve itself into a committee of the whole for the purpose of interrogating the Legislative Fiscal Director and the State Budget Director.

Division was called for.

The motion lost.

Senator Balloun took the chair at 2:50 p.m.

President Jepsen took the chair at 3:16 p.m.

Senator Riley moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 179) the vote was:

Ayes, 46:

Anderson	Erskine	Miller	Schaben
Arbuckle	Gaudineer	Milligan	Shaff
Balloun	Gilley	Mowry	Shawver
Bass	Glenn	Neu	Smith
Briles	Graham	Nicholson	Stephens
Brownlee	Griffin	Ollenburg	Sullivan
Carlson	Hill	Potgeter	Tapscott
Coleman	Keith	Potter	Thordsen
Conklin	Kennedy	Rhodes	Van Drie
Curran	Kyhl	Riley	Van Gilst
Davis	Lamborn	Robinson	Walsh
DeKoster	Messerly		

Nays, 1:

Doderer

Absent or not voting, 3:

Laverty

Palmer

Rabedeaux

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

Senator Riley asked and received unanimous consent that **Senate File 179** be immediately messaged to the House, which request was complied with.

REPORTS OF INVESTIGATING COMMITTEES

Senator Neu submitted the following report and moved its adoption:

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Stephen Garst of Coon Rapids, Carroll County, Iowa, for appointment as a member of the Iowa State Highway Commission under the provisions of section 307.2 of the 1966 Code of Iowa for an unexpired term ending June 30, 1973, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

ARTHUR A. NEU, Chairman
R. DEAN ARBUCKLE
J. WESLEY GRAHAM
JOHN C. RHODES
JAMES F. SCHABEN

The motion prevailed and the report was adopted.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 43:

Arbuckle	Gaudineer	Miller	Schaben
Bass	Gilley	Milligan	Shaff
Briles	Glenn	Mowry	Shawver
Brownlee	Graham	Neu	Smith
Carlson	Griffin	Nicholson	Stephens
Coleman	Hill	Ollenburg	Tapscott
Conklin	Keith	Potgeter	Thordsen
Curran	Kennedy	Potter	Van Drie
DeKoster	Kyhl	Rhodes	Van Gilst
Doderer	Lamborn	Riley	Walsh
Erskine	Messerly	Robinson	

Nays, 2:

Balloun Sullivan

Absent or not voting, 5:

Anderson	Laverty	Palmer	Rabedeaux
Davis			

President Jepsen declared the appointment of Stephen Garst as a member of the Iowa State Highway Commission confirmed for the unexpired portion of the term ending June 30, 1973.

Senator Potgeter submitted the following report and moved its adoption:

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Elwyn H. Hemken of Blairsburg, Hamilton County, Iowa, for appointment as a member of the Commission for the Blind under the provisions of section 93.1, 1966 Code of Iowa, for a regular three-year term beginning July 1, 1970, and ending June 30, 1973, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

JAMES A. POTGETER, Chairman
C. JOSEPH COLEMAN
JOHN L. MOWRY
H. L. OLLENBURG
RUDY VAN DRIE

The motion prevailed and the report was adopted.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes 47:

Anderson	Davis	Keith	Ollenburg
Arbuckle	DeKoster	Kennedy	Potgeter
Balloun	Doderer	Kyhl	Potter
Bass	Erskine	Lamborn	Rhodes
Briles	Gaudineer	Messerly	Riley
Brownlee	Gilley	Miller	Robinson
Carlson	Glenn	Milligan	Schaben
Coleman	Graham	Mowry	Shaff
Conklin	Griffin	Neu	Shawver
Curran	Hill	Nicholson	Smith

Stephens
Sullivan

Tapscott
Thordsen

Van Drie
Van Gilst

Walsh

Nays, none.

Absent or not voting, 3:

Laverty

Palmer

Rabedeaux

President Jepsen declared the appointment of Elwyn H. Hemken as a member of the Commission for the Blind confirmed for the regular term ending June 30, 1973.

Senator Milligan submitted the following report and moved its adoption:

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Arnold M. Reeve of Des Moines, Polk County, Iowa, for appointment as Commissioner of Public Health under the provisions of sections 135.2 and 135.4 of the Code of Iowa, 1966, for the unexpired portion of the regular term ending June 30, 1973, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

GEORGE F. MILLIGAN, Chairman

LEE H. GAUDINEER, JR.

TOM RILEY

The motion prevailed and the report was adopted.

On the question "Shall the appointee be confirmed?" the vote was:

Rule 24 was invoked.

Ayes, 35:

Anderson
Arbuckle
Briles
Brownlee
Carlson
Coleman
Davis
DeKoster
Doderer

Erskine
Gaudineer
Glenn
Griffin
Hill
Keith
Kennedy
Kyhl
Lamborn

Messerly
Miller
Milligan
Neu
Potgeter
Rhodes
Riley
Robinson
Schaben

Shaff
Shawver
Smith
Tapscott
Thordsen
Van Drie
Van Gilst
Walsh

Nays, 10:

Bass
Conklin
Curran

Gilley
Graham
Mowry

Nicholson
Ollenburg

Potter
Stephens

Voting present, 1:

Sullivan (under Rule 24)

Absent or not voting, 4:

Balloun

Laverty

Palmer

Rabedeaux

President Jepsen declared the appointment of Arnold M. Reeve as Commissioner of Public Health confirmed for the unexpired portion of the term ending June 30, 1973.

Senator Anderson submitted the following report and moved its adoption:

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Robert J. Beecher of Creston, Union County, Iowa, for appointment as a member of the State Board of Public Instruction under the provisions of sections 257.1 and 257.2, 1966 Code of Iowa, and chapter 244, sections 23 and 24, Acts of the Sixty-second General Assembly, for the unexpired portion of a term ending January 2, 1972, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

QUENTIN V. ANDERSON, Chairman
EARL G. BASS
JAMES E. BRILES
JOHN E. TAPSCOTT

The motion prevailed and the report was adopted.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 43:

Anderson	Erskine	Milligan	Shaff
Bass	Gaudineer	Mowry	Shawver
Briles	Glenn	Neu	Smith
Brownlee	Graham	Nicholson	Stephens
Carlson	Hill	Ollenburg	Sullivan
Coleman	Keith	Potgeter	Tapscott
Conklin	Kennedy	Potter	Thordsen
Curran	Kyhl	Rhodes	Van Drie
Davis	Lamborn	Riley	Van Gilst
DeKoster	Messerly	Robinson	Walsh
Doderer	Miller	Schaben	

Nays, none.

Absent or not voting, 7:

Arbuckle	Gilley	Laverty	Rabedeaux
Balloun	Griffin	Palmer	

President Jepsen declared the appointment of Robert J. Beecher as a member of the State Board of Public Instruction confirmed for the unexpired portion of the term ending January 2, 1972.

Senator Stephens submitted the following report and moved its adoption:

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Stanley R. Barber of Wellman, Washington County, Iowa, for appointment as a member of the State Board of Public Instruction under the provisions of sections 257.1 and 257.2, 1966 Code of Iowa and chapter 244, sections 23 and 24, Acts of the Sixty-second General Assembly, for the unexpired portion of a term ending January 2, 1974, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

RICHARD L. STEPHENS, Chairman
WILSON L. DAVIS
W. R. RABEDEAUX
HAROLD A. THORDSEN
BASS VAN GILST

The motion prevailed and the report was adopted.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 45:

Anderson	Doderer	Miller	Schaben
Arbuckle	Gaudineer	Milligan	Shaff
Balloun	Gilley	Mowry	Shawver
Bass	Glenn	Neu	Smith
Briles	Graham	Nicholson	Stephens
Brownlee	Hill	Ollenburg	Sullivan
Carlson	Keith	Potgeter	Tapscott
Coleman	Kennedy	Potter	Thordsen
Conklin	Kyhl	Rhodes	Van Drie
Curran	Lamborn	Riley	Van Gilst
Davis	Messerly	Robinson	Walsh
DeKoster			

Nays, none.

Absent or not voting, 5:

Erskine	Laverty	Palmer	Rabedaux
Griffin			

President Jepsen declared the appointment of Stanley R. Barber as a member of the State Board of Public Instruction confirmed for the unexpired portion of the term ending January 2, 1974.

INTRODUCTION OF BILLS

Senate File 195, by Senators Walsh, Davis, Griffin, Arbuckle and Curran (Winkelman, Roorda, Tieden, Mollett, Sorg, Nielsen, Stanley, Strand, Curtis and Kelly), a bill for an act to provide for sales and use tax exemptions on expenditures for air and water pollution control.

Read first time and **passed on file**.

Senate File 196, by Senators Walsh, Davis, Griffin, Arbuckle, Curran and DeKoster (Winkelman, Roorda, Tieden, Mollett, Sorg, Nielsen, Stanley and Kelly), a bill for an act to exempt facilities used to control air and water pollution from property taxation.

Read first time and **passed on file**.

AMENDMENT FILED

- 1 Amend House File 25 as follows:
- 2 1. Page 1, by striking from line 7 the words

3 "takes land", and inserting the words "[takes land],
4 *takes title to land in fee simple*".

JAMES W. GRIFFIN, SR.

On motion of Senator Lamborn, the Senate adjourned until 9:00 a.m., Thursday, February 11, 1971.

JOURNAL OF THE SENATE

THIRTY-SECOND DAY

SENATE CHAMBER

DES MOINES, IOWA, THURSDAY, FEBRUARY 11, 1971

The Senate met in regular session, President pro tempore Kyhl presiding.

Prayer was offered by the Reverend Everett R. Major, pastor of the First United Methodist Church, Onawa, Iowa.

The Senate pledged allegiance to the flag.

The Journal of Wednesday, February 10, 1971, was approved.

PETITIONS

The following petitions were presented and placed on file:

By Senator Nicholson, from sixty-four residents of Scott County favoring the proposed abortion bill.

By Senator Doderer, from three hundred ninety-seven residents of Johnson County favoring liberalization of the abortion bill.

SENATE FILE DEFERRED

Senator Lamborn asked and received unanimous consent that action on **Senate File 27** be deferred and that the bill retain its place on the **calendar**.

CONSIDERATION OF BILLS

Senate File 157

On motion of Senator Brownlee, Senate File 157, a bill for an act relating to conflicts of interest of officers and directors of insurance companies, was taken up and considered.

Senator Brownlee moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 157) the vote was:

Ayes, 44:

Anderson	Gaudineer	Mowry	Schaben
Arbuckle	Gilley	Neu	Shaff
Balloun	Glenn	Nicholson	Shawver
Bass	Graham	Ollenburg	Smith
Briles	Griffin	Palmer	Stephens
Brownlee	Hill	Potgeter	Sullivan
Carlson	Keith	Potter	Tapscott
Conklin	Kyhl	Rabedeaux	Thordsen
Curran	Lamborn	Rhodes	Van Drie
Doderer	Miller	Riley	Van Gilst
Erskine	Milligan	Robinson	Walsh

Nays, none.

Absent or not voting, 6:

Coleman	DeKoster	Laverty	Messerly
Davis	Kennedy		

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

Senate File 158

On motion of Senator Erskine, Senate File 158, a bill for an act relating to the use of firearms on state preserves, was taken up and considered.

Senator Erskine moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 158) the vote was:

Ayes, 47:

Anderson	Erskine	Milligan	Schaben
Arbuckle	Gaudineer	Mowry	Shaff
Balloun	Gilley	Neu	Shawver
Bass	Glenn	Nicholson	Smith
Briles	Graham	Ollenburg	Stephens
Brownlee	Griffin	Palmer	Sullivan
Carlson	Hill	Potgeter	Tapscott
Coleman	Keith	Potter	Thordsen
Curran	Kyhl	Rabedeaux	Van Drie
Davis	Lamborn	Rhodes	Van Gilst
DeKoster	Messerly	Riley	Walsh
Doderer	Miller	Robinson	

Nays, none.

Absent or not voting, 3:

Conklin	Kennedy	Laverty
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 159

On motion of Senator Erskine, Senate File 159, a bill for an act relating to water safety regulations, was taken up and considered.

Senator Erskine moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 159) the vote was:

Ayes, 46:

Anderson	Gaudineer	Mowry	Schaben
Arbuckle	Gilley	Neu	Shaff
Balloun	Glenn	Nicholson	Shawver
Bass	Graham	Ollenburg	Smith
Briles	Griffin	Palmer	Stephens
Brownlee	Hill	Potgeter	Sullivan
Carlson	Keith	Potter	Tapscott
Curran	Kyhl	Rabedeaux	Thordsen
Davis	Lamborn	Rhodes	Van Drie
DeKoster	Messerly	Riley	Van Gilst
Doderer	Miller	Robinson	Walsh
Erskine	Milligan		

Nays, none.

Absent or not voting, 4:

Coleman	Conklin	Kennedy	Laverty
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 160

On motion of Senator Erskine, Senate File 160, a bill for an act to allow black bass to be bought, sold, bartered, or offered for sale, was taken up and considered.

Senator Erskine moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 160) the vote was:

Ayes, 48:

Anderson	Doderer	Miller	Robinson
Arbuckle	Erskine	Milligan	Schaben
Balloun	Gaudineer	Mowry	Shaff
Bass	Gilley	Neu	Shawver
Briles	Glenn	Nicholson	Smith
Brownlee	Graham	Ollenburg	Stephens
Carlson	Griffin	Palmer	Sullivan
Coleman	Hill	Potgeter	Tapscott
Conklin	Keith	Potter	Thordsen
Curran	Kyhl	Rabedeaux	Van Drie
Davis	Lamborn	Rhodes	Van Gilst
DeKoster	Messerly	Riley	Walsh

Nays, none.

Absent or not voting, 2:

Kennedy Lavery

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

SENATE FILE DEFERRED

Senator Potter asked and received unanimous consent that action on **Senate File 163** be deferred and that the bill retain its place on the **calendar**.

CONSIDERATION OF BILLS

House File 47

On motion of Senator Graham, House File 47, a bill for an act relating to the registration of animals, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Graham moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 47) the vote was:

Ayes, 45:

Anderson	Erskine	Miller	Riley
Arbuckle	Gaudineer	Milligan	Robinson
Balloun	Gilley	Mowry	Schaben
Bass	Glenn	Neu	Shawver
Briles	Graham	Nicholson	Smith
Brownlee	Griffin	Ollenburg	Stephens
Coleman	Hill	Palmer	Sullivan
Conklin	Keith	Potgeter	Tapscott
Curran	Kyhl	Potter	Thordsen
Davis	Lamborn	Rabedeaux	Van Drie
DeKoster	Messerly	Rhodes	Van Gilst
Doderer			

Nays, none.

Absent or not voting, 5:

Carlson	Lavery	Shaff	Walsh
Kennedy			

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

CONSIDERATION OF JOINT RESOLUTION

House Joint Resolution 6

On motion of Senator Riley, House Joint Resolution 6, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to judges of the district court and supreme court,

with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Riley moved that the resolution be read the last time now, which motion prevailed, and the resolution was read the last time.

House Joint Resolution 6, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to judges of the district court and supreme court.

Be It Resolved by the General Assembly of the State of Iowa:

Section 1. The following amendment to the Constitution of the State of Iowa is hereby proposed :

Article five (V), Constitution of the State of Iowa, is hereby amended by adding thereto the following new section :

"In addition to the legislative power of impeachment of judges as set forth in Article three (III), sections nineteen (19) and twenty (20) of the Constitution, the Supreme Court shall have power to retire judges for disability and to discipline or remove them for good cause, upon application by a commission on judicial qualifications. The General Assembly shall provide by law for the implementation of this section."

Sec. 2. The foregoing proposed amendment, having been adopted and agreed to by the Sixty-third General Assembly, thereafter duly published, and now adopted and agreed to by the Sixty-fourth General Assembly in this joint resolution, shall be submitted to the people of the State of Iowa at the general election in November of the year nineteen hundred seventy-two in the manner required by the Constitution of the State of Iowa and the laws of the State of Iowa.

On the question: "Shall the resolution be adopted?" (H.J.R. 6) the vote was :

Yeas, 46:

Anderson	Erschine	Milligan	Robinson
Arbuckle	Gaudineer	Mowry	Schaben
Balloun	Gilley	Neu	Shaff
Bass	Glenn	Nicholson	Shawver
Briles	Graham	Ollenburg	Smith
Brownlee	Griffin	Palmer	Stephens
Carlson	Hill	Potgeter	Sullivan
Coleman	Keith	Potter	Tapscott
Conklin	Kyhl	Rabedeaux	Thordsen
Curran	Lamborn	Rhodes	Van Drie
Davis	Messerly	Riley	Van Gilst
DeKoster	Miller		

Nays, none.

Absent or not voting, 4:

Doderer

Kennedy

Laverty

Walsh

The resolution having received a constitutional majority was declared to have been adopted and agreed to by the Senate and the title was agreed to.

CONSIDERATION OF BILLS

Senate File 53

On motion of Senator Nicholson, Senate File 53, a bill for an act relating to a penalty for unauthorized entry into public buildings and the misuse of property, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

SENATE FILE DEFERRED

Senator Nicholson asked and received unanimous consent that further action on **Senate File 53** be deferred and that the bill retain its place on the **calendar**.

CONSIDERATION OF BILLS

Senate File 103

On motion of Senator Gaudineer, Senate File 103, a bill for an act relating to excuse of jurors, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Gaudineer offered the following committee amendment and moved its adoption:

- 1 Amend Senate File 103, lines 12 and 13, by striking the
- 2 words "*a succeeding petit jury panel in the same calendar*
- 3 *year*" and inserting in lieu thereof the following: "*the*
- 4 *next succeeding petit jury panel*".

The amendment was adopted.

Senator Gaudineer moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 103) the vote was:

Ayes, 44:

Anderson
Arbuckle
Balloun
Bass
Briles
Brownlee

Carlson
Coleman
Conklin
Curran
Davis
DeKoster

Erskine
Gaudineer
Gilley
Glenn
Graham
Griffin

Hill
Keith
Kyhle
Lamborn
Messerly
Miller

Milligan	Palmer	Riley	Sullivan
Mowry	Potgeter	Shaff	Tapscott
Neu	Potter	Shawver	Thordsen
Nicholson	Rabedeaux	Smith	Van Drie
Ollenburg	Rhodes	Stephens	Van Gilst

Nays, none.

Absent or not voting, 6:

Doderer	Lavery	Schaben	Walsh
Kennedy	Robinson		

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

Senate File 118

On motion of Senator Van Drie, Senate File 118, a bill for an act relating to savings and loan associations, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Tapscott asked and received unanimous consent that action on **Senate File 118** be temporarily deferred.

Senate File 127

On motion of Senator Walsh, Senate File 127, a bill for an act relating to the limitation of certain damage actions arising out of improvements or work upon real property, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

SENATE FILE DEFERRED

Senator Walsh asked and received unanimous consent that further action on **Senate File 127** be deferred and that the bill be placed on the calendar under **unfinished business**.

CONSIDERATION OF BILLS

Senate File 129

On motion of Senator Bass, Senate File 129, a bill for an act to legalize and validate the proceedings of the City Council of Red Oak, in the County of Montgomery, Iowa, in the purchase of Lot No. 6 and the West Half of Lot No. 5 in Block No. 28 in the City of Red Oak for the purpose of constructing off-street parking facilities in accordance with chapter 390 of the 1966 Code of Iowa, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Bass moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 129) the vote was:

Ayes, 42:

Anderson	Gaudineer	Neu	Shaff
Arbuckle	Gilley	Nicholson	Shawver
Balloun	Glenn	Ollenburg	Smith
Bass	Graham	Palmer	Stephens
Briles	Griffin	Potgeter	Sullivan
Brownlee	Keith	Potter	Tapscott
Carlson	Kyhl	Rabedaux	Thordsen
Coleman	Lamborn	Rhodes	Van Drie
Conklin	Messerly	Riley	Van Gilst
DeKoster	Miller	Robinson	Walsh
Erskine	Mowry		

Nays, none.

Absent or not voting, 8:

Curran	Doderer	Kennedy	Milligan
Davis	Hill	Laverty	Schaben

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

House File 17

On motion of Senator Arbuckle, House File 17, a bill for an act relating to the Iowa development commission corporation, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

President Jepsen took the chair at 10:36 a.m.

HOUSE FILE DEFERRED

Senator Stephens asked and received unanimous consent that further action on **House File 17** be deferred and that the bill be placed on the calendar under **unfinished business**.

CONSIDERATION OF BILLS

House File 32

On motion of Senator Van Drie, House File 32, a bill for an act to remove references to the granting of a franchise to an electric utility company by the county board of supervisors, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Van Drie moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 32) the vote was:

Ayes, 45:

Anderson	Gaudineer	Miller	Riley
Arbuckle	Gilley	Milligan	Robinson
Balloun	Glenn	Mowry	Shaff
Bass	Graham	Neu	Shawver
Briles	Griffin	Nicholson	Smith
Brownlee	Hill	Ollenburg	Stephens
Carlson	Keith	Palmer	Tapscott
Coleman	Kennedy	Potgeter	Thordsen
Conklin	Kyhl	Potter	Van Drie
Davis	Lamborn	Rabedaux	Van Gilst
DeKoster	Messerly	Rhodes	Walsh
Erskine			

Nays, none.

Absent or not voting, 5:

Curran	Laverty	Schaben	Sullivan
Doderer			

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

SENATE FILE WITHDRAWN

Senator Van Drie asked and received unanimous consent that **Senate File 23** be withdrawn from further consideration of the Senate.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Rhodes, from the joint committee on enrolled bills, submitted the following report and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate File 70; House Files 42 and 83.

JOHN C. RHODES
Chairman, Senate Committee
ELIZABETH R. MILLER
Chairman, House Committee

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate the following bills: Senate File 70; House Files 42 and 83.

BILL SENT TO THE GOVERNOR

Senator Rhodes, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 11th day of February, 1971, sent to the Governor for his approval: Senate File 70.

JOHN C. RHODES, Chairman

Passed on file.

CONSIDERATION OF BILLS

Senate File 118

The Senate resumed consideration of Senate File 118, previously deferred.

Senator Van Drie offered the following amendment filed by Senators Tapscott, Gaudineer and Van Drie and moved its adoption:

- 1 Amend Senate File 118, page 2, line 27, by striking
- 2 "[six] *seven*" and inserting in lieu thereof the word "six".

The amendment was adopted.

Senator Van Drie moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 118) the vote was:

Ayes, 43:

Anderson	Erskine	Miller	Shaff
Arbuckle	Gaudineer	Mowry	Shawver
Balloun	Gilley	Neu	Smith
Bass	Glenn	Nicholson	Stephens
Briles	Graham	Palmer	Sullivan
Brownlee	Griffin	Potgeter	Tapscott
Carlson	Keith	Potter	Thordsen
Coleman	Kennedy	Rabedaux	Van Drie
Conklin	Kyhl	Rhodes	Van Gilst
Davis	Lamborn	Riley	Walsh
DeKoster	Messerly	Robinson	

Nays, 1:

Ollenburg

Voting present, 1:

Hill

Absent or not voting, 5:

Curran	Laverty	Milligan	Schaben
Doderer			

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

MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the

House has passed the following bill in which the concurrence of the Senate is asked:

House File 12, a bill for an act relating to motor vehicle fees collected by county treasurers.

WILLIAM R. KENDRICK, Chief Clerk

HOUSE MESSAGE CONSIDERED

House File 12, a bill for an act relating to motor vehicle fees collected by county treasurers, and to the amount of such fees retained by the county, and to the filing of instruments pertaining to motor vehicles.

Read first time and **passed on file**.

INTRODUCTION OF BILLS

Senate File 197, by Senator Balloun, a bill for an act relating to printing by state agencies.

Read first time and **passed on file**.

Senate File 198, by Senator Miller, a bill for an act relating to the waiver of the basic science examination.

Read first time and **passed on file**.

Senate File 199, by Senators Coleman, Miller and Thordsen (Cochran, Schroeder and McCormick), a bill for an act relating to prohibited advertising practices by chiropractors and providing a penalty therefor.

Read first time and **passed on file**.

Senate File 200, by Senator Potgeter, a bill for an act relating to destruction of food products.

Read first time and **passed on file**.

On motion of Senator Lamborn, the Senate recessed until the fall of the gavel.

AFTERNOON SESSION

The Senate reconvened, President pro tempore Kyhl presiding.

INTRODUCTION OF BILLS

Senate File 201, by committee on county government (committee on county government), a bill for an act relating to the issuance of marriage licenses.

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

Senate File 202, by committee on county government, a bill for an act relating to changing of names by individuals.

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

Senate File 203, by committee on county government, a bill for an act relating to administrative rules and regulations.

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

Senate File 204, by committee on county government (committee on county government), a bill for an act relating to board of supervisor approval of the salaries for probation officers and their staff.

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

Senate File 205, by Senator Neu (Cochran), a bill for an act relating to assessments levied by drainage and levee districts.

Read first time and **passed on file**.

Senate File 206, by Senators Neu, Mowry and Glenn, a bill for an act relating to post conviction procedure.

Read first time and **passed on file**.

Senate File 207, by Senators Neu, Palmer, Riley and Walsh (Hansen, Jesse, Christensen and Lipsky), a bill for an act relating to per diem and expenses for the members of the state educational radio and television facility board and the state communications advisory council.

Read first time and **passed on file**.

Senate File 208, by Senators Neu, Walsh, Doderer and Gaudineer, a bill for an act to authorize purchase of tax-sheltered annuities for employees of the state educational radio and television facility board.

Read first time and **passed on file**.

Senate File 209, by Senators Van Drie, Rabedaux, Messerly, Doderer and Gaudineer, a bill for an act relating to dissolution of credit unions.

Read first time and **passed on file**.

Senate File 210, by Senators Van Drie, Gaudineer, Rabedaux, Messerly and Doderer, a bill for an act relating to the conversion of credit union charters.

Read first time and **passed on file**.

BILLS ASSIGNED TO COMMITTEE

President Jepsen announced the assignment of the following bills to committee:

- S. F. 189 Commerce
- S. F. 190 Judiciary
- S. F. 192 Judiciary
- S. F. 193 State government
- S. F. 194 Judiciary
- S. F. 195 Ways and means
- S. F. 196 Ways and means
- S. F. 197 State government
- S. F. 198 Social services
- S. F. 199 Commerce
- S. F. 200 Agriculture
- S. F. 205 Cities and towns
- S. F. 206 Judiciary
- S. F. 207 Appropriations
- S. F. 208 Schools
- S. F. 209 Commerce
- S. F. 210 Commerce
- H. F. 12 County government

REPORTS OF COMMITTEES

Senator Briles submitted the following report:

MR. PRESIDENT: Your committee on county government, to which was referred **Senate File 41**, a bill for an act relating to the authorization of assistant county attorneys and salaries therefor, begs to report it has had the same under consideration and recommends the same **do pass**.

JAMES E. BRILES, Chairman

Ordered passed on file.

Senator Sullivan submitted the following report:

MR. PRESIDENT: Your committee on social services, to which was referred **Senate File 144**, a bill for an act relating to the board of parole, begs leave to report it has had the same under consideration and recommends the same **do pass**.

CHARLES K. SULLIVAN, Chairman

Ordered passed on file.

AMENDMENTS FILED

1 Amend Senate File 89, page 1, by striking all
2 after the word "the" on line 9, line 10 and line 11
3 and by inserting in lieu thereof the words "community
4 is without service."

ARTHUR A. NEU

1 Amend Senate File 170, page 2, by striking lines 16, 17, and
2 18 and inserting in lieu thereof the following: "*basis of poli-*
3 *tical affiliation*. He shall have been for a period of at least
4 five years, immediately prior to his appointment, a resident of
5 the state of Iowa. The commissioner".

CHARLES F. BAILLOUN

1 Amend Senate File 171 as follows:

2 1. Page 2, following line 8 insert the following

3 new section:

4 "Sec. 2. Notwithstanding the provisions of section
5 three hundred seven point ten (307.10) of the Code,
6 there is appropriated from the road use tax fund to the
7 state highway commission for the biennium ending June 30,
8 1971, the sum of three hundred sixty thousand three
9 hundred ninety dollars and ninety-two cents (360,390.92),
10 or so much thereof as may be necessary, for the purposes
11 provided in section three hundred seven point five
12 (307.5), subsection twelve (12), and the last paragraph
13 of section three hundred thirteen point four (313.4),
14 of the Code, and for the purpose of paying the city of
15 Ames, Iowa for ten special assessments against certain
16 property owned by the state of Iowa for the New Street
17 Improvement Program No. 2-1970. The sums appropriated by
18 this section shall, notwithstanding the provisions of
19 section three hundred twelve point two (312.2) of the
20 Code, be paid prior to any credit or distribution pro-
21 vided in section three hundred twelve point two
22 (312.2) of the Code."

23 2. By renumbering the remaining section according-
24 ly.

25 3. Page 1, line 1, by inserting after the word
Page 2

1 "fund" the words "and road use tax fund".

2 4. Page 1, line 3, by inserting after the word

3 "operations" the words "and to pay for certain special
4 assessments against property owned by the state".

CLIFTON C. LAMBORN

1 Amend Senate File 188 as follows:

2 1. By striking on page 2, line 4, the words "occupied
3 structure" and inserting in lieu thereof the word
4 "premises".

5 2. By inserting on page 2, line 12, after the word
6 "down" the word " , opening,".

7 3. By striking on page 2, line 20, the words "cattle,

8 hogs, or sheep" and inserting in lieu thereof the words
9 "livestock or poultry".

COMMITTEE ON JUDICIARY

LUCAS J. DeKOSTER, Chairman

- 1 Amend House File 121, as amended and passed and re-
2 printed by the House, as follows:
3 1. Page 2A, line 31, by striking all after the
4 numerals "1970" and inserting in lieu thereof a period,
5 and by striking all of lines 32 and 33.
6 2. Page 3A, lines 32 and 33, by striking all after
7 the word "state" in line 32 and by striking the word
8 "necessary" in line 33.
9 3. Page 4A, line 7, by adding after the period the
10 following: "Any portion of this appropriation remaining
11 after the provisions of this section are fulfilled shall
12 revert to the general fund."

CHARLES F. BALLOUN

On motion of Senator DeKoster, the Senate adjourned until 9:00
a.m., Friday, February 12, 1971.

JOURNAL OF THE SENATE

THIRTY-THIRD DAY

SENATE CHAMBER
DES MOINES, IOWA, FRIDAY, FEBRUARY 12, 1971

The Senate met in regular session, President pro tempore Kyhl presiding.

Prayer was offered by Doctor G. Roy Lockwood, former pastor of the Billy Sunday Tabernacle, Sioux City, Iowa.

The Senate pledged allegiance to the flag.

The Journal of Thursday, February 11, 1971, was approved.

DISTINGUISHED GUEST

Senator Lamborn rose on a point of personal privilege and presented to the Senate Donald E. Johnson of West Branch, Iowa, National Administrator of Veterans Affairs, Washington, D. C.

PETITION

The following petition was received and placed on file:

By Senator Balloun, from one hundred forty-five students and staff of the Iowa Braille and Sight-Saving School, Vinton, Iowa, requesting the government of North Vietnam to release American prisoners of war, and to follow the Geneva Convention on the humane treatment of prisoners of war.

INTRODUCTION OF BILLS

Senate File 211, by committee on commerce, a bill for an act relating to the licensing of insurance adjusters and providing penalties for the violations thereof.

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

Senate File 212, by Senator Miller (Mayberry), a bill for an act relating to county homes.

Read first time and **passed on file**.

Senate File 213, by Senator Erskine (Andersen), a bill for an act relating to the maximum net income persons sixty-five years of age

or older and totally disabled persons may have to qualify for an additional homestead credit.

Read first time and **passed on file.**

Senate File 214, by Senators Erskine, Sullivan, Curran, Potgeter, Potter, Keith, Carlson, Kyhl, Ollenburg, Messerly, Griffin, Lamborn and Balloun (Andersen), a bill for an act relating to the liability for costs resulting in the contest of election results.

Read first time and **passed on file.**

Senate File 215, by Senator Milligan (Alt, Hill and Kreamer), a bill for an act relating to public employment practices.

Read first time and **passed on file.**

Senate File 216, by committee on county government (committee on county government), a bill for an act relating to fees collected by the county recorder for hunting and fishing duplicate licenses.

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

REPORT OF COMMITTEE ON MEMORIAL RESOLUTIONS

Senator Stephens submitted the following report and moved its adoption:

MR. PRESIDENT: Your committee on memorial resolutions begs leave to report that a committee should be appointed to prepare a suitable memorial resolution for the following deceased members of the Senate:

Earl Elijah, Cedar, Jackson and Jones Counties

Linus B. Forsling, Woodbury County

RICHARD L. STEPHENS, Chairman

RUDY VAN DRIE

CHARLES P. MILLER

The motion prevailed and the report was adopted.

The Senate stood at ease for a Lincoln Day observance.

The Senate resumed session, President pro tempore Kyhl presiding.

Senator Conklin asked and received unanimous consent that the following remarks by George Mills be printed in the Senate Journal:

MR. PRESIDENT, LADIES AND GENTLEMEN:

It is a much appreciated honor for a news reporter to be invited to appear before your honorable body in this observance of the 162nd birthday of Abraham Lincoln.

It has been my privilege to work in this beautiful chamber, a nerve center of a great state, for forty years. Addressing this honorable body is a new experience for me.

This magnificent building is a product of a Lincoln-minded age of Iowans. A people proud of their state began this structure six years after the death of President Lincoln, while the sorrow of the generation over his passing was still very deep. The State House came into use in 1884, or less than 19 years after the Lincoln assassination.

The traditions of the Civil War and of Abraham Lincoln are combined in Iowa. We are permeated with both.

It gives us a sense of history to recall that old John Brown drove a team of horses and a wagon loaded with cornstalks down Grand Avenue right outside the State House. Under the cornstalks were fugitive slaves the doughty Brown was taking to freedom. Brown stopped at the home of Isaac Brandt, on the corner of East Twelfth and Grand Avenue, immediately east of the historical building. Brandt's home, a station on the underground railway, was located on the site occupied by a funeral home now being razed.

You eastern Iowans also know how John Brown trained his tiny force at Springdale in Cedar County, before leaving for Virginia where he staged his ill-fated Harpers Ferry attack which inflamed the nation and may have quickened the coming of the Civil War.

The figures on the Civil War monument south of the State House are not just nameless models. They represent brave men who fought to preserve the Union from 1861-1865. The four figures on horseback are Iowa Civil War Generals. The figures below are taken from real life. To name one, the young smiling soldier on the northeast corner, standing, with a musket in one hand and a bouquet of flowers in the other, is Shelby Norman, 18, of Muscatine. He pictures the joy of the returning soldier being greeted by homecoming crowds. But Shelby Norman did not come home. He is reputed to have been the first Iowan killed in the Civil War, although there is some question about whether that is strictly accurate. A sniper's bullet got him in the line of march to the battlefield in Missouri.

Six Iowa Governors served as chief executives of this state after service in the Union armies of the Civil War. Four of these Governors were wounded. Two of these wounded Governors took their oaths of office in this building many years after the war. One was Buren Sherman of Vinton, who became Governor in 1884, and the other was Francis Drake of Centerville, who became Governor in 1896. Francis Drake's name is perpetuated in Drake University.

The Civil War traditions of this legislature are tremendous. Fully half the members of the 1862 session went into the armed forces after adjournment. Some were killed in action and some died of illnesses. Years later, the observation was made that the 1862 session had not produced as many leaders, such as Governors, to Iowa public life in the postwar years. To which one observer, who had visited military cemeteries in the south, commented: "Many of the 1862 legislators are greater than Governors."

I do not believe it necessary to comment on the depth of the Lincoln tradition that all of us have known since childhood. No columnist can ever hope to erase the veneration that we feel for this great American.

Mr. Lincoln is a proud part of our Iowa history. He owned land in Tama and Crawford Counties, land given to him for his service as a captain in the Black Hawk War.

The Tama tract consists of forty acres in Howard Township six miles north and west of Toledo. The Crawford tract consists of 120 acres in Goodrich Township some five miles northwest of Denison.

Mr. Lincoln never visited either piece of land. However, he did see seventeen town lots and a ten-acre prairie he acquired in the Council Bluffs area. That land had been posted as security for a \$3,000 loan he made to a Chicago railroad attorney.

Mr. Lincoln visited Iowa three times. During the Lincoln-Douglas debates in 1858, he came to Burlington to help out the Republicans. When he stepped off a Mississippi River boat for an overnight stay, his luggage consisted of a clean shirt wrapped in a newspaper. He spoke to a crowd of 1,200 for about two hours. That was not necessarily a long speech for the times. Occasionally an orator spoke three or four hours. One wonders how our system of government ever survived.

The big issue at the time was the proposed extension of slavery into the territories. Lincoln firmly opposed such extension. Stephen A. Douglas, his opponent, wanted the people of the territories to decide for themselves whether to allow slavery or to prohibit it. This was a type of local option on slavery.

In the spring of 1859, as an attorney for the Illinois Central, Mr. Lincoln briefly visited Dubuque. He stayed at the old Julien House.

In August of 1859, he stayed three days in Council Bluffs. He had no intention of remaining that long. But the Missouri River steamer on which he traveled got stuck on a sand bar.

Mr. Lincoln made another speech for the Republican cause in Council Bluffs. More important, he conferred with General Grenville Dodge and other leading Council Bluffs citizens about a marvelous project, the construction of a railroad all the way to the Pacific. Council Bluffs residents took their visitor up on a bluff and pointed westward along the proposed route of the railroad. Naturally, the Council Bluffs people, Dodge in particular, urged that Council Bluffs be designated as the eastern terminal of the railroad. Mr. Lincoln made that very designation after he became President. The Great Union Pacific was built, and to this day the eastern terminal is in Council Bluffs, Iowa.

That railroad was given the Union Pacific name for a special reason. California, also known as the "Pacific" in everyday language, was far removed from the rest of the Union. The railroad would serve to bind the Union to the Pacific. Hence, Union Pacific.

Lincoln was an important figure in another Iowa-Illinois event. In the 1850's, the Rock Island railroad built a railroad bridge across the Mississippi between Rock Island and Davenport. A river boat, the *Effie Afton*, was wrecked against a bridge abutment, maybe purposely. The boat owners sued. Mr. Lincoln was a principal attorney for the railroad in the final trial of that case in Chicago. The railroad won and established the right to construct rail bridges across the big river.

Mr. Lincoln's friendships and contacts with Iowans were numerous. One particularly good friend was U.S. Senator James Harlan of Mount Pleasant. The President, in the final weeks of his life, nominated Senator Harlan to be Secretary of the Interior. The Lincoln and Harlan families went driving together in Washington.

Robert Lincoln, son of the President, married Mary Harlan, the Senator's daughter. Mr. Lincoln's three grandchildren lived at times in Mount Pleasant and played in the streets there.

Senator Harlan escorted Mrs. Lincoln at the Second Inaugural. The Senator was at the mortally wounded President's bedside. The shaken Harlan was among those who sought to console the family after death came to the President.

Mr. Lincoln appointed Samuel Freeman Miller of Keokuk to the United States Supreme Court. Judge Miller served with distinction on the high court for twenty-eight years.

John Kasson of Des Moines, who led the fight in the legislature for construction of this golden-domed State House—and what a battle it was—joined with Horace Greeley in the final writing of the 1860 Republican

national platform. After his election, Mr. Lincoln appointed Kasson, one of the all time great Iowans, to the position of first assistant Postmaster General.

Mr. Lincoln also appointed Alvin Saunder of Mount Pleasant to the post of Governor of the Territory of Nebraska. Saunder later was U.S. Senator from Nebraska.

There is even an Ann Rutledge angle to Iowa history. You all recall the tragic story of Ann Rutledge, the young lady whom legend has it Abraham Lincoln wanted to marry but who died at New Salem. Her family emigrated to Iowa later. Robert Rutledge, who may have been Ann's brother, was Van Buren County Sheriff. The Rutledges were buried at Birmingham.

The work of Annie Wittenmyer of Keokuk was one of Iowa's most merciful contributions to the nation in the dark days of the Civil War. She dedicated herself to the welfare of wounded and ailing soldiers. She was instrumental in collection of considerable sums of money for sanitary supplies which were sent into battle areas and hospitals. She called on Mr. Lincoln. He gave full support to her plan of establishing diet kitchens for the purpose of providing suitable food for patients in military hospitals. Thousands of lives undoubtedly were saved thereby.

Any Iowa roundup of Lincoln lore also should include James F. Wilson of Fairfield, a Congressman and Senator. He too was a close friend of the President and he introduced the original emancipation resolution in the House of Representatives.

Mr. Lincoln sought constantly to discourage his generals from executing spies and saboteurs.

Maj. General Grenville Dodge of Council Bluffs was in charge in Missouri in 1865 when a guerilla was convicted of murder. The guerilla's mother went to see Mr. Lincoln to plead for her son's life. She returned to Dodge with a card on which Mr. Lincoln had written: "My Dear General Dodge: Is it possible for you to do anything for this poor woman who is in so much trouble?"

Dodge was of a mind not to accept the President's plea. If one guilty guerilla was spared, others still free might be encouraged to continue murders and depredations. Dodge planned to proceed with the execution. Then Dodge reports: "That night about midnight I received a dispatch from the war department notifying me of Mr. Lincoln being shot."

Dodge said the mother called the next day to request return of the President's card. She had abandoned hope for her son's life. But the grieving Dodge, ordinarily one of the toughest of the Civil War generals, did not have it in his heart to carry out the execution. He commuted the sentence to imprisonment.

Dodge was ordered to proceed to Springfield, Illinois, with his staff and troops for the Lincoln funeral.

"It was the saddest day of my life," the General wrote. "The streets were lined with thousands and thousands of people in great distress and sorrow. At every step we could hear the sobs of the sorrowing crowd . . . There was hardly a person not in tears and when I looked around at my troops, I saw many of them in tears."

The nation was stunned. Dodge said the streets in St. Louis were deserted for two days after the assassination. Everything came to a complete halt in Iowa cities and towns when the appalling news of the President's death came over the telegraph wires. No business was transacted in Des Moines that Saturday, April 15, 1865. Men gathered in little groups on the streets, in stores, in business establishments, in the capitol, and talked in low tones. The capitol was quickly draped in mourning. Thousands from all over Polk

County gathered Sunday afternoon for an impressive memorial service at the Polk County courthouse square.

The fact that a memorial observance such as this is being held in the Iowa capitol 106 years after his death attests to the deep reverence with which Mr. Lincoln is, and always will be, held.

Many of Mr. Lincoln's writings are immortal. The most famous are well-known to almost all Americans. Here are two which are less well-known but which are timeless in their appeal and their understanding to persons such as ourselves. In November 20, 1860, after his first great Presidential victory, he said in Springfield:

"In all our rejoicings, let us neither express nor cherish any hard feelings toward any citizen who by his vote has differed with us. Let us remember at all times that all American citizens were brothers of a common country, and should dwell together in bonds of fraternal feeling."

While he was President, he said:

"I desire to so conduct the affairs of this administration that if, at the end, when I come to lay down the reins of power, I have lost every other friend on earth, I shall have at least one friend left, and that friend shall be down inside me."

Deeply moving is this little talk to the people of Springfield which he gave just before the train left in 1861 on his first trip to Washington to be inaugurated:

"My friends: no one, not in my situation, can appreciate my feeling of sadness at this parting. To this place, and the kindness of these people, I owe everything. Here I have lived a quarter of a century, and have passed from a young to an old man.

"Here my children were born, and one is buried. I now leave, not knowing when or whether ever I may return, with a task greater before me than that which rested upon Washington. Without the assistance of that Divine Being who ever attended him, I can not succeed. With that assistance, I can not fail.

"Trusting in Him, who can go with me and remain with you, and be everywhere for good, let us confidently hope that all will yet be well. To His care commending you, as I hope in your prayers you will commend me, I bid you an affectionate farewell."

The beating of that warm human heart will continue to be felt throughout all human history. I thank you.

ADOPTION OF HOUSE CONCURRENT RESOLUTION 3

Senator Van Drie called up for consideration the following concurrent resolution and moved its adoption :

HOUSE CONCURRENT RESOLUTION 3

By Schroeder, Fischer of Grundy,
Christensen, Tieden, Radl and Stromer

Whereas, it is the desire and goal of the members of the Sixty-fourth General Assembly, First Regular Session, to eliminate all unnecessary expenditures; and

Whereas, the cost of envelopes, labeling, and packing could be eliminated and whereas written materials could be distributed more efficiently and expeditiously by the pages under the direction of the Sergeant-at-Arms; now, therefore,

Be It Resolved by the House, the Senate Concurring, that a directive be sent to all state departments, commissions and boards to the effect that all written or printed information, communications or reports intended for general distribution to members of the House and/or Senate be delivered in bulk to the House chamber and/or the Senate chamber to be distributed to the members under the supervision of the Sergeant-at-Arms.

The motion prevailed and the resolution was adopted.

CONSIDERATION OF BILLS

Senate File 171

On motion of Senator Keith, Senate File 171, a bill for an act making an appropriation from the primary road fund to the state highway commission to pay for deficiencies in funds appropriated for field operations, was taken up and considered.

Senator Lamborn offered the following amendment filed by him:

- 1 Amend Senate File 171 as follows:
- 2 1. Page 2, following line 8 insert the following
- 3 new section:
- 4 "Sec. 2. Notwithstanding the provisions of section
- 5 three hundred seven point ten (307.10) of the Code,
- 6 there is appropriated from the road use tax fund to the
- 7 state highway commission for the biennium ending June 30,
- 8 1971, the sum of three hundred sixty thousand three
- 9 hundred ninety dollars and ninety-two cents (360,390.92),
- 10 or so much thereof as may be necessary, for the purposes
- 11 provided in section three hundred seven point five
- 12 (307.5), subsection twelve (12), and the last paragraph
- 13 of section three hundred thirteen point four (313.4),
- 14 of the Code, and for the purpose of paying the city of
- 15 Ames, Iowa, for ten special assessments against certain
- 16 property owned by the state of Iowa for the New Street
- 17 Improvement Program No. 2-1970. The sums appropriated by
- 18 this section shall, notwithstanding the provisions of
- 19 section three hundred twelve point two (312.2) of the
- 20 Code, be paid prior to any credit or distribution pro-
- 21 vided in section three hundred twelve point two
- 22 (312.2) of the Code."
- 23 2. By renumbering the remaining section according-
- 24 ly.
- 25 3. Page 1, line 1, by inserting after the word

Page 2

- 1 "fund" the words "and road use tax fund".
- 2 4. Page 1, line 3, by inserting after the word
- 3 "operations" the words "and to pay for certain special
- 4 assessments against property owned by the state".

SENATE FILES DEFERRED

Senator Lamborn asked and received unanimous consent that further action on **Senate File 171** be deferred and that the bill be placed on the calendar under **unfinished business**.

Senator Lamborn asked and received unanimous consent that further action on **Senate File 27** be deferred and that the bill retain its place on the **calendar**.

Senator Lamborn asked and received unanimous consent that further action on **Senate File 163** be deferred and that the bill retain its place on the **calendar**.

CONSIDERATION OF BILLS

Senate File 53

On motion of Senator Nicholson, Senate File 53, a bill for an act relating to a penalty for unauthorized entry into public buildings and the misuse of property, was taken up for further consideration.

Senator Nicholson offered the following amendment filed by him and moved its adoption :

- 1 Amend Senate File 53, line 14, by striking "*and*" and inserting
- 2 in lieu thereof "*or*".

Senator DeKoster moved that further action on Senate File 53 be deferred.

Division was called for.

The motion was adopted and **Senate File 53** was deferred and placed on the calendar under **unfinished business**.

On motion of Senator Lamborn, the Senate recessed until 11:55 a.m.

The Senate reconvened, President pro tempore Kyhl presiding.

MESSAGE FROM THE HOUSE

The following message was received from the House :

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File 177, a bill for an act to increase the tax on cigarettes.

WILLIAM R. KENDRICK, Chief Clerk

HOUSE MESSAGE CONSIDERED

House File 177, a bill for an act to increase the tax on cigarettes.

Read first time and **passed on file**.

ANNOUNCEMENT BY PRESIDENT OF THE SENATE

President Jepsen announced the appointment of the following memorial resolution committees:

On Earl Elijah:

Senator Lamborn, Chairman
Senator Rabedeaux
Senator Shaff

On Linus B. Forsling:

Senator Erskine, Chairman
Senator Schaben
Senator Graham

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on February 12, 1971, the Governor approved and transmitted to the Secretary of State the following bills:

S. F. 70—Relating to eligibility for unemployment compensation for veterans.

H. F. 42—Relating to shorthand notes of court reporters.

H. F. 83—Legalizing and validating the proceedings of the City Council of the City of DeWitt.

REPORT OF COMMITTEE

Senator Potgeter submitted the following report:

MR. PRESIDENT: Your committee on state government, to which was referred **House File 119**, a bill for an act relating to election precincts, begs leave to report it has had the same under consideration and recommends the same **be amended as follows; and when so amended the bill do pass:**

1 Amend House File 119, as amended and passed by the

2 House and reprinted, as follows:

3 1. Page 2A, by striking from line 10 the words

4 "five hundred".

5 2. Page 2B, by striking all of line 41 after the

6 word "data]" and inserting in lieu thereof a period, and

7 by striking lines 42 through 47, inclusive.

8 3. Page 3A, by striking all of line 2 after the

9 word "necessary" and inserting in lieu thereof a period,

10 and by striking lines 3 and 4.

11 4. Page 3A, by striking from line 31 the words

12 "five hundred".

13 5. Page 3B, by striking from line 43 the words

14 "five hundred".

15 6. Page 3B, by striking from lines 46, 47 and 48

16 the words "building or facility, including but not

17 limited to buildings or facilities such as college

18 dormitories and military installations," and inserting

19 in lieu thereof the words "college dormitory or military

20 installation".

21 7. Page 3B, by striking from line 58 the words

22 "five hundred".

23 8. Page 4A, by striking the comma at the end of
24 line 1 and inserting in lieu thereof a period, and by
25 striking lines 2 through 9, inclusive.

Page 2

1 9. Page 4A, by striking from line 11 the word ", or"
2 and inserting in lieu thereof a period, and by striking
3 lines 12, 13 and 14.

4 10. Page 4A, by striking from line 35 the words
5 "five hundred".

JAMES A. POTGETER, Chairman

Ordered passed on file.

AMENDMENTS FILED

1 Amend Senate File 41, page 1, by striking all of
2 line 13 and in line 14 the words, "his employment by
3 that county and shall".

LEE H. GAUDINEER, JR.

1 Amend Senate File 53 as follows:

2 1. Page 1, line 19, by striking "and" and inserting in lieu
3 thereof ["and] or".

4 2. Page 1, line 20, by inserting after the word "year" the
5 following "or both".

R. DEAN ARBUCKLE

1 Amend Senate File 57 by striking all after the
2 enacting clause and inserting the following:

3 Section 1. Chapter six hundred four (604), Code
4 1971, is amended by adding the following new section:

5 "Each district court judge shall appoint a
6 bailiff, who may also act as a technical assistant.
7 The salary of such bailiff shall be fixed by the
8 board of supervisors. In a judicial district con-
9 taining more than one county, such salary and expenses
10 incurred by such bailiff shall be apportioned and paid
11 by each such county on the basis of population. The
12 board of supervisors in any county within a judicial
13 district that does not agree with the salary set and
14 approved by the other counties in such district,
15 shall fix the salary of a bailiff for the court to
16 be appointed by the judge when it is in session in
17 that county."

18 Sec. 2. Section seven hundred forty-eight point
19 three (748.3), Code 1971, is amended by adding the
20 following new subsection:

21 8. Bailiffs appointed by district court judges
22 (or pursuant to this act).

23 Sec. 3. Section three hundred thirty-seven point
24 seven (337.7), Code 1971, is amended as follows:

Page 2

1 337.7 BAILIFFS—APPOINTMENT—DUTIES. The sheriff
2 shall *in exceptional circumstances as determined by the*
3 *judge* [attend upon the district court of his county, and
4 while it remains in session he shall be allowed the
5 assistance of such number of bailiffs as the judge may
6 direct. They shall be appointed by the sheriff and shall
7 be regarded as deputy sheriffs, for whose acts the
8 sheriff shall be responsible.] *furnish such assistance*
9 *as from time to time may be needed to maintain order and*
10 *decorum in the courtroom, judicial chambers, courthouse,*
11 *and adjacent areas or at such other place as the court*
12 *convenes or is in session.*

TOM RILEY
LEE H. GAUDINEER, JR.
GEORGE F. MILLIGAN
JOHN L. MOWRY

1 Amend Senate File 144, page 1, line 7, by inserting
2 after the word "staff", the words, "pursuant to the
3 merit system".

LEE H. GAUDINEER, JR.

1 Amend Senate File 188 as follows:

2 1. Page 3, by adding the following sentence after
3 line 2: "Those using lands and waters pursuant to
4 chapter one hundred eleven C (111C), of the Code, shall
5 not be considered to be in violation of this act."

6 2. Page 3, by adding the following section after
7 line 22:

8 Sec. 5. Chapter one hundred eleven C point
9 one (111C.1), Code 1971, is amended as follows:

10 111C.1 PURPOSE. The purpose of this chapter is to
11 encourage private owners of land to make land and water
12 areas available to the public for recreational purposes
13 by limiting their liability toward persons [entering] *who*
14 *have received permission, whether actual or implied,*
15 *to enter thereon for such purposes.*

ARTHUR A. NEU

On motion of Senator Lamborn, the Senate adjourned until 10:00
a.m., Monday, February 15, 1971.

JOURNAL OF THE SENATE

THIRTY-SIXTH DAY

SENATE CHAMBER
DES MOINES, IOWA, MONDAY, FEBRUARY 15, 1971

The Senate met in regular session, President Jepsen presiding.

Prayer was offered by the Reverend Paul Temple, pastor of the Finchford Community Church, Janesville, Iowa.

The Senate pledged allegiance to the flag.

The Journal of Friday, February 12, 1971, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Milligan for the day on account of illness on request of Senator Glenn.

PRESENTATION OF VISITORS

The Chair announced that the following visitors were present in the Senate gallery:

One hundred fifteen students from Pella Community High School, Pella, Iowa, accompanied by their instructor, A. Hoekstra.

PETITIONS

The following petitions were presented and placed on file:

By Senator Messerly, from twenty-four residents of Black Hawk County opposing House File 121, a bill for an act providing limitations on the property tax levy for the general fund budget of school districts, and urging support of Senate File 145.

By Senator Erskine, from thirty-two residents of Woodbury County favoring liberalization of the abortion law.

By Senator Doderer, from two hundred eighty-five residents of Johnson County urging legislation mandating school boards and other governmental agencies to negotiate with teachers and all public employees.

By Senator Ollenburg, from thirty-seven residents of Winnebago County favoring legislation requiring negotiations between public employers and their employees.

INTRODUCTION OF BILLS

Senate File 217, by committee on state government, a bill for an act relating to compensating state employees for the use of their motor vehicles.

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

Senate File 218, by Senator Potgeter, a bill for an act regulating the issuance of special deer hunting licenses to the spouse of landlords and tenants.

Read first time and **passed on file**.

Senate File 219, by Senator Stephens, a bill for an act relating to tort liability of governmental subdivisions.

Read first time and **passed on file**.

Senate File 220, by Senator Stephens, a bill for an act relating to the tort liability of school districts and other governmental subdivisions.

Read first time and **passed on file**.

Senate File 221, by Senator Stephens, a bill for an act relating to the state tort claims act.

Read first time and **passed on file**.

Senate File 222, by Senator Stephens, a bill for an act relating to real estate transactions and to eliminate the tax on such transactions and provide a penalty.

Read first time and **passed on file**.

Senate File 223, by Senator Briles, a bill for an act relating to licenses for professional boxing and wrestling matches.

Read first time and **passed on file**.

Senate File 224, by committee on social services, a bill for an act relating to the qualifications of the commissioner of public health.

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

Senate File 225, by Senator Gaudineer, a bill for an act relating to the definition of a nonresident for the purpose of making service of process.

Read first time and **passed on file**.

A TRIBUTE

Senator Mowry, on behalf of the members of the Senate, placed a floral tribute on desk No. 30, formerly occupied by Senator Charles K. Sullivan, who passed away on February 13, 1971. The Senate stood for a moment of silence in respect to his memory.

Senator Lamborn rose on a point of personal privilege to pay the following tribute to Senator Sullivan:

MR. PRESIDENT: I was shocked this weekend as you all were to hear the news of the passing of one of our fellow Senators.

His death will be a great loss to his family, to the Senate, the State of Iowa, and to his community, which he represented with pride and great integrity.

Senator Sullivan never backed down in his beliefs and defended his position at all times.

He was respected and did his job with enthusiasm.

I'm sure the Sixty-second, Sixty-third and Sixty-fourth General Assemblies were better because of his presence and we will always remember him.

ADOPTION OF SENATE CONCURRENT RESOLUTION 14

Senator Mowry asked and received unanimous consent to take up for consideration the following resolution and moved its adoption:

SENATE CONCURRENT RESOLUTION 14

By Mowry, Conklin, Nicholson,
Erskine, Stephens and Thordsen

Whereas, on the 13th day of February, A.D. 1971, our friend and colleague, the Honorable Charles K. Sullivan, State Senator from the Eleventh District of Iowa, passed away, and

Whereas, we of the Senate and House of Representatives knew him to be a true and faithful public servant, a devoted husband and father, and

Whereas, we mourn and regret the loss to this body of an esteemed friend;
Now Therefore,

Be It Resolved by the Senate, the House Concurring: That we extend to the bereaved family and relatives of the late Honorable Charles K. Sullivan our deep and profound sympathy in their sorrow, and that the President of the Senate appoint a committee to represent the Senate, and the Speaker of the House of Representatives appoint a committee to represent the House at the funeral of the deceased; and that honorary pallbearers be also appointed.

Be It Further Resolved: That an original copy of this resolution be forwarded to his wife, son and daughter.

The motion prevailed and the resolution was adopted.

APPOINTMENT OF COMMITTEE

President Jepsen announced the appointment of the following committee to represent the Senate at the funeral: Senators Mowry,

Conklin, Nicholson, Erskine, Stephens and Thordsen.

Senator Coleman took the chair at 10:17 a.m.

UNFINISHED BUSINESS

Senate File 171

On motion of Senator Lamborn, Senate File 171, a bill for an act making an appropriation from the primary road fund to the state highway commission to pay for deficiencies in funds appropriated for field operations, was taken up for further consideration.

The Senate resumed consideration of the following Lamborn amendment:

- 1 Amend Senate File 171 as follows:
- 2 1. Page 2, following line 8 insert the following
- 3 new section:
- 4 "Sec. 2. Notwithstanding the provisions of section
- 5 three hundred seven point ten (307.10) of the Code,
- 6 there is appropriated from the road use tax fund to the
- 7 state highway commission for the biennium ending June 30,
- 8 1971, the sum of three hundred sixty thousand three
- 9 hundred ninety dollars and ninety-two cents (360,390.92),
- 10 or so much thereof as may be necessary, for the purposes
- 11 provided in section three hundred seven point five
- 12 (307.5), subsection twelve (12), and the last paragraph
- 13 of section three hundred thirteen point four (313.4),
- 14 of the Code, and for the purpose of paying the city of
- 15 Ames, Iowa for ten special assessments against certain
- 16 property owned by the state of Iowa for the New Street
- 17 Improvement Program No. 2-1970. The sums appropriated by
- 18 this section shall, notwithstanding the provisions of
- 19 section three hundred twelve point two (312.2) of the
- 20 Code, be paid prior to any credit or distribution pro-
- 21 vided in section three hundred twelve point two
- 22 (312.2) of the Code."
- 23 2. By renumbering the remaining section according-
- 24 ly.
- 25 3. Page 1, line 1, by inserting after the word

Page 2

- 1 "fund" the words "and road use tax fund".
- 2 4. Page 1, line 3, by inserting after the word
- 3 "operations" the words "and to pay for certain special
- 4 assessments against property owned by the state".

SENATE FILES DEFERRED

Senator Lamborn asked and received unanimous consent that further action on **Senate File 171** be deferred and that the bill retain its place on the calendar.

Senator Lamborn asked and received unanimous consent that further action on **Senate File 27** be deferred and that the bill retain its place on the **calendar**.

Senator Lamborn asked and received unanimous consent that further action on **Senate File 163** be deferred and that the bill retain its place on the **calendar**.

CONSIDERATION OF BILLS

Senate File 170

On motion of Senator Potgeter, Senate File 170, a bill for an act relating to the appointment and tenure of the commissioner of public safety, was taken up and considered.

Senator Balloun offered the following amendment filed by him:

- 1 Amend Senate File 170, page 2, by striking lines 16, 17, and
- 2 18 and inserting in lieu thereof the following: "*basis of political affiliation*. He shall have been for a period of at least
- 3 five years, immediately prior to his appointment, a resident of
- 4 the state of Iowa. The commissioner".

Senator Balloun moved the adoption of the amendment and called for a division.

The amendment lost.

Senator Potgeter moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 170) the vote was:

Ayes, 41:

Anderson	Gilley	Miller	Schaben
Arbuckle	Glenn	Mowry	Shaff
Bass	Graham	Neu	Shawver
Brownlee	Griffin	Ollenburg	Smith
Carlson	Hill	Palmer	Stephens
Coleman	Keith	Potgeter	Tapscott
Conklin	Kennedy	Potter	Thordsen
Curran	Kyhl	Rabedeaux	Van Drie
Davis	Lamborn	Rhodes	Van Gilst
DeKoster	Messerly	Riley	Walsh
Gaudineer			

Nays, 3:

Balloun	Doderer	Erskine
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Absent or not voting, 5:

Briles	Milligan	Nicholson	Robinson
Laverty			

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

SENATE FILES DEFERRED

Senator Lamborn asked and received unanimous consent that further action on **Senate File 68** be deferred and that the bill retain its place on the **calendar**.

Senator Lamborn asked and received unanimous consent that further action on **Senate File 78** be deferred and that the bill retain its place on the **calendar**.

CONSIDERATION OF BILLS

Senate File 89

On motion of Senator Neu, Senate File 89, a bill for an act relating to the issuance of certificates of convenience and necessity to motor vehicle carriers, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Mowry offered the following committee amendment:

1 Amend Senate File 89 as follows:

2 1. By inserting before the period on page 2, line 3,
3 the following: " , provided however that a public
4 hearing has been held on the application".

5 2. Page 2, by adding after line 5 the following new
6 section:

7 "Sec. Section three hundred twenty-five point six
8 (325.6), Code 1971, is amended by adding the following
9 new paragraph:

10 The commission may allow the provision of temporary
11 service for which there is an immediate and urgent need
12 to point or points requested by the application for a
13 certificate of public convenience and necessity upon a
14 finding that no carrier has operating authority to
15 serve those points and upon meeting the requirements of
16 this chapter and the rules and regulations of the
17 commission. Such temporary authority, unless suspended
18 or revoked for good cause, shall be valid for such time
19 as the commission shall specify but not more than an
20 aggregate of one hundred eighty days, and shall create
21 no presumption that the corresponding application will
22 be granted thereafter."

Senator Neu offered the following amendment to the amendment:

1 Amend the February 9, 1971, amendment by the
2 commerce committee to Senate File 89 by striking lines
3 2 through 4 and inserting in lieu thereof the following:

4 "1. Strike the word "may" on line 1 of page 2 and
5 by inserting in lieu thereof the word "shall".

Senator Neu asked and received unanimous consent to withdraw the amendment to the amendment.

On motion of Senator Mowry, the committee amendment was adopted.

Senator Neu offered the following amendment and moved its adoption:

- 1 Amend Senate File 89, page 1, by striking all
- 2 after the word "the" on line 9, line 10 and line 11
- 3 and by inserting in lieu thereof the words "community
- 4 is without service."

The amendment was adopted.

Senator Neu moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 89) the vote was:

Ayes, 41:

Anderson	Doderer	Kyhl	Riley
Arbuckle	Erskine	Lamborn	Schaben
Balloun	Gaudineer	Messerly	Shawver
Bass	Gilley	Miller	Smith
Brownlee	Glenn	Mowry	Stephens
Carlson	Graham	Neu	Tapscott
Coleman	Griffin	Ollenburg	Thordsen
Conklin	Hill	Potgeter	Van Drie
Curran	Keith	Potter	Van Gilst
Davis	Kennedy	Rabedaux	Walsh
DeKoster			

Nays, none.

Absent or not voting, 8:

Briles	Milligan	Palmer	Robinson
Lavery	Nicholson	Rhodes	Shaff

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

President Jepsen took the chair at 11:38 a.m.

On motion of Senator Lamborn, the Senate recessed until the fall of the gavel.

AFTERNOON SESSION

The Senate reconvened, President pro tempore Kyhl presiding.

MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 14, extending sympathy to the family and relatives of the late Honorable Charles K. Sullivan.

WILLIAM R. KENDRICK, Chief Clerk

INTRODUCTION OF BILLS

Senate File 226, by Senators Miller and Kennedy (Monroe, Knoblauch, Schmeiser, Wyckoff, Scott, Miller and Patton), a bill for an act relating to the probationary period of city patrolmen.

Read first time and **passed on file**.

Senate File 227, by Senators Miller, Coleman and Rabedeaux, a bill for an act relating to the denial of a property tax exemption.

Read first time and **passed on file**.

Senate File 228, by committee on ways and means, a bill for an act to increase the tax on cigarettes.

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

Senate File 229, by Senators Griffin, Van Drie and Ollenburg (Kehe, Rex and Knoblauch), a bill for an act relating to retention from payments on public contracts and escrow agreements.

Read first time and **passed on file**.

Senate File 230, by Senator Coleman (Rex and Hansen), a bill for an act to provide an excise tax on the sale of turkeys and providing a penalty for certain violations of this Act.

Read first time and **passed on file**.

Senate File 231, by Senator Coleman, a bill for an act relating to motor vehicle registration cards.

Read first time and **passed on file**.

Senate File 232, by Senator Mowry (Grassley, Nielsen and Schroeder), a bill for an act to establish the office of district attorney.

Read first time and **passed on file**.

Senate File 233, by committee on judiciary, a bill for an act relating to disclosure of information learned during the preparation of income tax returns and providing penalties for violations.

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

Senate File 234, by Senator Van Gilst, a bill for an act providing for a public conservator.

Read first time and **passed on file**.

Senate File 235, by Senator Gaudineer, a bill for an act relating to appeals in criminal cases and providing a penalty for violations.

Read first time and **passed on file**.

Senate File 236, by committee on constitutional amendments and reapportionment (Varley, Shaw and Nielsen), a bill for an act relating to Congressional districts.

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

BILLS ASSIGNED TO COMMITTEE

President Jepsen announced the assignment of the following bills to committee:

- S. F. 212 County government
- S. F. 213 Ways and means
- S. F. 214 State government
- S. F. 215 State government
- S. F. 218 Conservation and recreation
- S. F. 219 Judiciary
- S. F. 220 Schools
- S. F. 221 Judiciary
- S. F. 222 Ways and means
- S. F. 223 Commerce
- S. F. 225 Judiciary
- S. F. 226 Cities and towns
- S. F. 227 Judiciary
- S. F. 229 Judiciary
- S. F. 230 Agriculture
- S. F. 231 Law enforcement
- S. F. 232 Judiciary
- S. F. 234 County government
- S. F. 235 Judiciary

AMENDMENTS FILED

1 Amend Senate File 74 as follows:

2 1. Page 2, by striking lines 3 through 8, inclu-
3 sive, and inserting in lieu thereof the following:

4 "303.1 STATE LIBRARIES[—HISTORICAL AND ARCHIVES
5 DEPARTMENT]. There is established:

6 [1. The Iowa state department of history and
7 archives.]

8 [2] 1. The Iowa state law library.

9 [3] 2. The Iowa state medical library.

10 3. *The Iowa state traveling library.*"

11 2. Page 2, lines 12 and 13, by striking the words
12 "Iowa state department of history and archives and the"
13 and inserting in lieu thereof the words "[Iowa state
14 department of history and archives and the]".

15 3. Page 2, lines 29 and 30, by striking the words
16 "a curator of the Iowa state department of history and
17 archives and appoint" and inserting in lieu thereof the
18 words "[a curator of the Iowa state department of history
19 and archives and appoint]".

20 4. Page 3, lines 3 and 4, by striking the words
21 "the department of history and archives and" and insert-
22 ing in lieu thereof the words "[the department of history
23 and archives and]".

24 5. Page 3, line 8, by striking the words "department
25 and" and inserting in lieu thereof the words "[department

Page 2

1 and]".

2 6. Page 3, lines 18 and 19, by striking the words
3 "department and" and inserting in lieu thereof the words
4 "[department and]".

5 7. Page 5, by striking lines 3 through 35, inclusive.

6 8. Page 6, by striking lines 1 through 32, inclusive.

7 9. Page 7, by adding after line 18 the following
8 new sections:

9 1. "Section three hundred four point one (304.1),
10 Code 1971, is amended as follows:

11 304.1 OBJECTS AND PURPOSES. The state historical
12 society shall be maintained in connection with and under
13 the auspices of the state University of Iowa, for carry-
14 ing out the work of collecting and preserving materials
15 relating to the history of Iowa and illustrative of the
16 progress and development of the state; for maintaining
17 a library and collections, and conducting historical
18 studies and researches; for issuing publications, and for
19 providing public lectures of historical character, and
20 otherwise disseminating a knowledge of the history of
21 Iowa among the people of the state.

22 *There is established the Iowa state department of*
23 *history and archives to be governed by the board of*
24 *curators."*

25 2. "Section three hundred four point two (304.2),

Page 3

1 Code 1971, is amended as follows:

2 304.2 BOARD OF CURATORS—MEETINGS. The board
3 of curators of the society and the department shall
4 consist of eighteen persons, nine of whom shall be
5 appointed by the governor, and nine elected by members
6 of the society. Their term of office shall be two years,
7 and they shall receive no compensation. The governor
8 shall make his appointments on or before the last Wednes-
9 day in June in each even-numbered year, and the terms
10 of the persons appointed shall commence on that day; and,
11 at the annual meeting of the society in each odd-numbered
12 year, the others shall be elected by ballot from the
13 members of the society, for the term next ensuing, which
14 annual meeting shall be held at Iowa City on the Monday
15 preceding the last Wednesday in June.

16 *In addition to the eighteen members of the board*
17 *of curators, the state archaeologist appointed pursuant*
18 *to section 305A.1 and the state geologist appointed*
19 *pursuant to section 305.2 shall serve as non-voting ex*
20 *officio members of the board."*

21 3. "Chapter three hundred four (304), Code 1971,
22 is amended by adding the following new sections:

23 1. IOWA STATE DEPARTMENT OF HISTORY AND AR-
CHIVES.

24 The board of curators shall:

25 1. Make and enforce rules for the keeping of

Page 4

1 records and for the management and care of the property
2 of the Iowa state department of history and archives.

3 2. Appoint a curator of the Iowa state department
4 of history and archives for a term of six years. No
5 consideration shall be given to the political affilia-
6 tions of the person appointed. A curator may be removed
7 for cause by an affirmative vote of two-thirds of the
8 board of curators.

9 3. Appoint necessary persons to assist the curator.

10 4. Consult with the state library board established
11 pursuant to section three hundred three point two (303.2)
12 of the Code in determining the control of and space
13 assignment in the historical building for the Iowa state
14 department of history and archives and Iowa state medical
15 library and Iowa state traveling library established
16 pursuant to chapter three hundred three (303) of the
17 Code.

18 5. Report in writing to the governor semiannually
19 on all matters pertaining to the state historical society
20 and Iowa state department of history and archives.'

21 2. 'DUTIES OF THE CURATOR OF THE DEPARTMENT OF
22 HISTORY AND ARCHIVES. The curator shall:

23 1. CUSTODY OF HISTORICAL BUILDING. Under the
24 direction of the board of curators, be custodian of the
25 historical building and collections, and shall keep the

Page 5

1 rooms assigned to the department and the collections

open for inspection by the public during such hours of each day as the board may direct, but the curator shall cause the same to be kept open on Sunday afternoons during the sessions of the general assembly.

2. CUSTODY, DISPLAY, AND PUBLICATION OF MATERIAL.

Under the direction of the board of curators, collect, preserve, organize, arrange, and classify works of art, books, maps, charts, public documents, manuscripts, newspapers, and other objects and materials illustrative of the natural and political history of the territory and state and of the central west, and of the traditions and history of the Indian tribes and prior occupants of the region, and publish such matter and display such material as may be of value and interest to the public.

3. COLLECTION OF MEMORIALS AND MEMENTOS. With the approval of the board of curators, collect memorials and mementos of the pioneers of Iowa and the soldiers of all our wars, including portraits, specimens of arms, clothing, army letters, commissions of officers, and other military papers and documents.

4. ETHNOLOGY AND ARCHAEOLOGY. Receive and arrange in cases, objects illustrative of the ethnology and prehistoric archaeology of this and surrounding states.

Page 6

5. INVENTORY OF PROPERTY. Maintain a classified index and inventory of all the property belonging to the museum or in its custody; determine through the aid of experts the money value of the property; prepare a summary of the property; maintain a list of items lost or dropped from the collections; and report on the materials obtained by gift and by purchase during each biennium.

6. NEWSPAPERS. Subscribe to newspapers as in his judgment are necessary to preserve for historical purposes. The list of papers selected shall be submitted to the board of curators for approval. The curator shall bind the newspapers that are received for historical purposes every two years.

7. CUSTODIAN OF WORKS OF ART. Except as otherwise specifically provided, care for and preserve the monuments, memorials, and works of art on the grounds and in the buildings at the seat of government, and report from time to time to the board and make recommendations for the care of the works of art.

8. REPORT TO BOARD. Report to the board semi-annually or oftener on all matters pertaining to the condition of the Iowa state memorial museum of art and history.

9. OTHER DUTIES. Perform other duties as may be

Page 7

imposed upon by him by law or prescribed by the rules of the board.

3. 'GIFTS. The curator may accept gifts of prop-

erty, real, personal or mixed, for the benefit of the Iowa state department of history and archives. A gift accepted shall be reported to the board of curators. A gift imposing unusual obligations on the department must first be approved by the board of curators before acceptance.'

4. 'INVESTMENTS. The curator and the board of curators shall have authority and power to invest a gift in accordance with the provisions of the trust, and to establish and enforce rules to govern and maintain the gifts received pursuant to subsection three (3) of this section.'

5. 'ARCHIVES.

1. The term "archives" means manuscripts, documents, records, and other materials which public officials or officers in the regular course and performance of their duties possess, which are not required for the conduct of the current business of the public office, or which the public official considers to be in a condition that he cannot provide adequate or safe storage.

2. The curator shall be the trustee and custodian of the archives of the state of Iowa. He shall prescribe

Page 8

1 necessary rules and regulations to assure that the
2 archives are systematically arranged in suitable con-
3 tainers, and properly labeled before the archives are
4 transferred to his custody.

5 Archives for a county or municipality may be volun-
6 tarily deposited with the curator.'

6. 'ARCHIVES DELIVERED—CLASSIFIED LIST—DISPOSAL.

State departments, officers and offices, councils, boards, bureaus, and commissions are directed to transfer and deliver to the Iowa state department of history and archives the archives as designated in subsection five (5) of this section and to receive the curator's receipt for the archives. Before accepting custody of the archives, the curator shall receive a classified list to be made in detail as prescribed by the curator describing the material to be transferred.

If the curator deems that the materials to be transferred are not of sufficient historical, legal, or administrative value to justify permanent preservation, he shall make recommendations for the timely disposal to the board of curators. The curator shall consult with the office transferring the material in determining his recommendations.

The curator shall annually submit a list of archives which have no value and which, if approved by the board

Page 9

1 of curators, will be destroyed.

2 The curator shall not be required to permanently
3 preserve vouchers, claims, canceled or redeemed state
4 warrants, or duplicate warrant registers of the state
5 comptroller or treasurer of state. After three years of
6 storage he may, after microfilming, destroy the warrants

7 that have no historical value. In addition the curator
8 may destroy a voucher, claim and duplicate warrant
9 register which has been in storage for three years.'

10 7. 'REMOVAL OF ARCHIVE. After an archive has
11 been received by the curator, it cannot be removed from
12 his custody without his consent except by written order
13 of the state executive council or a subpoena of a court
14 of record.'

15 8. 'CERTIFIED COPIES. Upon request of any person,
16 the curator shall make a certified copy of an archive in
17 his custody. When properly authenticated by him, the
18 certified copy shall have the same legal effect as
19 though certified by the officer from whose office the
20 original archive was received or by the secretary of
21 state.

22 A properly authenticated reproduction of any micro-
23 filmed reproduction shall be admissible in evidence in
24 any court in this state.

25 The curator shall charge and collect the fee which

Page 10

1 is provided by law to the official whose office origi-
2 nated the archive. All fees shall be remitted to the
3 treasurer of state.' "

4 4. "Section three hundred five point two (305.2),
5 Code 1971, is amended as follows:

6 305.2 STATE GEOLOGIST AND ASSISTANTS. Such board
7 shall appoint and fix the salaries of a state geologist,
8 and such expert assistants and other employees, recom-
9 mended by him, as may be necessary.

10 *The state geologist shall serve as a non-voting,*
11 *ex officio member of the board of curators established*
12 *pursuant to section 304.2."*

13 5. "Section three hundred five A point two (305A.2),
14 Code 1971, is amended as follows:

15 305A.2 DUTIES. The state archaeologist shall have
16 the primary responsibility for the discovery, location
17 and excavation of archaeological sites and for the re-
18 covery, restoration and preservation of archaeological
19 remains in and for the state of Iowa, and shall coordinate
20 all such activities through cooperation with the state
21 highway commission, state conservation commission, and
22 other state agencies concerned with archaeological
23 salvage or the products thereof.

24 *The state archaeologist shall serve as a non-voting,*
25 *ex officio member of the board of curators established*

Page 11

1 *pursuant to section 304.2."*

2 10. Page 7, line 19, by adding after the word
3 "Sections" the words and figures "three hundred three
4 point six (303.6), three hundred three point seven
5 (303.7), three hundred three point eight (303.8), three
6 hundred three point nine (303.9), three hundred three
7 point ten (303.10), three hundred three point eleven
8 (303.11), three hundred three point twelve (303.12),".

9 11. By renumbering the sections as necessary.

- 10 12. Page 1, line 2, by adding after the word
11 "archives" the words "and the board of curators".

EUGENE M. HILL

- 1 Amend Senate File 78 as follows:

- 2 1. Page 4, line 14, by adding after the period the
3 following:

- 4 "Per diem and expense payments shall be made from
5 the state board of medical examiners fund."

- 6 2. Page 5, line 14, by adding after the period the
7 following:

- 8 "However, the fees required by this section shall
9 not be included in computing the remainder in excess of
10 twenty-five thousand dollars in the state board of
11 medical examiners fund as provided in section one
12 hundred forty-seven point one hundred three (147.103)
13 of the Code, and such fees shall not revert to the
14 general fund of the state."

JOHN E. TAPSCOTT

FRANCIS L. MESSERLY

- 1 Amend Senate File 127, line 11, by inserting after
2 the word "work" the following: "except that in the
3 case of nuclear power plants the action shall be
4 brought within fifty years after the substantial
5 completion of the improvement or work".

TOM RILEY

- 1 Amend Senate File 163 as follows:

- 2 Page 2, by adding the following new section after
3 line 25:

- 4 "Sec. 3. Section four hundred eleven point six
5 (411.6), subsection fourteen (14), Code 1971, is amended
6 by adding the following new paragraph:

- 7 e. A retired member who became eligible for benefits
8 under this chapter but who did not serve twenty-two years
9 as a policeman or fireman and did not attain the age of
10 fifty-five years prior to his retirement or termination
11 of employment shall not be eligible for the annual readjust-
12 ments of pension provided for by this subsection."

MINNETTE F. DODERER

- 1 Amend Senate File 188, page 3, by adding the
2 following new section:

- 3 Sec. 5. This Act, being deemed of immediate
4 importance, shall take effect and be in force from
5 and after its publication in The Glidden Graphic, a
6 newspaper published in Glidden, Iowa, and in the
7 LeMars Daily Sentinel, a newspaper published in
8 LeMars, Iowa.

ARTHUR A. NEU

- 1 Amend Senate File 211, page 2, by adding the following
2 new subsection after line 22:

- 3 3. All insurer employees.

JAMES W. GRIFFIN, SR.

1 Amend Senate File 211 as follows:

2 1. Page 2, by adding after line 22 the following
3 new subsection and paragraph:

4 "3. A person employed by and acting on behalf of an
5 attorney at law admitted to practice in this state."

6 "A person, firm, or corporation licensed pursuant to
7 this Act need not also be licensed pursuant to chapter
8 eighty A (80A), Code of Iowa."

9 2. Page 5, line 17, by inserting after the word,
10 "thereof" the following:

11 "Every resident adjuster and the insurer he repre-
12 sents shall be subject to service of process at such
13 place of business".

LEE H. GAUDINEER, JR.

1 Amend Senate File 217 by adding the following
2 new section after line 11:

3 "Sec. 2. This Act, being deemed of immediate
4 importance shall take effect and be in force from and
5 after its publication in The Daily Freeman-Journal, a
6 newspaper published in Webster City, Iowa, and in The
7 Record, a newspaper published in Cedar Falls, Iowa."

JAMES A. POTGETER
FRANCIS L. MESSERLY

On motion of Senator DeKoster, the Senate adjourned until 9:00
a.m., Tuesday, February 16, 1971.

JOURNAL OF THE SENATE

THIRTY-SEVENTH DAY

SENATE CHAMBER

DES MOINES, IOWA, TUESDAY, FEBRUARY 16, 1971

The Senate met in regular session, President Jepsen presiding.

Prayer was offered by the Reverend Wesley Van Dyke, pastor of the Christian Reformed Church, Cedar, Iowa.

The Senate pledged allegiance to the flag.

The Journal of Monday, February 15, 1971, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Milligan for the day on account of illness on request of Senator Glenn.

PRESENTATION OF VISITORS

The Chair announced that the following visitors were present in the Senate gallery:

Thirty-seven fifth-grade students from Brody Junior High School, Des Moines, Iowa, accompanied by their instructor, Miss Carpenter.

ANNOUNCEMENT

President Jepsen announced the following honorary pallbearers for Senator Sullivan's funeral: Lieutenant Governor Roger W. Jepsen, President of the Senate; Representative William H. Harbor, Speaker of the House; Senators John L. Mowry and Alden J. Erskine, and Representatives Leonard Andersen, E. Kevin Kelly, Donald V. Doyle and Jewell O. Waugh.

UNFINISHED BUSINESS

House File 17

On motion of Senator Arbuckle, House File 17, a bill for an act relating to the Iowa development commission corporation, was taken up for further consideration.

Senator Arbuckle moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 17) the vote was:

Ayes, 41:

Anderson	Erskine	Lamborn	Rhodes
Arbuckle	Gaudineer	Lavery	Riley
Balloun	Gilley	Messerly	Robinson
Bass	Glenn	Miller	Shaff
Carlson	Graham	Mowry	Shawver
Coleman	Griffin	Neu	Stephens
Conklin	Hill	Ollenburg	Tapscott
Curran	Keith	Palmer	Thordsen
Davis	Kennedy	Potter	Van Drie
DeKoster	Kyhl	Rabedeaux	Walsh
Doderer			

Nays, 1:

Potgeter

Absent or not voting, 7:

Briles	Milligan	Schaben	Van Gilst
Brownlee	Nicholson	Smith	

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

SENATE FILE WITHDRAWN

Senator Arbuckle asked and received unanimous consent that **Senate File 50** be withdrawn from further consideration of the Senate.

UNFINISHED BUSINESS

Senate File 127

On motion of Senator Walsh, Senate File 127, a bill for an act relating to the limitation of certain damage actions arising out of improvements or work upon real property, was taken up for further consideration.

Senator DeKoster offered the following committee amendment:

- 1 Amend Senate File 127, page 1, line 10, by striking the
- 2 word "five" and inserting in lieu thereof the word "ten".

Senator Thordsen offered the following amendment to the amendment:

- 1 Amend the judiciary committee amendment, filed February 8, 1971, to
- 2 Senate File 127, line 2, by striking the word "ten" and
- 3 inserting in lieu thereof "seven".

Senator Thordsen asked and received unanimous consent to withdraw the amendment to the amendment.

On motion of Senator DeKoster, the committee amendment was adopted.

Senator Riley offered the following amendment and moved its adoption:

- 1 Amend Senate File 127, line 11, by inserting after
- 2 the word "work" the following: "except that in the
- 3 case of nuclear power plants the action shall be
- 4 brought within fifty years after the substantial
- 5 completion of the improvement or work".

The amendment was adopted.

Senator Walsh moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 127) the vote was:

Ayes, 28:

Anderson	Davis	Kennedy	Shaff
Arbuckle	DeKoster	Kyhl	Shawver
Briles	Erskine	Lamborn	Smith
Carlson	Gilley	Miller	Thordsen
Coleman	Graham	Ollenburg	Van Drie
Conklin	Griffin	Potgeter	Van Gilst
Curran	Keith	Riley	Walsh

Nays, 15:

Balloun	Glenn	Neu	Rhodes
Bass	Hill	Palmer	Robinson
Doderer	Laverty	Potter	Tapscott
Gaudineer	Mowry	Rabedeaux	

Absent or not voting, 6:

Brownlee	Milligan	Schaben	Stephens
Messerly	Nicholson		

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

AMENDMENTS FILED

- 1 Amend Senate File 188 as follows:
- 2 1. Page 3, by inserting after line 22 the follow-
- 3 ing new section:
- 4 "Sec. 5. Any person who in his presence injures
- 5 another person who is committing a public offense
- 6 against the person inflicting the injury or against
- 7 such person's property, shall not be liable for any
- 8 civil damages to the injured person or his heirs,
- 9 assignees, dependents, spouse, or personal represen-
- 10 tatives."
- 11 2. Page 1, lines 1 and 2, by inserting after the
- 12 words "trespass" the words ", relating to liabilities
- 13 involving trespass,".

QUENTIN V. ANDERSON
J. WESLEY GRAHAM

- 1 Amend House File 177, page 2, by adding after line
- 2 11 the following new section and renumbering the remain-

3 ing section:

4 Sec. 2. Section ninety-eight point eight (98.8),
5 subsection one (1), Code 1971, is amended as follows:

6 1. Stamps shall be sold by and purchased from the
7 department only. The department shall sell stamps to
8 the holder of a state or manufacturer's permit which
9 has not been revoked and to no other person. Stamps
10 shall be sold to such permit holders at a discount of
11 not to exceed [five] *two* percent from the face value.
12 Stamps shall be sold in unbroken sheets of one hundred
13 stamps only.

LEE H. GAUDINEER, JR.

On motion of Senator Lamborn, the Senate adjourned until 9:00
a.m., Wednesday, February 17, 1971.

JOURNAL OF THE SENATE

THIRTY-EIGHTH DAY

SENATE CHAMBER
DES MOINES, IOWA, WEDNESDAY, FEBRUARY 17, 1971

The Senate met in regular session, President pro tempore Kyhl presiding.

Prayer was offered by the Reverend C. T. R. Yeates, pastor of the Westminster Presbyterian Church, Des Moines, Iowa.

The Senate pledged allegiance to the flag.

The Journal of Tuesday, February 16, 1971, was approved.

PRESENTATION OF VISITORS

The Chair announced that the following visitors were present in the Senate gallery :

Seven students from the special government class of Thomas Jefferson High School, Council Bluffs, Iowa.

Thirty-one fifth-grade students from Madison Elementary School, Des Moines, Iowa, accompanied by their instructor, Mrs. Vance.

PETITIONS

The following petitions were received and placed on file :

By Senator DeKoster, from seventy-one students of Briar Cliff College, Sioux City, Iowa, opposing liberalization of the abortion law.

By Senator Potgeter, from eighty-one residents of Hamilton County opposing legislation permitting the sale of beer and liquor on Sunday.

By Senator Messerly, from six residents of Black Hawk County opposing property tax freeze legislation.

INTRODUCTION OF BILLS

Senate File 237, by Senator Conklin, a bill for an act to provide that the unauthorized possession of credit cards or other credit devices is a crime.

Read first time and **passed on file**.

Senate File 238, by Senator Balloun, a bill for an act relating to weight, size and load restrictions on the transportation of certain machinery.

Read first time and **passed on file**.

Senate File 239, by Senators Doderer and Messerly, a bill for an act to authorize and regulate nonprofit corporations which provide prepaid comprehensive health care.

Read first time and **passed on file**.

Senate File 240, by Senators Messerly, Balloun, Lamborn, Stephens, Keith, Van Gilst, Shawver, Curran, Gilley, Anderson, Graham, Griffin, Coleman, Rabedaux, Carlson, Erskine, Arbuckle, Bass, Thordsen, Rhodes, Potter, Briles, Smith, Nicholson, Walsh and Lavery, a bill for an act relating to the powers and duties of the state board of regents and its authority to employ and discharge faculty members.

Read first time and **passed on file**.

Senate File 241, by Senators Van Drie and Doderer, a bill for an act relating to the registration of psychologists and establishing a psychology examining board.

Read first time and **passed on file**.

Senate File 242, by Senator Hill (Radl), a bill for an act relating to the corporation income tax.

Read first time and **passed on file**.

MOTIONS TO RECONSIDER WITHDRAWN

Senator Walsh asked and received unanimous consent to withdraw the motion to reconsider the vote by which **House File 13** passed the Senate, filed by him on January 29, 1971.

Senator Walsh asked and received unanimous consent to withdraw the motion to reconsider the vote by which **House File 29** passed the Senate, filed by him on January 29, 1971.

Senator Griffin asked and received unanimous consent to withdraw the motion to reconsider the vote by which **Senate File 156** passed the Senate, filed by him on February 9, 1971.

CONSIDERATION OF BILLS

Senate File 228

On motion of Senator Ollenburg, Senate File 228, a bill for an act to increase the tax on cigarettes, was taken up and considered.

SUBSTITUTION

Senator Ollenburg asked and received unanimous consent that **House File 177** be substituted for **Senate File 228**.

House File 177

On motion of Senator Ollenburg, House File 177, a bill for an act to increase the tax on cigarettes, was taken up and considered.

Senator Gaudineer offered the following amendment filed by him :

- 1 Amend House File 177, page 2, by adding after line
- 2 11 the following new section and renumbering the remain-
- 3 ing section:
- 4 Sec. 2. Section ninety-eight point eight (98.8),
- 5 subsection one (1), Code 1971, is amended as follows:
- 6 1. Stamps shall be sold by and purchased from the
- 7 department only. The department shall sell stamps to
- 8 the holder of a state or manufacturer's permit which
- 9 has not been revoked and to no other person. Stamps
- 10 shall be sold to such permit holders at a discount of
- 11 not to exceed [five] *two* percent from the face value.
- 12 Stamps shall be sold in unbroken sheets of one hundred
- 13 stamps only.

Senator Gaudineer moved the adoption of the amendment and called for a division.

The amendment lost.

Senator Coleman offered the following amendment:

- 1 Amend House File 177 as follows:
- 2 1. Page 2, line 8, by striking the word "*six*" and
- 3 inserting in lieu thereof the word "*seven*".
- 4 2. Page 2, line 11, by striking the word "*seven*" and
- 5 inserting in lieu thereof the word "*eight*".

Senator Coleman moved the adoption of the amendment and called for a division.

The amendment was adopted.

Senator Ollenburg moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 177) the vote was:

Ayes, 38:

Anderson	Coleman	Gilley	Milligan
Arbuckle	Conklin	Graham	Mowry
Balloun	Curran	Keith	Neu
Bass	Davis	Kyhl	Ollenburg
Briles	DeKoster	Lamborn	Potgeter
Brownlee	Doderer	Laverty	Potter
Carlson	Erskine	Messerly	Rabedeaux

Rhodes
Riley
Robinson

Shaff
Shawver
Smith

Stephens
Van Drie

Van Gilst
Walsh

Nays, 7:

Gaudineer
Glenn

Kennedy
Miller

Palmer
Schaben

Tapscott

Voting present, 2:

Hill

Thordsen

Absent or not voting, 2:

Griffin

Nicholson

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

SENATE FILE WITHDRAWN

Senator Shaff asked and received unanimous consent that **Senate File 228** be withdrawn from further consideration of the Senate.

SENATE FILE DEFERRED

Senator Lamborn asked and received unanimous consent that further action on **Senate File 27** be deferred and that the bill be placed at the end of the regular **calendar**.

CONSIDERATION OF BILLS

Senate File 163

On motion of Senator Thordsen, Senate File 163, a bill for an act relating to retirement systems for policemen and firemen, was taken up and considered.

Senator Doderer offered the following amendment filed by her and moved its adoption:

- 1 Amend Senate File 163 as follows:
- 2 Page 2, by adding the following new section after
- 3 line 25:
- 4 "Sec. 3. Section four hundred eleven point six
- 5 (411.6), subsection fourteen (14), Code 1971, is amended
- 6 by adding the following new paragraph:
- 7 e. A retired member who became eligible for benefits
- 8 under this chapter but who did not serve twenty-two years
- 9 as a policeman or fireman and did not attain the age of
- 10 fifty-five years prior to his retirement or termination
- 11 of employment shall not be eligible for the annual readjust-
- 12 ments of pension provided for by this subsection."

Roll call was requested.

On the question "Shall the amendment be adopted?" (S.F. 163) the vote was:

Ayes, 42:

Anderson	Gaudineer	Miller	Riley
Arbuckle	Glenn	Milligan	Robinson
Balloun	Graham	Mowry	Schaben
Bass	Griffin	Neu	Shawver
Briles	Hill	Ollenburg	Smith
Brownlee	Keith	Palmer	Stephens
Carlson	Kennedy	Potgeter	Thordsen
Conklin	Kyhl	Potter	Van Drie
Curran	Lamborn	Rabedaux	Van Gilst
Davis	Laverty	Rhodes	Walsh
Doderer	Messerly		

Nays, 3:

Erskine	Gilley	Shaff
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Absent or not voting, 4:

Coleman	DeKoster	Nicholson	Tapscott
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The amendment was adopted.

Senator Van Drie offered the following amendment:

- 1 Amend Senate File 163, page 2, by adding the
- 2 following new section after line 25:
- 3 "By August 1 each year, each city or town affected
- 4 by this Act shall certify to the state comptroller the
- 5 amount of additional benefits paid during the previous
- 6 twelve (12) months ending June 30 which are attributable
- 7 to the Act. The state comptroller shall reimburse to
- 8 each city or town the amount certified, and there is
- 9 hereby appropriated annually from the general fund of
- 10 the state an amount sufficient to provide such reimburse-
- 11 ments."

Senator Thordsen raised a point of order on the amendment for the reason that it was not germane to the bill.

The Chair ruled the point not well taken and the amendment in order.

Senator Van Drie moved the adoption of the amendment.

The Chair called for a division.

The amendment lost.

Senator Thordsen moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 163) the vote was:

Ayes, 30:

Briles	Curran	DeKoster	Erskine
Coleman	Davis	Doderer	Gaudineer

Glenn	Laverty	Potter	Shaff
Griffin	Messerly	Rabedaux	Tapscott
Keith	Miller	Riley	Thordsen
Kennedy	Neu	Robinson	Van Gilst
Kyhl	Ollenburg	Schaben	Walsh
Lamborn	Palmer		

Nays, 18:

Anderson	Carlson	Milligan	Shawver
Arbuckle	Conklin	Mowry	Smith
Balloun	Gilley	Potgeter	Stephens
Bass	Graham	Rhodes	Van Drie
Brownlee	Hill		

Absent or not voting, 1:

Nicholson

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

POINT OF PERSONAL PRIVILEGE

Senator Kennedy rose on a point of personal privilege to present to the Senate a well-known and respected citizen from Dubuque, Iowa, and asked unanimous consent that he be permitted to enter the Senate chamber and sit with him at his desk.

Objection was raised under rule 44.

SENATE FILES DEFERRED

Senator Lamborn asked and received unanimous consent that further action on **Senate File 68** be deferred and that the bill retain its place on the **calendar**.

Senator Lamborn asked and received unanimous consent that further action on **Senate File 78** be deferred and that the bill retain its place on the **calendar**.

Senator Lamborn asked and received unanimous consent that further action on **Senate File 188** be deferred and that the bill retain its place on the **calendar**.

CONSIDERATION OF BILLS

Senate File 191

On motion of Senator Neu, Senate File 191, a bill for an act relating to the dissolution of marriage docket, was taken up and considered.

Senator Neu moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

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

Ayes, 45:

Anderson	Doderer	Messerly	Riley
Arbuckle	Erskine	Miller	Robinson
Balloun	Gaudineer	Milligan	Schaben
Bass	Gilley	Mowry	Shawver
Briles	Glenn	Neu	Smith
Brownlee	Graham	Ollenburg	Stephens
Carlson	Hill	Palmer	Tapscott
Coleman	Keith	Potgeter	Thordsen
Conklin	Kyhl	Potter	Van Drie
Curran	Lamborn	Rabedeaux	Van Gilst
Davis	Laverty	Rhodes	Walsh
DeKoster			

Nays, none.

Absent or not voting, 4:

Griffin	Kennedy	Nicholson	Shaff
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 41

On motion of Senator Briles, Senate File 41, a bill for an act relating to the authorization of assistant county attorneys and salaries therefor, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Gaudineer offered the following amendment filed by him and moved its adoption:

- 1 Amend Senate File 41, page 1, by striking all of
- 2 line 13 and in line 14 the words, "his employment by
- 3 that county and shall".

The amendment was adopted.

SENATE FILE DEFERRED

Senator Briles asked and received unanimous consent that further action on **Senate File 41** be deferred and that the bill be placed on the calendar under **unfinished business**.

On motion of Senator Lamborn, the Senate recessed until the fall of the gavel.

AFTERNOON SESSION

The Senate reconvened, President pro tempore Kyhl presiding.

MESSAGE FROM THE HOUSE

The following message was received from the House :

MR. PRESIDENT: I am directed to inform your honorable body that the House has concurred in Senate amendment to House amendment and passed the following bill in which the concurrence of the House was asked:

Senate File 1, a bill for an act relating to the regulation and control of certain substances.

WILLIAM R. KENDRICK, Chief Clerk

INTRODUCTION OF BILLS

Senate File 243, by committee on county government, a bill for an act relating to deposit and investment of public funds.

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

Senate File 244, by Senators Coleman, Miller, Tapscott, Gaudi-neer, Doderer, Kennedy and Robinson (Monroe, Norpel, Knoblauch, Small, Uban, Scott, Blouin, Cochran, Wells, Husak, Anania, Doyle, Wyckoff, Patton, Gluba, McCormick, Middleswart, Willits, Rodgers, Sargisson, Mayberry, Schwartz, Jesse, Johnston, Bray, Larson, Dougherty, Dunton, Ewell, Kinley, Schmeiser, Franklin, Skinner, Priebe, Kennedy and Bennett), a bill for an act relating to qualifications of persons voting at precinct caucuses.

Read first time and **passed on file**.

Senate File 245, by committee on county government (committee on county government), a bill for an act relating to county contingent funds.

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

Senate File 246, by Senator Robinson (Wells), a bill for an act relating to property exempt from execution.

Read first time and **passed on file**.

Senate File 247, by Senator Stephens, a bill for an act relating to state income taxes, establishing a property tax replacement fund, and appropriating the moneys in the fund to the various school districts in the state.

Read first time and **passed on file**.

SPECIAL ORDER OF BUSINESS

Senator Lamborn asked unanimous consent that Senate File 236 be made a special order of business for Thursday, February 18, 1971, at 9:30 a.m.

Objection was raised by Senator Glenn.

Senator Lamborn moved that Senate File 236 be made a special order of business for Thursday, February 18, 1971, at 9:30 a.m.

Senator Glenn raised a point of order on the motion under Senate Rule 10, part 5.

The Chair ruled the point well taken and the motion out of order.

Senator Lamborn moved that the rules be suspended and that Senate File 236 be made a special order of business for Thursday, February 18, 1971, at 9:30 a.m.

On the question "Shall the rules be suspended and Senate File 236 be made a special order of business?" (S.F. 236) the vote was:

Ayes, 36:

Anderson	DeKoster	Lamborn	Rhodes
Balloun	Erskine	Messerly	Shaff
Bass	Gaudineer	Miller	Shawver
Briles	Gilley	Mowry	Smith
Brownlee	Graham	Neu	Stephens
Carlson	Griffin	Ollenburg	Thordsen
Conklin	Keith	Potgeter	Van Drie
Curran	Kennedy	Potter	Van Gilst
Davis	Kyhl	Rabedaux	Walsh

Nays, 5:

Arbuckle	Doderer	Glenn	Robinson
Coleman			

Absent or not voting, 8:

Hill	Milligan	Palmer	Schaben
Laverty	Nicholson	Riley	Tapscott

The motion prevailed, and **Senate File 236** was made a **special order of business** for Thursday, February 18, 1971, at 9:30 a.m.

SENATE CONCURRENT RESOLUTION 15

By C. Joseph Coleman

Whereas, Karl King, noted Fort Dodge, Iowa, band director and composer, will celebrate his 80th birthday on February 21, 1971, and

Whereas, on this date the American School Band Directors Association will honor Mr. King through the presentation of its Edwin Franko Goldman Award for outstanding contribution to the advancement of school bands, an honor never before bestowed on one outside the field of music education, *Now Therefore*,

Be It Resolved by the Senate, the House Concurring, that we pay homage to Karl King, whose creativity has given the world of band music a rich heritage that has touched the lives of each of us.

Be It Further Resolved, that a copy of this resolution be presented to Mr. King on February 21, 1971, at the Annual Fort Dodge Winter Concert.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which House File 177 passed the Senate.

JOHN M. WALSH

REPORTS OF COMMITTEES

Senator Briles submitted the following reports:

MR. PRESIDENT: Your committee on county government, to which was referred **Senate File 115**, a bill for an act relating to election precincts, begs leave to report it has had the same under consideration and recommends the same **be amended in accordance with the Rabedeaux amendment filed February 2, 1971, and found on page 180 of the Senate Journal, and when so amended, the bill do pass.**

JAMES E. BRILES, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on county government, to which was referred **House File 12**, a bill for an act relating to motor vehicle fees collected by county treasurers, and to the amount of such fees retained by the county, begs leave to report it has had the same under consideration and recommends the same **do pass.**

JAMES E. BRILES, Chairman

Ordered passed on file.

Senator DeKoster submitted the following report:

MR. PRESIDENT: Your committee on judiciary, to which was referred **Senate File 190**, a bill for an act relating to the transfer of persons committed to jail, begs leave to report it has had the same under consideration and recommends the same **be amended as follows; and when so amended the bill do pass:**

- 1 Amend Senate File 190 as follows:
- 2 1. Page 1, line 6, by inserting after the word
- 3 "person" the words, "is to be or".
- 4 2. Page 1, line 9, by striking the word "transferred"
- 5 and inserting in lieu thereof the word "committed".
- 6 3. Page 1, line 9, by striking the word "a" and
- 7 inserting in lieu thereof the word "any".
- 8 4. Page 1, line 11, by striking the word "transferred"
- 9 and inserting in lieu thereof the word "committed".

LUCAS J. DeKOSTER, Chairman

Ordered passed on file.

AMENDMENTS FILED

- 1 Amend Senate File 41, page 1, by striking lines 22
- 2 through 25, and page 2, by striking lines 1 through
- 3 5.

LUCAS J. DeKOSTER

- 1 Amend Senate File 78 as follows:
- 2 Page 4, line 7, by inserting after the second "the"
- 3 the word "medical".

JOHN E. TAPSCOTT

- 1 Amend Senate File 188 as follows:
- 2 1. Page 3, by adding after line 6, the following
- 3 new section:
- 4 "Sec. 3. In an action based upon the doctrine of
- 5 'attractive nuisance' a rebuttable presumption of due
- 6 care by the defendant shall arise if:
- 7 1. The defendant made a reasonable effort to inform
- 8 persons that they are not to intrude and that a
- 9 possible danger to an intruder exists, or
- 10 2. The defendant took reasonable steps to minimize
- 11 any possible danger to intruders, and
- 12 3. The possible danger is open or obvious and a
- 13 reasonable man would not normally take additional steps
- 14 to protect the lives and well-being of intruding
- 15 children."
- 16 2. Page 3, line 7, by striking the number "3" and
- 17 inserting in lieu thereof the number "4".
- 18 3. Page 3, line 19, by striking the number "4" and
- 19 inserting in lieu thereof the number "5".
- 20 4. Page 1, line 1, by inserting after the word
- 21 "trespass" the words ", relating to liability involving
- 22 trespass".

QUENTIN V. ANDERSON

- 1 Amend the Neu amendment filed February 12, 1971, to
- 2 Senate File 188 as follows:
- 3 1. Line 14 by adding after the word "received" the
- 4 word "written".
- 5 2. Line 14 by striking the words ", whether actual or
- 6 implied,".

J. WESLEY GRAHAM

- 1 Amend Senate File 202, page 3, line 15, by adding after
- 2 the word "recorder" the words "and county auditor".

WAYNE D. KEITH

- 1 Amend Senate File 217 by adding in line 10 after the
- 2 word "dispatcher" the words "*or in the case of employees of*
- 3 *institutions under the control of the state board of*
- 4 *regents by approval of an official at each such institution*
- 5 *designated by the board*".

JAMES A. POTGETER

- 1 Amend Senate File 236 as follows:
- 2 1. Page 1, line 10, by striking "Keokuk"
- 3 2. Page 1, line 11, by striking "[Jefferson,]" and inserting
- 4 "Jefferson,".
- 5 3. Page 1, line 23, by striking "[Keokuk,]" and inserting
- 6 "Keokuk".
- 7 4. Page 1, line 24, by striking "Jefferson,".

RICHARD L. STEPHENS

- 1 Amend Senate File 236, page 1, as follows:
- 2 1. By striking from line 10 the word "*Keokuk*,"
- 3 2. By striking from line 11 the word "[*Jefferson*]," and
- 4 inserting in lieu thereof the word "*Jefferson*,"
- 5 3. By striking from line 14 the word "[*Winneshiek*]," and
- 6 inserting in lieu thereof the word "*Winneshiek*,"
- 7 4. By striking from line 14 the word "*Buchanan*," and
- 8 inserting in lieu thereof the word "[*Buchanan*],"
- 9 5. By striking from line 17 the word "*Winneshiek*,"
- 10 6. By inserting in line 19 after the word "*Black Hawk*," the
- 11 word "*Buchanan*,"
- 12 7. By striking from line 23 the word "[*Keokuk*]," and
- 13 inserting in lieu thereof the word "*Keokuk*,"
- 14 8. By striking from line 24 the word "*Jefferson*,"

ARTHUR A. NEU

- 1 Amend Senate File 236 by striking all after the
- 2 enacting clause and inserting in lieu thereof the follow-
- 3 ing:
- 4 Section 1. Section forty point one (40.1), Code
- 5 1971, is amended as follows:
- 6 40.1 DISTRICTS DESIGNATED. The state of Iowa is
- 7 hereby organized and divided into [seven] *six* congressional
- 8 districts, which shall be composed, respectively, of the
- 9 following counties:
- 10 1. [First] *The first* district shall consist of the
- 11 counties of *Poweshiek*, Iowa, Johnson, [Cedar,] Scott,
- 12 *Keokuk*, Washington, Louisa, Muscatine, Jefferson, Henry,
- 13 Des Moines, *Davis*, Van Buren and Lee.
- 14 2. [Second] *The second* district shall consist of the
- 15 counties of *Howard*, *Chickasaw*, Winneshiek, Allamakee,
- 16 [Fayette,] Clayton, [Buchanan,] Delaware, Dubuque, Linn,
- 17 Jones, Jackson, *Cedar* and Clinton.
- 18 3. [Third] *The third* district shall consist of the
- 19 counties of [Winnebago, Worth, Mitchell, Howard, Hancock,
- 20 Cerro Gordo, Floyd, Chickasaw,] Wright, Franklin, Butler,
- 21 Bremer, *Fayette*, [Hamilton,] Hardin, Grundy [and], Black
- 22 Hawk, *Buchanan*, *Story*, *Marshall*, *Tama*, *Benton* and *Jasper*.
- 23 4. [Fourth] *The fourth* district shall consist of the
- 24 counties of [Marshall, Tama, Benton, Jasper, Poweshiek,
- 25 Warren, Marion, Mahaska, Keokuk, Union, Clarke, Lucas,
- Page 2

- 1 Monroe, Wapello, Ringgold, Decatur, Wayne, Appanoose and
- 2 Davis] *Lyon*, *Osceola*, *Dickinson*, *Emmet*, *Kossuth*, *Winnebago*,
- 3 *Worth*, *Mitchell*, *Sioux*, *O'Brien*, *Clay*, *Palo Alto*, *Hancock*,
- 4 *Cerro Gordo*, *Floyd*, *Plymouth*, *Cherokee*, *Buena Vista*,
- 5 *Pocahontas*, *Humboldt*, *Woodbury* and *Calhoun*.
- 6 5. [Fifth] *The fifth* district shall consist of the
- 7 counties of [Webster, Boone, Story and] Polk, *Warren*,
- 8 *Marion*, *Mahaska*, *Clarke*, *Lucas*, *Monroe*, *Wapello*,
- 9 *Ringgold*, *Decatur*, *Wayne* and *Appanoose*.
- 10 [Sixth district shall consist of the counties of
- 11 *Lyon*, *Osceola*, *Dickinson*, *Emmet*, *Kossuth*, *Sioux*, *O'Brien*,
- 12 *Clay*, *Palo Alto*, *Plymouth*, *Cherokee*, *Buena Vista*,
- 13 *Pocahontas*, *Humboldt*, *Woodbury*, *Ida*, *Sac* and *Calhoun*.]

- 14 **6.** [Seventh] *The sixth* district shall consist of the
15 counties of *Ida, Sac, Webster, Hamilton, Monona, Crawford,*
16 *Carroll, Greene, Boone, Harrison, Shelby, Audubon,*
17 *Guthrie, Dallas, Cass, Pottawattamie, Adair, Madison,*
18 *Mills, Montgomery, Adams, Union, Fremont, Page and Taylor.*

JAMES F. SCHABEN

C. JOSEPH COLEMAN

MINNETTE F. DODERER

LEE H. GAUDINEER, JR.

EUGENE M. HILL

GENE V. KENNEDY

CHARLES P. MILLER

WILLIAM D. PALMER

CLOYD E. ROBINSON

On motion of Senator Lamborn, the Senate adjourned until 9:00 a.m., Thursday, February 18, 1971.

JOURNAL OF THE SENATE

THIRTY-NINTH DAY

SENATE CHAMBER

DES MOINES, IOWA, THURSDAY, FEBRUARY 18, 1971

The Senate met in regular session, President Jepsen presiding.

Prayer was offered by the Reverend Allan Peterson, pastor of the First Presbyterian Church, Carroll, Iowa.

The Senate pledged allegiance to the flag.

The Journal of Wednesday, February 17, 1971, was approved.

PRESENTATION OF VISITORS

The Chair announced that the following visitors were present in the Senate gallery :

Forty-two senior students, members of the Y-Teen Club, Corning High School, Corning, Iowa, accompanied by their instructor, Mrs. Helen Reese.

Sixty third-grade students from Clegg Park Elementary School, West Des Moines, Iowa, accompanied by their instructors, Mrs. Smith and Mrs. Scott.

Twenty-four students from Price Laboratory School, University of Northern Iowa, Cedar Falls, Iowa, accompanied by their instructors, Lynn Schwandt, Donald Scovel and Fred Riechman.

PETITION

The following petition was presented and placed on file :

By Senator Arbuckle, from twenty-six residents of Boone County favoring property tax relief.

ADOPTION OF SENATE CONCURRENT RESOLUTION 15

Senator Coleman asked and received unanimous consent to take up for consideration the following concurrent resolution and moved its adoption :

SENATE CONCURRENT RESOLUTION 15

By C. Joseph Coleman

Whereas, Karl King, noted Fort Dodge, Iowa, band director and composer, will celebrate his eightieth birthday on February 21, 1971, and

Whereas, on this date the American School Band Directors Association will honor Mr. King through the presentation of its Edwin Franko Goldman Award for outstanding contribution to the advancement of school bands, an honor never before bestowed on one outside the field of music education, *Now Therefore*,

Be It Resolved by the Senate, the House Concurring, that we pay homage to Karl King, whose creativity has given the world of band music a rich heritage that has touched the lives of each of us.

Be It Further Resolved, that a copy of this resolution be presented to Mr. King on February 21, 1971, at the Annual Fort Dodge Winter Concert.

The motion prevailed and the resolution was adopted.

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

The Senate reconvened, President Jepsen presiding.

SPECIAL ORDER OF BUSINESS

Senate File 236

The hour having arrived, the Chair announced the special order of business for the consideration of Senate File 236.

On motion of Senator Riley, Senate File 236, a bill for an act relating to Congressional districts, was taken up and considered.

Senator Neu offered the following amendment filed by him and moved its adoption:

- 1 Amend Senate File 236, page 1, as follows:
- 2 1. By striking from line 10 the word "*Keokuk*,".
- 3 2. By striking from line 11 the word "[*Jefferson*," and
- 4 inserting in lieu thereof the word "*Jefferson*,".
- 5 3. By striking from line 14 the word "[*Winneshiek*," and
- 6 inserting in lieu thereof the word "*Winneshiek*,".
- 7 4. By striking from line 14 the word "*Buchanan*," and
- 8 inserting in lieu thereof the word "[*Buchanan*,"].
- 9 5. By striking from line 17 the word "*Winneshiek*,".
- 10 6. By inserting in line 19 after the word "*Black Hawk*," the
- 11 word "*Buchanan*,".
- 12 7. By striking from line 23 the word "[*Keokuk*,"] and
- 13 inserting in lieu thereof the word "*Keokuk*,".
- 14 8. By striking from line 24 the word "*Jefferson*,".

Roll call was requested.

On the question "Shall the amendment be adopted?" (S.F. 236) the vote was:

Ayes, 36:

Anderson	Carlson	Erschine	Kyhl
Balloun	Conklin	Gilley	Lamborn
Bass	Curran	Graham	Lavery
Briles	Davis	Griffin	Messerly
Brownlee	DeKoster	Keith	Milligan

Mowry	Potgeter	Riley	Stephens
Neu	Potter	Shaff	Thordsen
Nicholson	Rabedaux	Shawver	Van Drie
Ollenburg	Rhodes	Smith	Walsh

Nays, 11:

Coleman	Glenn	Palmer	Tapscott
Doderer	Hill	Robinson	Van Gilst
Gaudineer	Kennedy	Schaben	

Absent or not voting, 2:

Arbuckle	Miller
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The amendment was adopted.

Senator Neu asked and received unanimous consent to withdraw the amendment filed by Senator Stephens on February 17, 1971, and found on page 304 of the Senate Journal.

Senator Schaben offered the following amendment filed by Senators Schaben, et al.:

- 1 Amend Senate File 236 by striking all after the
- 2 enacting clause and inserting in lieu thereof the follow-
- 3 ing:
- 4 Section 1. Section forty point one (40.1), Code
- 5 1971, is amended as follows:
- 6 40.1 DISTRICTS DESIGNATED. The state of Iowa is
- 7 hereby organized and divided into [seven] *six* congressional
- 8 districts, which shall be composed, respectively, of the
- 9 following counties:
- 10 1. [First] *The first* district shall consist of the
- 11 counties of *Poweshiek*, Iowa, Johnson, [Cedar,] Scott,
- 12 *Keokuk*, Washington, Louisa, Muscatine, Jefferson, Henry,
- 13 Des Moines, *Davis*, Van Buren and Lee.
- 14 2. [Second] *The second* district shall consist of the
- 15 counties of *Howard*, *Chickasaw*, Winneshiek, Allamakee,
- 16 [Fayette,] Clayton, [Buchanan,] Delaware, Dubuque, Linn,
- 17 Jones, Jackson, *Cedar* and Clinton.
- 18 3. [Third] *The third* district shall consist of the
- 19 counties of [Winnebago, Worth, Mitchell, Howard, Hancock,
- 20 Cerro Gordo, Floyd, Chickasaw,] Wright, Franklin, Butler,
- 21 Bremer, *Fayette*, [Hamilton,] Hardin, Grundy [and], Black
- 22 Hawk, *Buchanan*, *Story*, *Marshall*, *Tama*, *Benton* and *Jasper*.
- 23 4. [Fourth] *The fourth* district shall consist of the
- 24 counties of [Marshall, Tama, Benton, Jasper, Poweshiek,
- 25 Warren, Marion, Mahaska, Keokuk, Union, Clarke, Lucas,

Page 2

- 1 Monroe, Wapello, Ringgold, Decatur, Wayne, Appanoose and
- 2 Davis] *Lyon*, *Osceola*, *Dickinson*, *Emmet*, *Kossuth*, *Winnebago*,
- 3 *Worth*, *Mitchell*, *Sioux*, *O'Brien*, *Clay*, *Palo Alto*, *Hancock*,
- 4 *Cerro Gordo*, *Floyd*, *Plymouth*, *Cherokee*, *Buena Vista*,
- 5 *Pocahontas*, *Humboldt*, *Woodbury* and *Calhoun*.
- 6 5. [Fifth] *The fifth* district shall consist of the
- 7 counties of [Webster, Boone, Story and] Polk, Warren,
- 8 *Marion*, *Mahaska*, *Clarke*, *Lucas*, *Monroe*, *Wapello*,

- 9 *Ringgold, Decatur, Wayne and Appanoose.*
 10 [Sixth district shall consist of the counties of
 11 Lyon, Osceola, Dickinson, Emmet, Kossuth, Sioux, O'Brien,
 12 Clay, Palo Alto, Plymouth, Cherokee, Buena Vista,
 13 Pocahontas, Humboldt, Woodbury, Ida, Sac and Calhoun.]
 14 6. [Seventh] *The sixth* district shall consist of the
 15 counties of *Ida, Sac, Webster, Hamilton, Monona, Crawford,*
 16 *Carroll, Greene, Boone, Harrison, Shelby, Audubon,*
 17 *Guthrie, Dallas, Cass, Pottawattamie, Adair, Madison,*
 18 *Mills, Montgomery, Adams, Union, Fremont, Page and Taylor.*

Senator Schaben moved the adoption of the amendment and requested a roll call.

On the question "Shall the amendment be adopted?" (S.F. 236) the vote was:

Ayes, 11:

Coleman	Glenn	Palmer	Tapscott
Doderer	Hill	Robinson	Van Gilst
Gaudineer	Kennedy	Schaben	

Nays, 35:

Anderson	Davis	Messerly	Rhodes
Arbuckle	DeKoster	Milligan	Riley
Balloun	Erskine	Mowry	Shaff
Bass	Gilley	Neu	Shawver
Briles	Graham	Nicholson	Smith
Brownlee	Keith	Ollenburg	Stephens
Carlson	Kyhl	Potgeter	Van Drie
Conklin	Lamborn	Potter	Walsh
Curran	Laverty	Rabedeaux	

Absent or not voting, 3:

Griffin	Miller	Thordsen
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The amendment lost.

Senator Riley moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 236) the vote was:

Ayes, 37:

Anderson	DeKoster	Messerly	Rhodes
Arbuckle	Erskine	Milligan	Riley
Balloun	Gilley	Mowry	Shaff
Bass	Graham	Neu	Shawver
Briles	Griffin	Nicholson	Smith
Brownlee	Keith	Ollenburg	Stephens
Carlson	Kyhl	Potgeter	Thordsen
Conklin	Lamborn	Potter	Van Drie
Curran	Laverty	Rabedeaux	Walsh
Davis			

Nays, 11:

Coleman	Glenn	Palmer	Tapscott
Doderer	Hill	Robinson	Van Gilst
Gaudineer	Kennedy	Schaben	

Absent or not voting, 1:

Miller

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

Senator Riley asked and received unanimous consent that **Senate File 236** be **immediately messaged** to the House, which request was complied with.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Rhodes, from the joint committee on enrolled bills, submitted the following report and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: House Files 16, 18, 22, 32, 47 and 114 and House Joint Resolution 6.

JOHN C. RHODES
Chairman, Senate Committee
ELIZABETH R. MILLER
Chairman, House Committee

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate the following bills: House Files 16, 18, 22, 32, 47 and 114 and House Joint Resolution 6.

UNFINISHED BUSINESS

Senate File 57

On motion of Senator Milligan, the Senate resumed consideration of Senate File 57, a bill for an act relating to district court bailiffs.

Senator Walsh asked and received unanimous consent to withdraw the following amendment:

- 1 Amend Senate File 57, page 1, line 5, by striking the words "one hundred
- 2 seventy-five" and inserting in lieu thereof the word "seventy".

Senator Potter withdrew the amendment filed by him on February 4, 1971, and found on page 205 of the Senate Journal.

Senator Riley withdrew the amendment filed by him on February 5, 1971, and found on page 211 of the Senate Journal.

Senator Milligan offered the following amendment filed by Senators Riley, et al., and moved its adoption:

1 Amend Senate File 57 by striking all after the
 2 enacting clause and inserting the following:
 3 Section 1. Chapter six hundred four (604), Code
 4 1971, is amended by adding the following new section:
 5 "Each district court judge shall appoint a
 6 bailiff, who may also act as a technical assistant.
 7 The salary of such bailiff shall be fixed by the
 8 board of supervisors. In a judicial district con-
 9 taining more than one county, such salary and expenses
 10 incurred by such bailiff shall be apportioned and paid
 11 by each such county on the basis of population. The
 12 board of supervisors in any county within a judicial
 13 district that does not agree with the salary set, and
 14 approved by the other counties in such district,
 15 shall fix the salary of a bailiff for the court to
 16 be appointed by the judge when it is in session in
 17 that county."
 18 Sec. 2. Section seven hundred forty-eight point
 19 three (748.3), Code 1971, is amended by adding the
 20 following new subsection:
 21 8. Bailiffs appointed by district court judges
 22 (or pursuant to this act).
 23 Sec. 3 Section three hundred thirty-seven point
 24 seven (337.7), Code 1971, is amended as follows:

Page 2

1 337.7 BAILIFFS—APPOINTMENT—DUTIES. The sheriff
 2 shall in *exceptional circumstances as determined by the*
 3 *judge* [attend upon the district court of his county, and
 4 while it remains in session he shall be allowed the
 5 assistance of such number of bailiffs as the judge may
 6 direct. They shall be appointed by the sheriff and shall
 7 be regarded as deputy sheriffs, for whose acts the
 8 sheriff shall be responsible.] *furnish such assistance*
 9 *as from time to time may be needed to maintain order and*
 10 *decorum in the courtroom, judicial chambers, courthouse,*
 11 *and adjacent areas or at such other place as the court*
 12 *convenes or is in session.*

President pro tempore Kyhl took the chair at 11:55 a.m.

Senator Milligan moved the adoption of the amendment.

Roll call was requested by Senator Graham.

On the question "Shall the amendment be adopted?" (S.F. 57)
 the vote was:

Ayes, 37:

Balloun	Gaudineer	Mowry	Riley
Briles	Glenn	Neu	Robinson
Brownlee	Keith	Nicholson	Schaben
Carlson	Kennedy	Ollenburg	Stephens
Coleman	Kyhl	Palmer	Tapscott
Conklin	Lamborn	Potgeter	Thordsen
Curran	Laverty	Potter	Van Drie
DeKoster	Messerly	Rabedeaux	Van Gilst
Doderer	Milligan	Rhodes	Walsh
Erskine			

Nays, 8:

Anderson	Bass	Graham	Shawver
Arbuckle	Gilley	Hill	Smith

Absent or not voting, 4:

Davis	Griffin	Miller	Shaff
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The amendment was adopted.

Senator Milligan moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 57) the vote was:

Ayes, 29:

Briles	Glenn	Nicholson	Robinson
Brownlee	Kennedy	Ollenburg	Schaben
Carlson	Kyhl	Palmer	Tapscott
Coleman	Lamborn	Potter	Thordsen
DeKoster	Milligan	Rabedeaux	Van Drie
Doderer	Mowry	Rhodes	Van Gilst
Erskine	Neu	Riley	Walsh
Gaudineer			

Nays, 16:

Anderson	Conklin	Hill	Potgeter
Arbuckle	Curran	Keith	Shawver
Balloun	Gilley	Laverty	Smith
Bass	Graham	Messerly	Stephens

Absent or not voting, 4:

Davis	Griffin	Miller	Shaff
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Lamborn, the Senate recessed until the fall of the gavel.

AFTERNOON SESSION

The Senate reconvened, President pro tempore Kyhl presiding.

MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 15, honoring Karl King on his eightieth birthday.

WILLIAM R. KENDRICK, Chief Clerk

ANNOUNCEMENT BY THE PRESIDENT OF THE SENATE

President Jepsen announced the following changes in committee assignments:

SOCIAL SERVICES

Earl G. Bass, Chairman

C. Joseph Coleman, Ranking Member

INTRODUCTION OF BILLS

Senate File 248, by Senator Van Drie, a bill for an act relating to the registration fee for buses owned by a religious organization and used exclusively for its purposes.

Read first time and **passed on file**.

Senate File 249, by Senators Van Drie, Gaudineer, Rabedeaux, Doderer and Messerly, a bill for an act relating to federal share insurance for credit unions.

Read first time and **passed on file**.

Senate File 250, by Senator Kyhl (Nystrom), a bill for an act relating to the changing and regulation of mileage measurements contained on motor vehicle odometers and providing penalties for violating the act.

Read first time and **passed on file**.

Senate File 251, by Senator Kennedy, a bill for an act relating to penalties for violation of certain motor vehicle laws.

Read first time and **passed on file**.

Senate File 252, by Senators Griffin and Potgeter, a bill for an act relating to the taxation of property of nonprofit religious corporations, institutions, and societies.

Read first time and **passed on file**.

Senate File 253, by Senators Nicholson, Messerly, Carlson, Thordsen, Coleman, Gaudineer and Van Gilst, a bill for an act to exempt a portion of annuities received from the United States civil service retirement trust fund from state income tax.

Read first time and **passed on file**.

Senate File 254, by Senator Van Gilst (Dunton), a bill for an act relating to a statewide property tax levy.

Read first time and **passed on file**.

Senate File 255, by Senator Coleman (Rex), a bill for an act to provide an excise tax on the sale of eggs and providing a penalty for violations.

Read first time and **passed on file**.

Senate File 256, by committee on cities and towns (committee on cities and towns), a bill for an act authorizing cities and towns to acquire land by lease for park purposes, and to finance the acquisition or improvement of the leased land by issuing general obligation bonds.

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

BILLS ASSIGNED TO COMMITTEE

President Jepsen announced the assignment of the following bills to committee:

- S. F. 237 Law enforcement
- S. F. 238 Transportation
- S. F. 239 Commerce
- S. F. 241 State government
- S. F. 242 Ways and means
- S. F. 244 County government
- S. F. 246 Judiciary
- S. F. 247 Ways and means
- S. F. 248 Transportation
- S. F. 249 Commerce
- S. F. 250 Commerce
- S. F. 251 Law enforcement
- S. F. 252 Ways and means
- S. F. 253 Ways and means
- S. F. 254 Ways and means
- S. F. 255 Ways and means

REPORTS OF COMMITTEES

Senator Messerly submitted the following reports:

MR. PRESIDENT: Your committee on appropriations, to which was referred **Senate File 122**, a bill for an act relating to academic and administrative buildings and facilities, and utilities services for such buildings and facilities, and the financing by the state board of regents, begs leave to report it has had the same under consideration and recommends the same **do pass**.

FRANCIS L. MESSERLY, Chairman

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on appropriations, to which was referred **House File 121**, a bill for an act to provide limitations on the property tax levy for the general fund budget of school districts, county boards of education, and joint boards of education and to make an appropriation to the department of public instruction for allocation to school districts, begs leave to report it has had the same under consideration and recommends the same **be amended as follows and when so amended the bill do pass** :

- 1 Amend House File 121, as amended, passed and reprinted by the
- 2 House, page 2A, by striking lines 7 through 14, inclusive and
- 3 inserting in lieu thereof: "unless, because of extra-ordinary
- 4 and unusual circumstances, the school district receives per-
- 5 mission from the school budget review committee. Extra-ordinary
- 6 and unusual circumstances for the purpose of this section are
- 7 circumstances which would materially affect the school district's
- 8 financial status, which would require significant expenditures
- 9 in addition to the forty-five dollars per pupil received in
- 10 addition to state aid and the school board requesting said
- 11 permission shall have the burden of proof to establish that
- 12 all available means have been used by it to reduce the cost
- 13 of the school district."

FRANCIS L. MESSERLY, Chairman

Ordered passed on file.

Senator Mowry submitted the following reports :

MR. PRESIDENT: Your committee on commerce, to which was referred **Senate File 209**, bill for an act relating to dissolution of credit unions, begs leave to report it has had the same under consideration and recommends the same **do pass**.

JOHN L. MOWRY, Chairman

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on commerce, to which was referred **Senate File 210**, a bill for an act relating to the conversion of credit union charters, begs leave to report it has had the same under consideration and recommends the same **do pass**.

JOHN L. MOWRY, Chairman

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on commerce, to which was referred **House File 31**, a bill for an act relating to the condemnation of existing utility facilities by cities and towns, begs leave to report it has had the same under consideration and recommends the same **do pass**.

JOHN L. MOWRY, Chairman

Ordered passed on file.

AMENDMENTS FILED

- 1 Amend Senate File 41, page 1, line 17, by striking the
2 word "eighty" and inserting in lieu thereof the word "seventy".

JAMES A. POTGETER

- 1 Amend Senate File 171, page 2, by adding after line
2 8 the following new section and by renumbering the
3 remaining section in conformity therewith:
4 "Sec. 2. Section three hundred seven point ten
5 (307.10), Code 1971, is amended by adding the follow-
6 ing new paragraph:
7 "No such assessment in excess of ten thousand
8 (10,000) dollars shall be valid unless it is provided
9 for by or contained within a capital appropriation
10 by the General Assembly."

LEE H. GAUDINEER, JR.
CLIFTON C. LAMBORN
LUCAS J. DeKOSTER

- 1 Amend Senate File 188 as follows:
2 1. Page 2, line 15, by adding after the word
3 "obtaining" the word "written".
4 2. Page 2, line 18, by adding after the word
5 "obtaining" the word "written".
6 3. Page 2, line 23, by adding after the word
7 "procured" the word "written".

J. WESLEY GRAHAM

- 1 Amend Senate File 203 as follows:
2 1. Page 1, line 13 by striking the word "unreasonable".
3 2. Page 1, line 16 by striking the word "unreasonable".

LUCAS J. DeKOSTER

- 1 Amend Senate File 211, page 2, by adding the following
2 new subsection after line 22:
3 3. A salaried officer or employee of an authorized
4 insurer, or group of such insurers under common control
5 or ownership.

JAMES W. GRIFFIN, SR.
TOM RILEY
GENE V. KENNEDY
LUCAS J. DeKOSTER
RALPH W. POTTER

- 1 Amend the Gaudineer amendment, filed February 15, 1971, to
2 Senate File 211 by inserting in line 12 before the word
3 "shall" the following:
4 "if such insurer is not otherwise subject to service of
5 process in this State,"

LEE H. GAUDINEER, JR.

- 1 Amend House File 121, as amended and passed, and re-
2 printed by the House, by striking from page 3A, lines 21
3 through 25, inclusive, and inserting in lieu thereof the
4 following:
5 "The difference between the amount appropriated

6 under section four hundred forty-two point seven (442.7)
7 of the Code and the amount to be allocated to the local
8 school districts for the fiscal year commencing July 1,
9 1971, or so much thereof as may be necessary, is appro-
10 priated to the school budget review committee. The
11 school budget review committee shall distribute these
12 funds to the various school districts which have an in-
13 creased fall enrollment in excess of five percent for the
14 school year 1971-1972 over the school year 1970-1971.
15 The school budget review committee shall determine the
16 needs of school districts with increased fall enrollments
17 and shall distribute the funds to each school district
18 on the basis of need as determined by the school budget
19 review committee and on the basis of the number of
20 pupils in excess of the five percent increased fall en-
21 rollment.

22 However, the maximum to be distributed to a school
23 district under this section shall be computed as follows:

24 1. Determine the number of pupils enrolled in the
25 district for the school year 1971-1972 which is in excess

Page 2

1 of five percent over the number enrolled in the district
2 for the school year 1970-1971.

3 2. Multiply the number obtained under subsection
4 one (1) by the per pupil average of all state aid dis-
5 tributed for the school year 1971-1972."

COMMITTEE ON SCHOOLS

W. CHARLENE CONKLIN, Chairman

1 Amend House File 121, as amended and passed, and re-
2 printed by the House, by striking from page 4A, lines 8
3 through 10, inclusive, and inserting in lieu thereof the
4 following:

5 Sec. 7. Shared time students shall be computed on
6 the 1971 fall enrollment, and shall only participate in
7 the forty-five (45) dollars for each pupil enrolled in
8 a public school in each school district as appropriated
9 in section 6 of this Act. Shared time students participa-
10 tion shall be counted on the basis of number of hours of
11 instruction in a public school, proportionate to a full
12 time student enrolled in said district.

COMMITTEE ON SCHOOLS

W. CHARLENE CONKLIN, Chairman

On motion of Senator Shaff, the Senate adjourned until 9:00 a.m.,
Friday, February 19, 1971.

JOURNAL OF THE SENATE

FORTIETH DAY

SENATE CHAMBER

DES MOINES, IOWA, FRIDAY, FEBRUARY 19, 1971

The Senate met in regular session, President pro tempore Kyhl presiding.

Prayer was offered by the Reverend Wayne W. Landgrebe, pastor of the St. Paul Lutheran Church, Tama, Iowa.

The Senate pledged allegiance to the flag.

The Journal of Thursday, February 18, 1971, was approved.

PRESENTATION OF VISITORS

The Chair announced that the following visitors were present in the Senate gallery :

Eighteen Camp Fire Girls from Cedar Rapids, Iowa, accompanied by their leader, Mrs. Wayne Mead. Miss Martha Riley, daughter of Senator Riley, was a member of the group.

Twenty-seven students from Grimes Elementary School, Grimes, Iowa, accompanied by their instructor, Mrs. Anna M. Rutt.

Forty-six students from Casady Elementary School, Des Moines, Iowa, accompanied by their instructors, Doris Stukenberg and Floyd Shade.

PETITION

The following petition was received and placed on file :

By Senator Hill, from eighteen members of the Mayflower Men's Club, Mayflower Home, Grinnell, Poweshiek County, Iowa, opposing legislation permitting sale of beer and liquor on Sundays.

ADOPTION OF SENATE CONCURRENT RESOLUTION 12

Senator Lamborn called up the following resolution and moved its adoption :

SENATE CONCURRENT RESOLUTION 12

By Kyhl and Lamborn

Whereas, the Sixty-fourth General Assembly is advised of a meeting of the Pioneer Lawmakers Association to be held in the Historical Building on Thursday, April 1, 1971, and request the opportunity to formally meet with the General Assembly.

Now Therefore, Be It Resolved by the Senate, the House Concurring: That the General Assembly meet in joint session in the House chamber on Thursday, April 1, 1971, at 2:00 p.m. and that the Pioneer Lawmakers be invited to attend and present a program on that occasion.

The motion prevailed and the resolution was adopted.

COMMUNICATION

The following communication was presented:

STATE OF IOWA
EXECUTIVE COUNCIL

TO THE MEMBERS OF THE IOWA SENATE:

Whereas, on February 13, 1971, the Honorable Charles K. Sullivan, State Senator from the Eleventh District of Iowa, passed away, and

Whereas, we the undersigned members of the Executive Council of Iowa recognized him as a faithful and devoted public servant during more than four years of dedicated service in the Iowa General Assembly, and

Whereas, the citizens of Iowa and his county have now been deprived of his talents, and

Whereas, his wife and children have suffered a deep personal loss, and

Whereas, we mourn the loss of an esteemed friend,

Now, Therefore, Be It Resolved by the Executive Council of Iowa that we extend to the bereaved family and relatives of the late Honorable Charles K. Sullivan, and to his compatriots in the Iowa Senate and House of Representatives, our sincere condolences in their sorrow.

Be It Further Resolved that the Secretary of the Executive Council of Iowa be directed to forward this resolution to his wife, son and daughter, as well as copies to the President of the Senate and the Speaker of the House.

(SEAL)

Done at the Capitol in the City of Des Moines,
this fifteenth day of February in the year of Our
Lord, one thousand nine hundred and seventy-one.

ROBERT D. RAY, Governor

MELVIN D. SYNHORST, Secretary of State

LLOYD R. SMITH, Auditor of State

MAURICE E. BARINGER, Treasurer of State

L. B. LIDDY, Secretary of Agriculture

INTRODUCTION OF BILLS

Senate File 257, by committee on conservation and recreation (committee on conservation and recreation), a bill for an act relating to fish which may be taken with licensed commercial fishing gear.

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

Senate File 258, by Senators Tapscott and Carlson, a bill for an act relating to the minimum age of taxicab drivers.

Read first time and **passed on file.**

Senate File 259, by Erskine (Shaw), a bill for an act relating to the imposition of an annual registration fee upon all motorboats and sailboats in lieu of personal property taxes and providing penalties for violations.

Read first time and **passed on file.**

Senate File 260, by Senator Briles, a bill for an act relating to weather modification in counties.

Read first time and **passed on file.**

Senate File 261, by Senators Potgeter, Potter and Walsh, a bill for an act relating to the state board of tax review.

Read first time and **passed on file.**

MOTION TO RECONSIDER LOST

House File 177

Senator Walsh called up the following motion to reconsider and moved its adoption:

MR. PRESIDENT: I move to reconsider the vote by which House File 177 passed the Senate.

On the question "Shall the motion to reconsider be adopted?" the vote was:

Ayes, 22:

Arbuckle	Erskine	Kyhl	Rhodes
Balloun	Gilley	Lamborn	Riley
Briles	Graham	Milligan	Shawver
Brownlee	Griffin	Mowry	Thordsen
Curran	Keith	Ollenburg	Walsh
Doderer	Kennedy		

Nays, 24:

Anderson	Gaudineer	Palmer	Shaff
Bass	Glenn	Potgeter	Smith
Carlson	Hill	Potter	Stephens
Coleman	Laverty	Rabedaux	Tapscott
Conklin	Messerly	Robinson	Van Drie
DeKoster	Nicholson	Schaben	Van Gilst

Absent or not voting, 3:

Davis	Miller	Neu
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The motion lost.

UNFINISHED BUSINESS

Senate File 41

On motion of Senator Briles, Senate File 41, a bill for an act relating to the authorization of assistant county attorneys and salaries therefor, was taken up for further consideration.

Senator DeKoster offered the following amendment filed by him and moved its adoption:

- 1 Amend Senate File 41, page 1, by striking lines 22
- 2 through 25, and page 2, by striking lines 1 through
- 3 5.

The amendment was adopted.

Senator Potgeter withdrew the amendment filed by him on February 18, 1971, and found on page 317 of the Senate Journal.

Senator Briles moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 41) the vote was:

Ayes, 35:

Anderson	Gilley	Milligan	Shaff
Bass	Glenn	Mowry	Shawver
Briles	Graham	Nicholson	Smith
Brownlee	Griffin	Potgeter	Tapscott
Carlson	Keith	Potter	Thordsen
Conklin	Kennedy	Rabedeaux	Van Drie
Curran	Kyhl	Rhodes	Van Gilst
DeKoster	Lamborn	Riley	Walsh
Gaudineer	Laverty	Robinson	

Nays, 7:

Arbuckle	Hill	Ollenburg	Stephens
Balloun	Messerly	Schaben	

Absent or not voting, 7:

Coleman	Doderer	Miller	Palmer
Davis	Erskine	Neu	

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

Senate File 171

The Senate resumed consideration of Senate File 171, a bill for an act making an appropriation from the primary road fund to the state highway commission to pay for deficiencies in funds appropriated for field operations, and the following amendment by Senator Lamborn:

1 Amend Senate File 171 as follows:

2 1. Page 2, following line 8 insert the following
3 new section:

4 "Sec. 2. Notwithstanding the provisions of section
5 three hundred seven point ten (307.10) of the Code,
6 there is appropriated from the road use tax fund to the
7 state highway commission for the biennium ending June 30,
8 1971, the sum of three hundred sixty thousand three
9 hundred ninety dollars and ninety-two cents (360,390.92),
10 or so much thereof as may be necessary, for the purposes
11 provided in section three hundred seven point five
12 (307.5), subsection twelve (12), and the last paragraph
13 of section three hundred thirteen point four (313.4),
14 of the Code, and for the purpose of paying the city of
15 Ames, Iowa, for ten special assessments against certain
16 property owned by the state of Iowa for the New Street
17 Improvement Program No. 2-1970. The sums appropriated by
18 this section shall, notwithstanding the provisions of
19 section three hundred twelve point two (312.2) of the
20 Code, be paid prior to any credit or distribution pro-
21 vided in section three hundred twelve point two
22 (312.2) of the Code."

23 2. By renumbering the remaining section according-
24 ly.

25 3. Page 1, line 1, by inserting after the word

Page 2

1 "fund" the words "and road use tax fund".

2 4. Page 1, line 3, by inserting after the word

3 "operations" the words "and to pay for certain special
4 assessments against property owned by the state".

On motion of Senator Lamborn, the amendment was adopted.

Senator Gaudineer offered the following amendment filed by
Senators Gaudineer, Lamborn and DeKoster and moved its adop-
tion:

1 Amend Senate File 171, page 2, by adding after line
2 8 the following new section and by renumbering the
3 remaining section in conformity therewith:

4 "Sec. 2. Section three hundred seven point ten
5 (307.10), Code 1971, is amended by adding the follow-
6 ing new paragraph:

7 "No such assessment in excess of ten thousand
8 (10,000) dollars shall be valid unless it is provided
9 for by or contained within a capital appropriation
10 by the General Assembly."

Roll call was requested.

On the question "Shall the amendment be adopted?" (S.F. 171)
the vote was:

Ayes, 43:

Anderson	Erskine	Laverty	Riley
Arbuckle	Gaudineer	Messerly	Schaben
Balloun	Gilley	Milligan	Shaff
Bass	Glenn	Mowry	Shawver
Briles	Graham	Nicholson	Smith
Brownlee	Griffin	Ollenburg	Stephens
Carlson	Hill	Palmer	Tapscott
Coleman	Keith	Potgeter	Thordsen
Conklin	Kennedy	Potter	Van Gilst
Curran	Kyhl	Rabedeaux	Walsh
DeKoster	Lamborn	Rhodes	

Nays, 2:

Doderer	Van Drie
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Absent or not voting, 4:

Davis	Miller	Neu	Robinson
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The amendment was adopted.

Senator Lamborn offered the following amendment filed by Senators Messerly and Lamborn and moved its adoption:

- 1 Amend Senate File 171, page 2, by striking lines 9 through
- 2 13, and inserting in lieu thereof the following:
- 3 "Sec. 2. This Act, being deemed of immediate importance,
- 4 shall take effect and be in force from and after its publication
- 5 in the Waterloo Daily Courier, a newspaper published in
- 6 Waterloo, Iowa, and in the Jackson Sentinel, a newspaper
- 7 published in Maquoketa, Iowa."

The amendment was adopted.

Senator Gaudineer moved to reconsider the vote by which the Lamborn amendment was adopted by the Senate.

Division was called for.

The motion lost.

Senator Keith moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 171) the vote was:

Ayes, 38:

Bass	Glenn	Mowry	Shaff
Briles	Graham	Nicholson	Shawver
Brownlee	Griffin	Ollenburg	Smith
Carlson	Hill	Potter	Stephens
Conklin	Keith	Rabedeaux	Tapscott
Curran	Kyhl	Rhodes	Thordsen
DeKoster	Lamborn	Riley	Van Drie
Erskine	Laverty	Robinson	Van Gilst
Gaudineer	Messerly	Schaben	Walsh
Gilley	Milligan		

Nays, 6:

Anderson
ArbuckleBalloun
Coleman

Kennedy

Potgeter

Absent or not voting, 5:

Davis
Doderer

Miller

Neu

Palmer

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

SENATE FILES DEFERRED

Senator Lamborn asked and received unanimous consent that further action on **Senate File 68** be deferred and that the bill retain its place on the **calendar**.

Senator Lamborn asked and received unanimous consent that further action on **Senate File 188** be deferred and that the bill retain its place on the **calendar**.

CONSIDERATION OF BILLS

Senate File 78

On motion of Senator Tapscott, Senate File 78, a bill for an act to establish a program to permit doctors' assistants to work under a doctor's supervision, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

President Jepsen took the chair at 11:00 a.m.

Senator Tapscott offered the following amendment filed by him and moved its adoption:

- 1 Amend Senate File 78, page 4, line 1, by striking the word
- 2 "Committed" and inserting the word "Committee".

The amendment was adopted.

Senator Messerly offered the following amendment by Senators Tapscott and Messerly:

- 1 Amend Senate File 78 as follows:
- 2 1. Page 4, line 14, by adding after the period the
- 3 following:
- 4 "Per diem and expense payments shall be made from
- 5 the state board of medical examiners fund."
- 6 2. Page 5, line 14, by adding after the period the
- 7 following:
- 8 "However, the fees required by this section shall
- 9 not be included in computing the remainder in excess of
- 10 twenty-five thousand dollars in the state board of
- 11 medical examiners fund as provided in section one

12 hundred forty-seven point one hundred three (147.103)
13 of the Code, and such fees shall not revert to the
14 general fund of the state."

Senator Messerly offered the following amendment to the amendment and moved its adoption:

- 1 Amend the Tapscott-Messerly amendment, filed February 15, 1971,
- 2 to Senate File 78, line 8, by striking the word "section"
- 3 and inserting in lieu thereof the word "Act".

The amendment to the amendment was adopted.

On motion of Senator Messerly, the amendment as amended was adopted.

Senator Tapscott offered the following amendment and moved its adoption:

- 1 Amend Senate File 78 as follows:
- 2 Page 4, line 7, by inserting after the second "the"
- 3 the word "medical".

The amendment was adopted.

Senator Tapscott offered the following amendment by Senators Tapscott, et al.:

Division 1

- 1 Amend Senate File 78 as follows:
- 2 1. Page 3, by striking all after the period in line
- 3 19 through line 35, inclusively.

Division 2

- 4 2. Page 4, line 28, by striking the word "of".
- 5 Page 4, line 29, by striking the words "certification
- 6 of licensure".

Senator Hill called for a division of the amendment, section 1 to be considered as division 1 and section 2 as division 2.

On motion of Senator Tapscott, division 1 of the amendment was adopted.

On motion of Senator Tapscott, division 2 of the amendment was adopted.

Senator Walsh offered the following amendment by Senators Walsh and Potgeter and moved its adoption:

- 1 Amend Senate File 78, page 5, by adding after line 18 the
- 2 following new section:
- 3 Sec. 9. This Act, being deemed of immediate importance,
- 4 shall take effect and be in force from and after its publication
- 5 in The Telegraph-Herald, a newspaper published in Dubuque, Iowa,
- 6 and in the Eldora Herald-Ledger, a newspaper published in Eldora,
- 7 Iowa.

The amendment was adopted.

Senator Tapscott moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

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

Ayes, 44:

Anderson	Erskine	Lavery	Riley
Arbuckle	Gaudineer	Messerly	Robinson
Balloun	Gilley	Milligan	Schaben
Bass	Glenn	Mowry	Shaff
Briles	Graham	Nicholson	Shawver
Carlson	Griffin	Ollenburg	Smith
Coleman	Hill	Palmer	Stephens
Conklin	Keith	Potgeter	Tapscott
Curran	Kennedy	Potter	Thordsen
DeKoster	Kyhl	Rabedeaux	Van Drie
Doderer	Lamborn	Rhodes	Walsh

Nays, none.

Absent or not voting, 5:

Brownlee	Miller	Neu	Van Gilst
Davis			

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

POINT OF PERSONAL PRIVILEGE

Senator Tapscott rose on a point of personal privilege to welcome home from active duty in Vietnam Private First Class Jeffrey Jepsen, son of Lieutenant Governor Jepsen.

CONSIDERATION OF BILLS

Senate File 144

On motion of Senator Thordsen, Senate File 144, a bill for an act relating to the board of parole, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Gaudineer offered the following amendment filed by him and moved its adoption:

- 1 Amend Senate File 144, page 1, line 7, by inserting
- 2 after the word "staff", the words, "pursuant to the
- 3 merit system".

The amendment was adopted.

Senator Potgeter raised a point of order for the reason that the bill should be referred to the committee on state government, under Senate Rule 37.

The Chair ruled the point well taken, and **Senate File 144** was referred to the committee on **state government**.

CONSIDERATION OF BILLS

Senate File 201

On motion of Senator Kennedy, Senate File 201, a bill for an act relating to the issuance of marriage licenses, was taken up and considered.

Senator Kennedy moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 201) the vote was:

Ayes, 40:

Anderson	Gaudineer	Messerly	Robinson
Arbuckle	Gilley	Milligan	Schaben
Bass	Glenn	Mowry	Shaff
Briles	Graham	Nicholson	Shawver
Carlson	Griffin	Palmer	Smith
Conklin	Keith	Potgeter	Stephens
Curran	Kennedy	Potter	Tapscott
DeKoster	Kyhl	Rabedeaux	Thordsen
Doderer	Lamborn	Rhodes	Van Drie
Erskine	Lavery	Riley	Walsh

Nays, 3:

Balloun	Coleman	Hill
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Absent or not voting, 6:

Brownlee	Miller	Ollenburg	Van Gilst
Davis	Neu		

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

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File 82, a bill for an act providing a penalty for the unlawful use of temporary and instructional driving permits.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 140, a bill for an act relating to assignment of real estate mortgages by marginal entry.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 206, a bill for an act relating to fees collected by the county recorder for hunting and fishing duplicate licenses.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 219, a bill for an act relating to the use of carbon tetrachloride fire extinguishers in migratory labor camps.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 223, a bill for an act to provide a penalty for practicing cosmetology without a license.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 231, a bill for an act relating to incentive awards for state employees.

Also: That the House has adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 4, providing for the spring recess.

Also: That the House has adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 12, providing for a joint session to honor the Pioneer Lawmakers.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 28, a bill for an act relating to public recreation on private lands.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 59, a bill for an act relating to teachers pension systems.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 158, a bill for an act relating to the use of firearms on state preserves.

WILLIAM R. KENDRICK, Chief Clerk

HOUSE MESSAGES CONSIDERED

House File 82, a bill for an act providing a penalty for the unlawful use of temporary and instructional driving permits.

Read first time and **passed on file**.

House File 140, a bill for an act relating to assignment of real estate mortgages by marginal entry.

Read first time and **passed on file**.

House File 206, a bill for an act relating to fees collected by the county recorder for hunting and fishing duplicate licenses.

Read first time and **passed on file**.

House File 219, a bill for an act relating to the use of carbon tetrachloride fire extinguishers in migratory labor camps.

Read first time and **passed on file**.

House File 223, a bill for an act to provide a penalty for practicing cosmetology without a license.

Read first time and **passed on file**.

House File 231, a bill for an act relating to incentive awards for state employees.

Read first time and **passed on file**.

BILLS ASSIGNED TO COMMITTEE

President Jepsen announced the assignment of the following bills to committee:

S. F. 84 Appropriations (under Rule 37)

S. F. 258 Commerce

S. F. 259 Ways and means

S. F. 260 County government

S. F. 261 State government

H. F. 82 Law enforcement

H. F. 140 County government

H. F. 219 Social services

H. F. 223 Judiciary

H. F. 231 State government

SUPPLEMENTAL REPORT OF COMMITTEE ON MEMORIAL RESOLUTIONS

MR. PRESIDENT: Your committee on memorial resolutions begs leave to report that a committee should be appointed to prepare a suitable memorial resolution for the following deceased members of the Senate:

Paul L. Millhone, Page County

Charles K. Sullivan, Woodbury County

Lloyd Thurston, Clarke County

RICHARD L. STEPHENS, Chairman
RUDY VAN DRIE
CHARLES P. MILLER

Report adopted.

REPORTS OF COMMITTEES

Senator Smith submitted the following report:

MR. PRESIDENT: Your committee on constitutional amendments and reapportionment, to which was referred **House Joint Resolution 7**, a joint resolution proposing an amendment to the Constitution of the State of

Iowa relating to the terms of office of elected state officials, begs leave to report it has had the same under consideration and recommends the same **do pass**.

MARVIN W. SMITH

Ordered passed on file.

Senator Potgeter submitted the following report :

MR. PRESIDENT: Your committee on state government, to which was referred **Senate File 84**, a bill for an act relating to salaries of the state highway commission and other state employees and making an appropriation, begs leave to report it has had the same under consideration and recommends the same **do pass**.

JAMES A. POTGETER, Chairman

Ordered passed on file.

AMENDMENTS FILED

- 1 Amend House File 121, as amended and passed and re-
- 2 printed, page 2A, line 4, by striking the word "received"
- 3 and inserting in lieu thereof the word "raised".

WAYNE D. KEITH

- 1 Amend House File 121, as amended and passed by the
- 2 House and reprinted, as follows:
- 3 Page 2A, line 4, by striking the word "received"
- 4 and inserting the word "raised".

ARTHUR A. NEU

- 1 Amend House File 121, as amended and passed by
- 2 the House and reprinted, as follows:
- 3 Page 2A, line 4, by inserting after the word
- 4 "excess" the words and figure "of one hundred one point
- 5 fifty-eight (101.58%) percent".

ARTHUR A. NEU

- 1 Amend House File 121, as amended and passed and
- 2 reprinted by the House, by striking from page 2A, line 29,
- 3 the word "one" and inserting the word "five".

R. DEAN ARBUCKLE

- 1 Amend House File 121, as amended and passed by
- 2 the House and reprinted, as follows:
- 3 1. Page 3A, lines 30 and 31, by striking the
- 4 words and figure "forty-five (45)" and inserting in
- 5 lieu thereof the words and figure "fifty-five (55)".
- 6 2. Page 4A, line 2, by striking the words and
- 7 figure "forty-five (45)" and inserting in lieu thereof
- 8 the words and figure "fifty-five (55)".

ARTHUR A. NEU

- 1 Amend House File 121, as amended and passed by
- 2 the House and reprinted, as follows:
- 3 Page 3B, by striking lines 36 through 38 and
- 4 by inserting in lieu thereof the words "districts

5 in the state as state equalization aid, pursuant to
6 provisions of chapter four hundred forty-two (442)
7 of the Code. The remaining”.

ARTHUR A. NEU

1 Amend the committee on appropriations amendment,
2 filed February 18, 1971, to House File 121, by striking
3 lines 1 through 13, inclusive.

ARTHUR A. NEU

On motion of Senator Lamborn, the Senate adjourned until 10:00
a.m., Monday, February 22, 1971.

JOURNAL OF THE SENATE

FORTY-THIRD DAY

SENATE CHAMBER
DES MOINES, IOWA, MONDAY, FEBRUARY 22, 1971

The Senate met in regular session, President pro tempore Kyhl presiding.

Prayer was offered by the Honorable A. Gordon Stokes, State Representative from Plymouth County, District 2, LeMars, Iowa.

The Senate pledged allegiance to the flag.

The Journal of Friday, February 19, 1971, was approved.

PETITION

The following petition was received and placed on file:

By Senator Ollenburg, from twenty-five senior citizens of Winnebago County favoring Senate File 81, which gives school districts authority to rent school buses to senior citizens' groups.

ANNOUNCEMENTS BY PRESIDENT OF THE SENATE

President Jepsen announced the appointment of the following memorial resolution committees:

On Paul L. Millhone:

Senator Bass, Chairman
Senator Briles
Senator Griffin

On Charles K. Sullivan:

Senator Erskine, Chairman
Senator Mowry
Senator Thordsen

On Lloyd Thurston:

Senator Laverty, Chairman
Senator Anderson
Senator Rhodes

President Jepsen announced the appointment of Wayne D. Keith to the departmental rules review committee to replace Senator Charles K. Sullivan, for the unexpired term ending April 30, 1971.

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on February 19, 1971, the Governor approved and transmitted to the Secretary of State the following bills:

- H. F. 16—Relating to qualifications of certain state librarians.
- H. F. 18—Relating to notaries public.
- H. F. 22—Relating to the state entomologist.
- H. F. 32—Removing references to the granting of a franchise to an electric utility company by the county board of supervisors.
- H. F. 47—Relating to the registration of animals.
- H. F. 114—Relating to specifications and standards for cheese and cheese products.

AMENDMENTS FILED

- 1 Amend Senate File 188, page 3, by adding after line 6 the
- 2 following new section and by renumbering the remaining
- 3 sections:
- 4 "Sec. Any person who without either implied or
- 5 actual permission enters any public building or causes any
- 6 nuisance, or uses, misuses, destroys, or partially destroys
- 7 any public or private property shall be fined not more than
- 8 three hundred dollars and imprisoned in the county jail not
- 9 more than one year."

EDWARD E. NICHOLSON

- 1 Amend House File 12, as amended and passed by the
- 2 House and reprinted, as follows:
- 3 1. Page 7A, line 25, by striking the word
- 4 "fifteen" and inserting the word "thirty".
- 5 2. Page 7B, line 37, by striking the word
- 6 "fifteen" and inserting the word "thirty".

COMMITTEE ON COUNTY GOVERNMENT

JAMES E. BRILES, Chairman

- 1 Amend House File 121, as amended, passed and reprinted
- 2 by the House, page 2A, lines 31, 32, and 33 by striking
- 3 "on the budget certification shall not apply to special
- 4 education expenditures other than" and inserting in lieu
- 5 thereof "shall apply only to".

R. DEAN ARBUCKLE

- 1 Amend House File 121, as amended, passed and
- 2 reprinted by the House, page 2A, line 33 by inserting
- 3 after "education" the words "and special service".

R. DEAN ARBUCKLE

1 Amend House File 121, as amended and passed by the
2 House and reprinted, as follows:

3 Page 2A, line 31, by striking "but said limitation on"
4 and all of lines 32 and 33, and inserting in lieu thereof
5 the following: "however, the limitation for special
6 education other than administrative costs shall be one
7 hundred and six percent."

CHARLES F. BALLOUN

1 Amend House File 121, as amended, passed, and
2 reprinted, as follows:

3 1. By striking all after the enacting clause and insert-
4 ing in lieu thereof the following:

5 Section 1. There is hereby appropriated from the gen-
6 eral fund of the state to the department of public in-
7 struction for the first year of the biennium beginning
8 July 1, 1971, and ending June 30, 1973, the following
9 amount for the state's equalization aid payment to public
10 school districts as provided in chapter four hundred
11 forty-two (442) of the Code.

12 For the first year of the biennium. . one hundred fifty-
13 one million (\$151,000,000.00) dollars.

14 Sec. 2. No moneys appropriated by this Act shall be
15 used for capital improvements.

16 Sec. 3. The provisions of chapter eight (8) of the
17 Code are hereby made a part of this Act.

18 Sec. 4. Where any laws of the state are in conflict
19 with this appropriation Act, the provisions of this Act
20 shall govern for the first year of the biennium.

21 2. By striking in lines 1, 2 and 3 of the title, the
22 words "providing limitations on the property tax levy for the
23 general fund budget of school districts, county boards of
24 education, and joint boards of education and to".

EUGENE M. HILL

1 Amend the committee on appropriations amendment
2 filed February 18, 1971 to House File 121, line 9, by
3 striking the words "forty-five" and inserting the
4 words and figure "fifty-five (55)".

ARTHUR A. NEU

1 Amend the schools committee amendment filed
2 February 18, 1971, to page 4A of House File 121 as
3 follows:

4 1. Line 6, by striking the word "only".

5 2. Line 7, by striking the words and figure
6 "forty-five (45)" and inserting in lieu thereof the
7 words and figure "fifty-five (55)".

ARTHUR A. NEU

On motion of Senator Lamborn, the Senate adjourned until 9:00
a.m., Tuesday, February 23, 1971.

JOURNAL OF THE SENATE

FORTY-FOURTH DAY

SENATE CHAMBER

DES MOINES, IOWA, TUESDAY, FEBRUARY 23, 1971

The Senate met in regular session, President Jepsen presiding.

Prayer was offered by the Honorable Richard L. Stephens, State Senator from Crawfordsville, Iowa.

The Senate pledged allegiance to the flag.

The Journal of Monday, February 22, 1971, was approved.

LEAVE OF ABSENCE

Senator Stephens asked and received unanimous consent that Senator Conklin be excused for the day due to a death in her family.

PRESENTATION OF VISITORS

The Chair announced that the following visitors were present in the Senate gallery :

Twenty students from Stilwell Junior High School, West Des Moines, Iowa, accompanied by their instructors, Miss Constant and Miss Willits.

INTRODUCTION OF BILLS

Senate Joint Resolution 4, by Senator Tapscott (Gluba), a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to qualifications of electors.

Read first time and **passed on file**.

Senate File 262, by Senators Walsh and Griffin, a bill for an act establishing a radiation control program, providing penalties for violation of provisions of this act, and making an appropriation therefor.

Read first time and **passed on file**.

Senate File 263, by Senator Keith, a bill for an act to legalize and validate the proceedings of the Board of Directors of Iowa Lakes Community College of the Counties of Emmet, Dickinson, Clay,

Palo Alto, and Kossuth, Iowa, (Merged Area III) and the Estherville Community School District of the Counties of Emmet and Dickinson, Estherville, Iowa, in regard to the transfer of buildings, real estate, equipment, books and the repayment of operational costs necessary in the transfer of the existing Estherville Junior College operated by the Estherville Community School District to the Iowa Lakes Community College (Merged Area III) and to authorize and direct the Board of Directors of the Iowa Lakes Community College (Merged Area III) to execute and deliver to the Estherville Community School District a warranty deed for the real estate involved and to authorize and direct said Boards of Directors to execute any and all other instruments necessary to complete said transition agreements.

Read first time and **passed on file.**

ADOPTION OF SENATE CONCURRENT RESOLUTION 13

Senator Lamborn called up for consideration the following resolution:

SENATE CONCURRENT RESOLUTION 13

By Committee on Rules

Whereas, Senate Rule 28 of the Temporary Rules of the Senate for the Sixty-fourth General Assembly, First Session, provides that "No bill shall be introduced after 4:00 p.m. on Friday of the seventh week of the first regular session of a General Assembly unless a written request for drafting the bill has been filed with the legislative service bureau before that time."; and

Whereas, House Rule 28 of the Temporary Rules of the House for the Sixty-fourth General Assembly, First Session, provides that "The final day for the introduction of bills shall be the fifty-seventh calendar day of the first regular session of a General Assembly unless a written request for drafting the bill has been filed with the Legislative Service Bureau before that time."; and

Whereas, it is necessary that all members of the General Assembly are fully aware of the exact date for filing written requests for the drafting of bills to be introduced by individual legislators, *Now Therefore*,

Be It Resolved by the Senate, the House Concurring, That Friday, February 26, 1971, is established as the final day for Senate members of the Sixty-fourth General Assembly, First Session, to submit bill requests to the Legislative Service Bureau for introduction by individual members of the Senate in this session of the General Assembly and Monday, March 8, 1971, is established as the final day for House members of the Sixty-fourth General Assembly, First Session, to submit bill requests to the Legislative Service Bureau for introduction by individual members of the House in this session of the General Assembly.

The motion prevailed and the resolution was adopted.

CONSIDERATION OF BILLS

House File 121

On motion of Senator Keith, House File 121, a bill for an act to provide limitations on the property tax levy for the general fund budget of school districts, county boards of education, and joint boards of education and to make an appropriation to the department of public instruction for allocation to school districts, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Balloun offered the following appropriations committee amendment:

- 1 Amend House File 121, as amended, passed and reprinted by the
- 2 House, page 2A, by striking lines 7 through 14, inclusive and
- 3 inserting in lieu thereof: "unless, because of extraordinary
- 4 and unusual circumstances, the school district receives per-
- 5 mission from the school budget review committee. Extraordinary
- 6 and unusual circumstances for the purpose of this section are
- 7 circumstances which would materially affect the school district's
- 8 financial status, which would require significant expenditures
- 9 in addition to the forty-five dollars per pupil received in
- 10 addition to state aid and the school board requesting said
- 11 permission shall have the burden of proof to establish that
- 12 all available means have been used by it to reduce the cost
- 13 of the school district."

Senator Neu offered the following amendment to the amendment:

- 1 Amend the committee on appropriations amendment
- 2 filed February 18, 1971 to House File 121, line 9, by
- 3 striking the words "forty-five" and inserting the
- 4 words and figure "fifty-five (55)".

Senator Neu moved the adoption of the amendment to the amendment.

Roll call was requested.

On the question "Shall the amendment to the amendment be adopted?" (H.F. 121) the vote was:

Ayes, 21:

Briles	Gaudineer	Milligan	Schaben
Brownlee	Hill	Neu	Shawver
Carlson	Kennedy	Palmer	Tapscott
Curran	Lavery	Riley	Van Gilst
Doderer	Miller	Robinson	Walsh
Erskine			

Nays, 26:

Anderson	Davis	Graham	Lamborn
Arbuckle	DeKoster	Griffin	Messerly
Balloun	Gilley	Keith	Mowry
Bass	Glenn	Kyhl	Nicholson

Ollenburg
Potgeter
Potter

Rabedaux
Rhodes
Shaff

Smith
Stephens

Thordsen
Van Drie

Absent or not voting, 2:

Coleman

Conklin

The amendment to the amendment lost.

Senator Neu withdrew the following amendment to the amendment filed by him on February 19, 1971:

- 1 Amend the committee on appropriations amendment,
- 2 filed February 18, 1971, to House File 121, by striking
- 3 lines 1 through 13, inclusive.

Senator Doderer offered the following amendment to the amendment and moved its adoption:

- 1 Amend the committee on appropriations amendment,
- 2 filed February 18, 1971, to House File 121 by adding in
- 3 line 5 after the word "committee" the words ", but said
- 4 limitation on the budget certification shall not apply
- 5 to special education expenditures other than
- 6 administrative costs".

Roll call was requested.

On the question "Shall the Doderer amendment to the amendment be adopted?" (H.F. 121) the vote was:

Ayes, 29:

Arbuckle
Balloun
Briles
Brownlee
Carlson
Curran
Davis
DeKoster

Doderer
Gaudineer
Glenn
Hill
Kennedy
Lavery
Miller

Milligan
Neu
Ollenburg
Palmer
Potgeter
Rhodes
Riley

Robinson
Schaben
Shawver
Tapscott
Thordsen
Van Gilst
Walsh

Nays, 18:

Anderson
Bass
Erskine
Gilley
Graham

Griffin
Keith
Kyhle
Lamborn
Messerly

Mowry
Nicholson
Potter
Rabedaux

Shaff
Smith
Stephens
Van Drie

Absent or not voting, 2:

Coleman

Conklin

The amendment to the amendment was adopted.

On motion of Senator Lamborn, the Senate recessed until 1:00 p.m.

AFTERNOON SESSION

The Senate reconvened, President pro tempore Kyhl presiding.

INTRODUCTION OF BILLS

Senate File 264, by Senators Gaudineer, Tapscott and Palmer, a bill for an act relating to fees for the issuance of permits to carry concealed weapons.

Read first time and **passed on file**.

Senate File 265, by Senators Gaudineer and Palmer, a bill for an act relating to the salary of the county attorney in counties over two hundred thousand population.

Read first time and **passed on file**.

Senate File 266, by Senators Robinson and Doderer (Ewell, Schwieger, Willits and Wells), a bill for an act relating to leaves of absence for persons elected to public office.

Read first time and **passed on file**.

Senate File 267, by Senators Erskine, Griffin, Walsh, Kennedy, Nicholson, Mowry, Rabedeaux and Thordsen, a bill for an act relating to vacancies in district court judgeships.

Read first time and **passed on file**.

COMMUNICATIONS

The following communications were presented:

February 18, 1971

To the Secretary of the Senate
State House
Des Moines, Iowa

I wish to convey to the Iowa Senate the sincere appreciation of the Charles K. Sullivan family and the Woodbury County delegation, House and Senate, for the beautiful floral arrangement and to extend thanks to members of the Senate, members of the staff and the secretaries for the memorial gifts and flowers offered as expressions of sympathy due to the sudden passing of the Honorable Charles K. Sullivan.

Sincerely yours,
ALDEN J. ERSKINE

The Honorable Roger W. Jepsen
President of the Senate, and all Members of the Senate

We are overwhelmed at the expression of your sorrow over the loss of our beloved husband and father.

We shall be eternally grateful that as a family we were granted the privilege of being associated with the elected officials and members of the legislature.

May I wish you all a very successful year.

MRS. CHARLES K. SULLIVAN
AND FAMILY

The Senate Secretaries

The Sullivan family want to express their appreciation to the Senate secretaries for the three lovely plants sent in memory of Senator Sullivan.

CONSIDERATION OF BILLS

House File 121

The Senate resumed consideration of House File 121 and the appropriations committee amendment.

Senator Balloun moved to reconsider the vote by which the Doderer amendment to the committee amendment was adopted by the Senate.

On the question "Shall the motion to reconsider the Doderer amendment to the appropriations committee amendment be adopted?" (H.F. 121) the vote was:

Rule 24 was invoked.

Ayes, 22:

Anderson	Gilley	Messerly	Rhodes
Arbuckle	Graham	Mowry	Shaff
Balloun	Griffin	Nicholson	Smith
Bass	Keith	Ollenburg	Stephens
Briles	Kyhl	Potter	Van Drie
Erskine	Lamborn		

Nays, 24:

Brownlee	Gaudineer	Milligan	Schaben
Carlson	Glenn	Neu	Shawver
Curran	Hill	Palmer	Tapscott
Davis	Kennedy	Potgeter	Thordsen
DeKoster	Laverty	Riley	Van Gilst
Doderer	Miller	Robinson	Walsh

Absent or not voting, 3:

Coleman	Conklin	Rabedaux
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The motion to reconsider lost.

On motion of Senator Mowry, the appropriations committee amendment, as amended, was adopted.

Senator Ollenburg offered the following amendment filed by the committee on schools to page 3A:

- 1 Amend House File 121, as amended and passed, and re-
- 2 printed by the House, by striking from page 3A, lines 21
- 3 through 25, inclusive, and inserting in lieu thereof the
- 4 following:
- 5 "The difference between the amount appropriated
- 6 under section four hundred forty-two point seven (442.7)
- 7 of the Code and the amount to be allocated to the local
- 8 school districts for the fiscal year commencing July 1,
- 9 1971, or so much thereof as may be necessary, is appro-

10 priated to the school budget review committee. The
11 school budget review committee shall distribute these
12 funds to the various school districts which have an in-
13 creased fall enrollment in excess of five percent for the
14 school year 1971-1972 over the school year 1970-1971.
15 The school budget review committee shall determine the
16 needs of school districts with increased fall enrollments
17 and shall distribute the funds to each school district
18 on the basis of need as determined by the school budget
19 review committee and on the basis of the number of
20 pupils in excess of the five percent increased fall en-
21 rollment.

22 However, the maximum to be distributed to a school
23 district under this section shall be computed as follows:

24 1. Determine the number of pupils enrolled in the
25 district for the school year 1971-1972 which is in excess

Page 2

1 of five percent over the number enrolled in the district
2 for the school year 1970-1971.

3 2. Multiply the number obtained under subsection
4 one (1) by the per pupil average of all state aid dis-
5 tributed for the school year 1971-1972."

Senator Ollenburg offered the following amendment to the
amendment and moved its adoption:

1 Amend the schools committee amendment to page 3A of House
2 File 121, filed February 18, 1971, line 21, by inserting
3 before the period the following: " , any funds not allocated by
4 the school budget review committee shall revert to the state
5 general fund".

The amendment to the amendment was adopted.

On motion of Senator Ollenburg, the schools committee amend-
ment to page 3A was adopted as amended.

Senator Ollenburg offered the following amendment filed by the
committee on schools to page 4A:

1 Amend House File 121, as amended and passed, and re-
2 printed by the House, by striking from page 4A, lines 8
3 through 10, inclusive, and inserting in lieu thereof the
4 following:

5 Sec. 7. Shared time students shall be computed on
6 the 1971 fall enrollment, and shall only participate in
7 the forty-five (45) dollars for each pupil enrolled in
8 a public school in each school district as appropriated
9 in section six (6) of this Act. Shared time students participa-
10 tion shall be counted on the basis of number of hours of
11 instruction in a public school, proportionate to a full-
12 time student enrolled in said district.

Senator Neu offered the following amendment to the amendment:

Division 1

1 Amend the schools committee amendment filed

2 February 18, 1971, to page 4A of House File 121, as
3 follows:

4 1. Line 6, by striking the word "only".

Division 2

5 2. Line 7, by striking the words and figure

6 "forty-five (45)" and inserting in lieu thereof the

7 words and figure "fifty-five (55)".

Senator Neu called for a division of the amendment to the amendment, section 1 to be considered as division 1 and section 2 as division 2.

On motion of Senator Neu, division 1 of the amendment to the amendment was adopted.

Senator Neu withdrew division 2 of the amendment to the amendment.

On motion of Senator Ollenburg, the schools committee amendment to page 4A was adopted as amended.

Senator Neu offered the following amendment and moved its adoption:

1 Amend House File 121, as amended and passed by

2 the House and reprinted, as follows:

3 Page 2A, line 4, by inserting after the word

4 "excess" the words and figure "of one hundred one point

5 fifty-eight (101.58%) percent".

Roll call was requested.

On the question "Shall the Neu amendment be adopted?" (H.F. 121) the vote was:

Rule 24 was invoked.

Ayes, 20:

Carlson	Gaudineer	Miller	Riley
Curran	Glenn	Milligan	Schaben
DeKoster	Hill	Neu	Tapscott
Doderer	Kennedy	Palmer	Van Gilst
Erschine	Laverty	Potgeter	Walsh

Nays, 26:

Anderson	Gilley	Mowry	Shaff
Arbuckle	Graham	Nicholson	Shawver
Balloun	Griffin	Ollenburg	Smith
Bass	Keith	Potter	Stephens
Briles	Kyhl	Rabedeaux	Thordsen
Brownlee	Lamborn	Rhodes	Van Drie
Davis	Messerly		

Absent or not voting, 3:

Coleman	Conklin	Robinson
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The amendment lost.

Senator Keith offered the following amendment filed by him and moved its adoption:

- 1 Amend House File 121, as amended and passed and re-
- 2 printed, page 2A, line 4, by striking the word "received"
- 3 and inserting in lieu thereof the word "raised".

The amendment was adopted.

Senator Neu withdrew the following amendment filed by him on February 19, 1971:

- 1 Amend House File 121, as amended and passed by the
- 2 House and reprinted, as follows:
- 3 Page 2A, line 4, by striking the word "received"
- 4 and inserting the word "raised".

Senator Arbuckle offered the following amendment filed by him:

- 1 Amend House File 121, as amended and passed and
- 2 reprinted by the House, by striking from page 2A, line 29,
- 3 the word "one" and inserting the word "five".

Senator Arbuckle moved the adoption of the amendment and requested a roll call.

On the question "Shall the Arbuckle amendment be adopted?" (H.F. 121) the vote was:

Ayes, 16:

Arbuckle	Doderer	Lamborn	Palmer
Carlson	Erskine	Miller	Riley
Curran	Gaudineer	Milligan	Tapscott
DeKoster	Kennedy	Neu	Walsh

Nays, 26:

Anderson	Graham	Nicholson	Schaben
Balloun	Griffin	Ollenburg	Shaff
Bass	Hill	Potgeter	Shawver
Brownlee	Kyhl	Potter	Stephens
Davis	Laverty	Rabedeaux	Van Drie
Gilley	Messerly	Rhodes	Van Gilst
Glenn	Mowry		

Absent or not voting, 7:

Briles	Conklin	Robinson	Thordsen
Coleman	Keith	Smith	

The amendment lost.

Senator Balloun offered the following amendment and called for a division of the amendment into 3 divisions, section 1 to be considered as division 1, section 2 as division 2, and section 3 as division 3:

Division 1

- 1 Amend House File 121, as amended and passed and re-
- 2 printed by the House, as follows:
- 3 1. Page 2A, line 31, by striking all after the
- 4 numerals "1970" and inserting in lieu thereof a period,

5 and by striking all of lines 32 and 33.

Division 2

6 2. Page 3A, lines 32 and 33, by striking all after
7 the word "state" in line 32 and by striking the word
8 "necessary" in line 33.

Division 3

9 3. Page 4A, line 7, by adding after the period the
10 following: "Any portion of this appropriation remaining
11 after the provisions of this section are fulfilled shall
12 revert to the general fund."

Senator Balloun withdrew division 1 of the amendment.

On motion of Senator Balloun, division 2 of the amendment was adopted.

Senator Balloun asked and received unanimous consent to withdraw division 3 of the amendment.

Senator Balloun withdrew the amendment filed by him on February 22, 1971, and found on page 334 of the Senate Journal.

Senator DeKoster offered the following amendment and moved its adoption:

1 Amend House File 121, page 3A, line 32, by inserting
2 after the word "state," the following words:
3 "as determined by the 1971 fall enrollment".

The amendment was adopted.

Senator Arbuckle offered the following amendment:

1 Amend House File 121, as amended, passed and reprinted
2 by the House, page 2A, lines 31, 32, and 33 by striking
3 "on the budget certification shall not apply to special
4 education expenditures other than" and inserting in lieu
5 thereof "shall apply only to".

Senator Arbuckle moved the adoption of the amendment and called for a division.

The amendment lost.

Senator Arbuckle offered the following amendment and moved its adoption:

1 Amend House File 121, as amended, passed and
2 reprinted by the House, page 2A, line 33 by inserting
3 after "education" the words "and special service".

Roll call was requested.

On the question "Shall the Arbuckle amendment be adopted?" (H.F. 121) the vote was:

Ayes, 27:

Arbuckle	DeKoster	Laverty	Riley
Balloun	Doderer	Miller	Schaben
Bass	Erskine	Milligan	Shawver
Briles	Gaudineer	Neu	Tapscott
Carlson	Glenn	Ollenburg	Van Gilst
Curran	Griffin	Palmer	Walsh
Davis	Kennedy	Rhodes	

Nays, 18:

Anderson	Kyhl	Potgeter	Smith
Brownlee	Lamborn	Potter	Stephens
Gilley	Messerly	Rabedeaux	Thordsen
Graham	Mowry	Shaff	Van Drie
Hill	Nicholson		

Absent or not voting, 4:

Coleman	Conklin	Keith	Robinson
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The amendment was adopted.

Senator Neu withdrew the following amendment filed by him on February 19, 1971:

- 1 Amend House File 121, as amended and passed by
- 2 the House and reprinted, as follows:
- 3 1. Page 3A, lines 30 and 31, by striking the
- 4 words and figure "forty-five (45)" and inserting in
- 5 lieu thereof the words and figure "fifty-five (55)".
- 6 2. Page 4A, line 2, by striking the words and
- 7 figure "forty-five (45)" and inserting in lieu thereof
- 8 the words and figure "fifty-five (55)".

Senator Neu offered the following amendment and moved its adoption:

- 1 Amend House File 121, as amended and passed by
- 2 the House and reprinted, as follows:
- 3 Page 3B, by striking lines 36 through 38 and
- 4 by inserting in lieu thereof the words "districts
- 5 in the state as state equalization aid, pursuant to
- 6 provisions of chapter four hundred forty-two (442)
- 7 of the Code. The remaining".

Roll call was requested.

On the question "Shall the Neu amendment to page 3B be adopted?" (H.F. 121) the vote was:

Rule 24 was invoked.

Ayes, 22:

Briles	Glenn	Mowry	Schaben
Brownlee	Hill	Neu	Shawver
Carlson	Kennedy	Palmer	Tapscott
Doderer	Laverty	Rabedeaux	Van Gilst
Erskine	Miller	Riley	Walsh
Gaudineer	Milligan		

Nays, 24:

Anderson	DeKoster	Lamborn	Rhodes
Arbuckle	Gilley	Messerly	Shaff
Balloun	Graham	Nicholson	Smith
Bass	Griffin	Ollenburg	Stephens
Curran	Keith	Potgeter	Thordsen
Davis	Kyhl	Potter	Van Drie

Absent or not voting, 3:

Coleman	Conklin	Robinson
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The amendment lost.

Senator Schaben offered the following amendment by Senators Balloun and Schaben:

- 1 Amend House File 121, as amended and passed and
- 2 reprinted by the House, page 4A, by adding after line 10,
- 3 the following new section and renumbering the remaining
- 4 sections:
- 5 "Sec. The administrative costs of the general
- 6 fund budget in any event may not be increased by more than
- 7 one and one-half percent."

Senator Schaben moved the adoption of the amendment and requested a roll call.

On the question "Shall the Balloun-Schaben amendment be adopted?" (H.F. 121) the vote was:

Ayes, 17:

Anderson	Glenn	Miller	Schaben
Balloun	Hill	Nicholson	Shawver
Briles	Kyhl	Potgeter	Stephens
Erskine	Lamborn	Rhodes	Van Gilst
Gilley			

Nays, 27:

Arbuckle	Gaudineer	Mowry	Shaff
Bass	Graham	Neu	Smith
Brownlee	Griffin	Ollenburg	Tapscott
Carlson	Keith	Palmer	Thordsen
Curran	Kennedy	Potter	Van Drie
Davis	Laverty	Rabedeaux	Walsh
DeKoster	Milligan	Riley	

Absent or not voting, 5:

Coleman	Doderer	Messerly	Robinson
Conklin			

The amendment lost.

Senator Hill offered the following amendment filed by him:

- 1 Amend House File 121, as amended, passed, and
- 2 reprinted, as follows:
- 3 1. By striking all after the enacting clause and insert-
- 4 ing in lieu thereof the following:

5 Section 1. There is hereby appropriated from the gen-
 6 eral fund of the state to the department of public in-
 7 struction for the first year of the biennium beginning
 8 July 1, 1971, and ending June 30, 1973, the following
 9 amount for the state's equalization aid payment to public
 10 school districts as provided in chapter four hundred
 11 forty-two (442) of the Code.

12 For the first year of the biennium . . one hundred fifty-
 13 one million (\$151,000,000.00) dollars.

14 Sec. 2. No moneys appropriated by this Act shall be
 15 used for capital improvements.

16 Sec. 3. The provisions of chapter eight (8) of the
 17 Code are hereby made a part of this Act.

18 Sec. 4. Where any laws of the state are in conflict
 19 with this appropriation Act, the provisions of this Act
 20 shall govern for the first year of the biennium.

21 2. By striking in lines 1, 2 and 3 of the title, the
 22 words "providing limitations on the property tax levy for the
 23 general fund budget of school districts, county boards of
 24 education, and joint boards of education and to".

Senator Hill moved the adoption of the amendment and called for a division.

The amendment lost.

Senator Balloun moved to reconsider the vote by which the Arbuckle amendment to page 2A, line 33, was adopted by the Senate.

Senator Balloun withdrew the motion.

Senator Messerly moved to reconsider the vote by which the Neu amendment, filed February 19, 1971, to page 3B of House File 121, failed to be adopted by the Senate, and requested a roll call.

On the question "Shall the motion to reconsider the Neu amendment be adopted?" (H.F. 121) the vote was:

Rule 24 was invoked.

Ayes, 22:

Briles	Hill	Mowry	Shawver
Carlson	Kennedy	Neu	Tapscott
Curran	Lavery	Palmer	Thordsen
Erskine	Messerly	Riley	Van Gilst
Gaudineer	Miller	Schaben	Walsh
Glenn	Milligan		

Nays, 23:

Anderson	DeKoster	Lamborn	Rhodes
Arbuckle	Gilley	Nicholson	Shaff
Balloun	Graham	Ollenburg	Smith
Bass	Griffin	Potgeter	Stephens
Brownlee	Keith	Potter	Van Drie
Davis	Kyhl	Rabedeaux	

Absent or not voting, 4:

Coleman	Conklin	Doderer	Robinson
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The motion lost.

Senator Keith moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question shall the bill pass?" (H.F. 121) the vote was:

Ayes, 34:

Anderson	Erskine	Messerly	Schaben
Arbuckle	Gilley	Mowry	Shaff
Balloun	Glenn	Nicholson	Shawver
Bass	Graham	Ollenburg	Smith
Briles	Griffin	Potgeter	Stephens
Brownlee	Keith	Potter	Thordsen
Carlson	Kyhl	Rabedeaux	Van Drie
Davis	Lamborn	Rhodes	Van Gilst
DeKoster	Laverty		

Nays, 11:

Curran	Kennedy	Neu	Tapscott
Gaudineer	Miller	Palmer	Walsh
Hill	Milligan	Riley	

Absent or not voting, 4:

Coleman	Conklin	Doderer	Robinson
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Keith moved that the vote by which **House File 121** passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

INTRODUCTION OF BILLS

Senate File 268, by Senators DeKoster and Griffin, a bill for an act to forbid the use of the highways of this state to habitual offenders of the traffic laws, and to provide punishment for those who violate the provisions of this act.

Read first time and passed on file.

Senate File 269, by Senators Miller, Kennedy, Briles and Gilley (Schmeiser, Rex, Monroe, Scott, Roorda, Priebe, Knoblauch, Middlewart and Schroeder), a bill for an act to provide that expenditures of funds by the county board of supervisors to replace property acquired by another governmental body need not be submitted to the voters.

Read first time and passed on file.

Senate File 270, by Senator Potgeter, a bill for an act relating to the election of presidential electors.

Read first time and **passed on file**.

Senate File 271, by Senators Smith and Kennedy, a bill for an act relating to the practice of chiropractic.

Read first time and **passed on file**.

Senate File 272, by Senators Potgeter, Potter and Walsh, a bill for an act relating to administrative rules and regulations.

Read first time and **passed on file**.

Senate File 273, by Senators Mowry, Briles, Balloun, Anderson, Nicholson, Stephens, Arbuckle, Thordsen, Smith, Messerly, Graham, Erskine, Shawver, Van Drie, Rhodes, Keith, Kyhl, Lamborn, Gilley, Rabedeaux, Conklin, Shaff, Brownlee and Ollenburger, a bill for an act relating to the merit system.

Read first time and **passed on file**.

Senate File 274, by Senator Riley (Dougherty, Stokes, Strand, Priebe and Schmeiser), a bill for an act relating to age discrimination in employment.

Read first time and **passed on file**.

Senate File 275, by Senator Riley, a bill for an act to permit county offices to be combined and made appointive.

Read first time and **passed on file**.

Senate File 276, by Senator Lamborn, a bill for an act relating to the filing for the homestead tax credit and the disabled veterans tax credit.

Read first time and **passed on file**.

REPORTS OF SENATE COMMITTEE ON ETHICS

MR. PRESIDENT: Your Senate committee on ethics begs leave to report that it recommends the Senate code of ethics which appears in the "Rules of Procedure, Iowa—1969" be adopted with the following changes:

1. Senate Code of Ethics, Rule 4, line 2, by striking the words "state agency" and inserting in lieu thereof the words "governmental agency or board".

2. Senate Code of Ethics, Rule 4, line 4, by striking the words "state agency" and inserting in lieu thereof the words "governmental agency or board".

3. Senate Code of Ethics, Rule 4, line 6, by striking the words "state agency" and inserting in lieu thereof the words "governmental agency or board".

ARTHUR A. NEU, Chairman

Ordered passed on file.

Also :

MR. PRESIDENT: Your Senate committee on ethics begs leave to report that it recommends the Senate Rules Governing Lobbyists as appear in the "Rules of Procedure, Iowa—1969" be adopted with the following change:

1. Senate Rules Governing Lobbyists, Rule 3, line 2, by striking the words "while in session." and inserting in lieu thereof the words "from the daily time of convening to adjournment."

ARTHUR A. NEU, Chairman

Ordered passed on file.

SENATE CONCURRENT RESOLUTION 16

By Riley, Anderson, Arbuckle, Balloun, Bass, Briles,
Brownlee, Carlson, Coleman, Conklin, Curran,
Davis, DeKoster, Doderer, Erskine, Gaudineer,
Gilley, Glenn, Graham, Griffin, Keith, Kennedy,
Kyhl, Lamborn, Lavery, Messerly, Miller,
Milligan, Mowry, Neu, Nicholson, Ollenburg,
Palmer, Potgeter, Potter, Rabedeaux, Rhodes,
Robinson, Schaben, Shaff, Shawver, Smith,
Stephens, Tapscott, Thordsen, Van Drie,
Van Gilst and Walsh

Whereas, more than one thousand five hundred Americans are listed as prisoners of war or missing in action in Southeast Asia, and

Whereas, the citizens of Iowa have demonstrated their great concern for the well-being, humane treatment and safe return of prisoners of war or those missing in action in Southeast Asia, *Now Therefore*,

Be It Resolved by the Senate, the House Concurring, That in order that the citizens of Iowa may in the demonstration of their support and concern for the more than one thousand five hundred Americans listed as prisoners of war or missing in action in Southeast Asia, have the unequivocal support of the General Assembly and the Chief Executive Officer of this state and in order to forcefully register their protest over the inhumane treatment these men are receiving at the hands of the North Vietnamese, in violation of the Geneva Convention, the Governor is hereby requested to issue a proclamation designating the week beginning March 21, 1971, and ending March 27, 1971, as "Iowa Concern for Prisoners of War Missing in Action Week", and calling upon the citizens of Iowa to observe such week with appropriate ceremonies and activities.

PROOF OF PUBLICATION

Published copy of Senate File 263 and verified proof of publication in the Estherville Daily News, a daily newspaper published at Estherville, Iowa, on February 11, 1971, was filed with the Secretary of the Senate prior to the time said bill was placed on passage in the Senate.

CARROLL A. LANE
Secretary of the Senate

EXPLANATION OF VOTE

Had I been in attendance when the following bills were passed by the Senate, I would have voted "aye": Senate Files 41, 57, 201, and 236.

CHARLES P. MILLER

AMENDMENT FILED

1 Amend House File 12, as amended, passed, and re-
2 printed by the House, as follows:

3 1. Page 9A, by inserting after line 21 the follow-
4 ing section:

5 "Sec. 11. Section three hundred twenty-one point
6 one hundred forty-five (321.145), subsection two (2),
7 Code 1971, is amended as follows:

8 2. The balance of said money, less the collection
9 fee of [fifty cents] *one dollar* retained by the county
10 treasurer on each registration, and less the one percent
11 received by the department as a reimbursement fund from
12 which to pay refunds, to the road use tax fund."

13 2. By renumbering the remaining sections according-
14 ly.

LEE H. GAUDINEER, JR.

JAMES E. BRILES

On motion of Senator Lamborn, the Senate adjourned until 9:00 a.m., Wednesday, February 24, 1971.

JOURNAL OF THE SENATE

FORTY-FIFTH DAY

SENATE CHAMBER

DES MOINES, IOWA, WEDNESDAY, FEBRUARY 24, 1971

The Senate met in regular session, President pro tempore Kyhl presiding.

Prayer was offered by the Reverend Paul Otto, pastor of Our Saviour's Lutheran Church, Humboldt, Iowa.

The Senate pledged allegiance to the flag.

The Journal of Tuesday, February 23, 1971, was approved.

PRESENTATION OF VISITORS

The Chair announced that the following visitors were present in the Senate gallery:

Twenty-nine eighth-grade students from Guthrie Center Junior High School, Guthrie Center, Iowa, accompanied by their instructor, Richard Hanson.

Forty students from Woodside Junior High School, Saydel School District, Polk County, Iowa, accompanied by their instructor, Miss Craig.

Ninety fifth-grade students from Rex Mathis Elementary School, West Des Moines, Iowa, accompanied by their instructors, Mrs. Fried, Mrs. Olson, Mrs. Challis and Mrs. Nyswonger.

One hundred forty-one students from Washington County Schools, accompanied by their instructor, Mrs. Gamon.

PETITIONS

The following petitions were received and placed on file:

By Senator Van Drie, from one hundred twelve residents of Jasper County urging that local schools be financed from sources other than property taxes.

By Senator Robinson, from thirty-nine residents of Linn County opposing appointment of the superintendent of public instruction by the Governor.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File 15, a bill for an act relating to eligibility of welfare recipients.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 48, a bill for an act relating to the movement of oversized mobile homes and vehicles.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 96, a bill for an act relating to the late vehicle registration penalty.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 194, a bill for an act relating to county contingent funds.

WILLIAM R. KENDRICK, Chief Clerk

HOUSE MESSAGES CONSIDERED

House File 15, a bill for an act relating to eligibility of welfare recipients.

Read first time and **passed on file**.

House File 48, a bill for an act relating to the movement of oversized mobile homes and vehicles.

Read first time and **passed on file**.

House File 96, a bill for an act relating to the late vehicle registration penalty.

Read first time and **passed on file**.

House File 194, a bill for an act relating to county contingent funds.

Read first time and **passed on file**.

SENATE FILE DEFERRED

Senator Lamborn asked and received unanimous consent that action on **Senate File 188** be deferred and that the bill retain its place on the **calendar**.

CONSIDERATION OF BILLS

Senator Lamborn asked and received unanimous consent to take up out of order **House File 12**.

House File 12

On motion of Senator Kennedy, House File 12, a bill for an act relating to motor vehicle fees collected by county treasurers, and to the amount of such fees retained by the county, and to the filing of instruments pertaining to motor vehicles, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Kennedy offered the following amendment filed by the committee on county government and moved its adoption:

- 1 Amend House File 12, as amended and passed by the
- 2 House and reprinted, as follows:
- 3 1. Page 7A, line 25, by striking the word
- 4 "fifteen" and inserting the word "thirty".
- 5 2. Page 7B, line 37, by striking the word
- 6 "fifteen" and inserting the word "thirty".

The amendment was adopted.

Senator Kennedy offered the following amendment filed by Senators Gaudineer and Briles:

- 1 Amend House 12, as amended, passed, and re-
- 2 printed by the House, as follows:
- 3 1. Page 9A, by inserting after line 21 the follow-
- 4 ing section:
- 5 "Sec. 11. Section three hundred twenty-one point
- 6 one hundred forty-five (321.145), subsection two (2),
- 7 Code 1971, is amended as follows:
- 8 2. The balance of said money, less the collection
- 9 fee of [fifty cents] *one dollar* retained by the county
- 10 treasurer on each registration, and less the one percent
- 11 received by the department as a reimbursement fund from
- 12 which to pay refunds, to the road use tax fund."
- 13 2. By renumbering the remaining sections according-
- 14 ly.

Senator Brownlee took the chair at 9:37 a.m.

President pro tempore Kyhl took the chair at 9:40 a.m.

HOUSE FILE DEFERRED

Senator Schaben asked and received unanimous consent that further action on **House File 12** be deferred and that the bill be placed on the calendar under **unfinished business**.

CONSIDERATION OF BILLS**Senate File 202**

On motion of Senator Briles, Senate File 202, a bill for an act

relating to changing of names by individuals, was taken up and considered.

Senator Keith asked and received unanimous consent to withdraw the following amendment:

- 1 Amend Senate File 202, page 3, line 15, by adding after
- 2 the word "recorder" the words "and county auditor".

Senator Briles moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 202) the vote was:

Ayes, 46:

Anderson	Doderer	Messerly	Riley
Arbuckle	Erskine	Miller	Schaben
Balloun	Gilley	Mowry	Shaff
Bass	Glenn	Neu	Shawver
Briles	Graham	Nicholson	Smith
Brownlee	Griffin	Ollenburg	Stephens
Carlson	Hill	Palmer	Tapscott
Coleman	Keith	Potgeter	Thordsen
Conklin	Kennedy	Potter	Van Drie
Curran	Kyhl	Rabedeaux	Van Gilst
Davis	Lamborn	Rhodes	Walsh
DeKoster	Laverty		

Nays, 1:

Milligan

Absent or not voting, 2:

Gaudineer Robinson

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

Senate File 203

On motion of Senator Mowry, Senate File 203, a bill for an act relating to administrative rules and regulations, was taken up and considered.

Senator DeKoster offered the following amendment filed by him and moved its adoption:

- 1 Amend Senate File 203 as follows:
- 2 1. Page 1, line 13, by striking the word "unreasonable,".
- 3 2. Page 1, line 16, by striking the word "unreasonable,".

The amendment lost.

Senator Balloun offered the following amendment:

- 1 Amend Senate File 203 by striking from line 19 the word
- 2 "state" and all of lines 20 and 21, and inserting in lieu
- 3 thereof the following: "director of the department or agency
- 4 making the rule."

Senator Balloun asked and received unanimous consent to withdraw his amendment.

(Senate File 203 pending.)

On motion of Senator Lamborn, the Senate recessed until the fall of the gavel.

AFTERNOON SESSION

The Senate reconvened, Senator Van Gilst presiding.

MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File 69, a bill for an act relating to errors and omissions insurance for county officers and employers.

WILLIAM R. KENDRICK, Chief Clerk

INTRODUCTION OF BILL

Senate File 277, by Senator Mowry, a bill for an act to legalize and validate the procedures wherein the West Marshall Community School District in the counties of Marshall and Story entered into contract for the sale of certain real estate.

Read first time and **passed on file**.

HOUSE MESSAGE CONSIDERED

House File 69, a bill for an act relating to errors and omissions insurance for county officers and employees.

Read first time and **passed on file**.

SENATE CONCURRENT RESOLUTION 17

By Messerly

Whereas, the federal Omnibus Crime Bill of 1968 each year channels funds into the State of Iowa through the Iowa Crime Commission; and

Whereas, the Iowa Crime Commission received during 1970, and will receive during 1971 several million dollars for crime prevention and law enforcement education; and

Whereas, a College of Criminal Justice is needed in Iowa to professionalize law enforcement by formalizing law enforcement education on the degree granting university level; and

Whereas, the University of Northern Iowa is located in a large metropolitan county that would facilitate cooperative assignments in police departments, juvenile and adult correction facilities, and probation, parole, and social work, *Now Therefore*,

Be It Resolved by the Senate, the House Concurring, That the Sixty-fourth General Assembly of the State of Iowa urges the Iowa Crime Commission to designate a portion of federal funds received, to the University of Northern Iowa at Cedar Falls, limited to the use of establishing and operating a College of Criminal Justice, or for course work germane to law enforcement and correction, during the school year of 1971-1972.

Be It Further Resolved, That copies of this resolution be transmitted to the members of the Iowa Crime Commission, the Board of Regents, the Governor, and the President of the University of Northern Iowa.

SENATE CONCURRENT RESOLUTION 18

By Committee on Higher Education

Whereas, the state housing code remains virtually unchanged since its adoption in 1919, and

Whereas, citizens of Iowa have expressed concern about the effectiveness of the state housing code, and

Whereas, a need may exist to update and revise the state housing code, and

Whereas, it is in the best interests of the State of Iowa to have a sound well enforced state housing code, *Now Therefore*,

Be It Resolved by the Senate, the House Concurring, That the Legislative Council shall establish an interim study committee to study and determine whether a need exists to update and revise, by departmental rules and regulations if desirable, the state housing code on residential rental property, to recommend ways of improving code enforcement, to report its findings and recommendations to the next legislative session and prepare a bill to remedy any need found to exist.

PROOF OF PUBLICATION

Published copy of Senate File 277 and verified proof of publication in the State Center Enterprise, a weekly newspaper published at State Center, Iowa, on February 18, 1971, was filed with the Secretary of the Senate prior to the time said bill was placed on passage in the Senate.

CARROLL A. LANE
Secretary of the Senate

BILLS ASSIGNED TO COMMITTEE

President Jepsen announced the assignment of the following bills to committee:

S. J. R. 4 Constitutional amendments and reapportionment

S. F. 262 Environmental preservation

S. F. 263 Judiciary

S. F. 264 Law enforcement

- S. F. 265 County government
- S. F. 266 State government
- S. F. 267 Judiciary
- S. F. 268 Law enforcement
- S. F. 269 County government
- S. F. 270 State government
- S. F. 271 Social services
- S. F. 272 State government
- S. F. 273 State government
- S. F. 274 Human and industrial relations
- S. F. 275 County government
- S. F. 276 Ways and means
- S. F. 277 Judiciary
- H. F. 48 Transportation
- H. F. 69 County government
- H. F. 96 County government

REPORTS OF COMMITTEES

Senator Mowry submitted the following reports:

MR. PRESIDENT: Your committee on commerce, to which was referred **Senate Concurrent Resolution 10**, a concurrent resolution directing the legislative council to create a study committee to study the commerce commission, begs leave to report it has had the same under consideration and recommends the same **do pass**.

JOHN L. MOWRY, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on commerce, to which was referred **House File 25**, a bill for an act relating to a description of land remaining after condemnation or purchase in lieu of condemnation, begs leave to report it has had the same under consideration and recommends the same **do pass**.

JOHN L. MOWRY, Chairman

Ordered passed on file.

Senator Erskine submitted the following report:

MR. PRESIDENT: Your committee on conservation and recreation, to which was referred **Senate File 79**, a bill for an act relating to hunting-safety edu-

cation and providing a penalty, begs leave to report it has had the same under consideration and **returns the bill without recommendation.**

ALDEN J. ERSKINE, Chairman

Ordered passed on file.

Senator Briles submitted the following report:

MR. PRESIDENT: Your committee on county government, to which was referred **Senate File 260**, a bill for an act relating to weather modification in counties, begs leave to report it has had the same under consideration and recommends the same **do pass.**

JAMES E. BRILES, Chairman

Ordered passed on file.

Senator DeKoster submitted the following reports:

MR. PRESIDENT: Your committee on judiciary, to which was referred **Senate File 109**, a bill for an act relating to minimum limits for compliance with the motor vehicle financial responsibility law, begs leave to report it has had the same under consideration and recommends the same **do pass.**

LUCAS J. DeKOSTER, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary, to which was referred **Senate File 180**, a bill for an act relating to attorney's fees, begs leave to report it has had the same under consideration and recommends the same **do pass.**

LUCAS J. DeKOSTER, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary, to which was referred **Senate File 225**, a bill for an act relating to the definition of nonresident for the purpose of making service of process, begs leave to report it has had the same under consideration and recommends the same **do pass.**

LUCAS J. DeKOSTER, Chairman

Ordered passed on file.

Senator Walsh submitted the following report:

MR. PRESIDENT: Your committee on transportation, to which was referred **Senate File 76**, a bill for an act relating to temporary registration of snowmobiles, begs leave to report it has had the same under consideration and recommends the same **do pass.**

JOHN M. WALSH, Chairman

Ordered passed on file.

AMENDMENTS FILED

- 1 Amend the Senate committee on ethics report relative to

2 the Senate Rules Governing Lobbyists appearing on page 351
3 of the Senate Journal as follows:

4 1. By adding the following new Rule to Senate Rules
5 Governing Lobbyists: "Each individual engaging in lobbying
6 activities and who registers as hereinbefore required shall
7 file with the Secretary of the Senate on or before the
8 fifteenth day of each month during any year in which so
9 engaged, a statement setting forth all fees received for
10 lobbying activities, expenses incurred in connection there-
11 with, and the names of recipients thereof, which record
12 shall be a public record."

13 2. By renumbering the Senate Rules Governing Lobbyists
14 in accordance herewith.

GENE W. GLENN

1 Amend Senate File 104, page 12, by adding after the period
2 in line four (4) the following: "Employees of acquired service
3 entities shall also, if otherwise qualified, be given preference
4 for employment on the basis of their seniority with such business
5 entity."

HAROLD A. THORSEN

1 Amend the Nicholson amendment, filed February 22, 1971,
2 to Senate File 188 as follows:

3 1. Line 5, by inserting after the word "or" the
4 words " , having lawfully entered a public building,".

5 2. Line 6, by inserting after the word "nuisance"
6 the word "therein".

7 3. Line 7, by inserting after the word "property"
8 the word "therein".

TOM RILEY

EDWARD E. NICHOLSON

1 Amend Senate File 203 as follows:

2 1. Page 1, line 6, by striking the word "an" and insert-
3 ing in lieu thereof the words "a favorable".

4 2. Page 1, by striking the words "or it does not have
5 the approval of the departmental rules review committee"
6 on lines 9 and 10.

GENE W. GLENN

1 Amend Senate File 233, page 2, line 7, by inserting
2 after the word "income" the following:
3 " , gift, estate, sales or inheritance".

TOM RILEY

1 Amend House File 12, as amended and passed by the House,
2 page 8, by inserting after line 7 the following:

3 Sec. 10. Section three hundred twenty-one point one hun-
4 dred five (321.105), Code 1971, is amended by adding at the
5 end of the second unnumbered paragraph the following:

6 "Any owner may, when applying for registration or re-
7 registration of his motor vehicle or trailer, request that
8 the plates be mailed to his post office address. His request
9 shall be accompanied by a mailing fee as determined annually.

- 10 by the commissioner of public safety. Said fee shall be
11 deposited in the county general fund."

FRANCIS L. MESSERLY
JOHN E. TAPSCOTT

- 1 Amend the Gaudineer and Briles amendment, filed on Feb-
2 ruary 23, 1971, to House File 12, by striking in line 9 the
3 words "*one dollar*" and inserting the words "*seventy-five*
4 *cents*".

VERNON H. KYHL

On motion of Senator Lamborn, the Senate adjourned until 9:00
a.m., Thursday, February 25, 1971.

JOURNAL OF THE SENATE

FORTY-SIXTH DAY

SENATE CHAMBER
DES MOINES, IOWA, THURSDAY, FEBRUARY 25, 1971

The Senate met in regular session, President pro tempore Kyhl presiding.

Prayer was offered by the Reverend Dean Dixon, pastor of the First Baptist Church, Boone, Iowa.

The Senate pledged allegiance to the flag.

The Journal of Wednesday, February 24, 1971, was approved.

PRESENTATION OF VISITORS

The Chair announced that the following visitors were present in the Senate gallery:

Forty-seven students from Earlham Community School, Earlham, Iowa, accompanied by their instructors, Ernest Baiotto and Bernard Robinson.

Forty-six students from Woodside Junior High School, Saydel School District, Polk County, Iowa, accompanied by their instructors, Mrs. Harvey and Mrs. Holliday.

Forty-two students from Jensen Elementary School, Urbandale, Iowa, accompanied by their instructors, Mrs. Booth, Mrs. Nicholson and Mrs. Graeber.

Sixteen students and members of Town and Country Y.W.C.A. Teens, Villisca High School, Villisca, Iowa, accompanied by their instructor, Pat Pickerell.

PETITION

The following petition was received and placed on file:

By Senator Smith, from ten residents of Dickinson County, urging property tax relief.

INTRODUCTION OF BILLS

Senate File 278, by Senators Shaff and Walsh, a bill for an act relating to the homestead tax credit.

Read first time and **passed on file.**

Senate File 279, by Senators Thordsen and Nicholson (Mendenhall and Shaw), a bill for an act relating to income tax of non-residents.

Read first time and **passed on file.**

Senate File 280, by Senator Riley (Pelton), a bill for an act relating to garnishment of wages, liability for costs, and discharge of employees.

Read first time and **passed on file.**

Senate File 281, by Senator Gaudineer, a bill for an act relating to the revocation of the license or driving privilege of any operator or chauffeur.

Read first time and **passed on file.**

UNFINISHED BUSINESS

Senate File 203

The Senate resumed consideration of Senate File 203, a bill for an act relating to administrative rules and regulations.

Senator Glenn offered the following amendment filed by him and called for a division of the amendment, section 1 to be considered as division 1 and section 2 as division 2:

Division 1

1 Amend Senate File 203 as follows:

2 1. Page 1, line 6, by striking the word "an" and insert-

3 ing in lieu thereof the words "a favorable".

Division 2

4 2. Page 1, by striking the words "or it does not have

5 the approval of the departmental rules review committee"

6 on lines 9 and 10.

Senator Glenn moved the adoption of division 1 of his amendment and called for a division.

Division 1 of the amendment lost.

Senator Glenn moved the adoption of division 2 of his amendment and called for a division.

Division 2 of the amendment lost.

Senator Doderer offered the following amendment and moved its adoption:

1 Amend Senate File 203 as follows:

2 Page 1, by adding after line 21 the following

- 3 section:
4 "Sec. 2. Section seventeen A point one (17A.1),
5 subsection three (3), unnumbered paragraph one (1), is
6 amended as follows:
7 "Rule" means any rule, regulation, order, or
8 standard, of general application or the amendment, supple-
9 ment, repeal, rescission, or revision of any rule,
10 regulation, order, or standard of general application, and
11 rules of administrative procedure issued by any agency
12 under authority of law. *"Rule" includes any requirement*
13 *by an agency that a person must complete or fill out a*
14 *form for any purpose. For the purpose of section 17A.5*
15 *copies of a proposed form shall be submitted."*

The amendment was adopted.

Senator Coleman offered the following amendment and moved its adoption:

- 1 Amend Senate File 203, line 7, by adding after the
2 comma the word "or".

The amendment was adopted.

Senator Schaben offered the following amendment and moved its adoption:

- 1 Amend Senate File 203 by adding after line 21 the follow-
2 ing new section:
3 Sec. 2. The rules review committee may upon its own
4 motion require that a department meet with it to discuss and
5 review rules already promulgated and in force and thereafter
6 render to such department an advisory opinion requesting that
7 such rules be amended or revised.

Division was called for.

The amendment lost.

Senator Gaudineer offered the following amendment and moved its adoption:

- 1 Amend Senate File 203, page 1, as follows:
2 1. Line 13, by striking the word, "unreasonable",
3 and by inserting in lieu thereof the word, "illegal".
4 2. Line 16, by striking the word "unreasonable"
5 and by inserting in lieu thereof the word, "illegal".

The amendment was adopted.

Senator Glenn offered the following amendment:

- 1 Amend Senate File 203 as follows:
2 1. Page 1, line 15, by striking the words "or the court",
3 and by striking all of line 16.

Senator Glenn moved the adoption of his amendment and called for a division.

The amendment lost.

Senator Riley moved to reconsider the vote by which the Doderer amendment was adopted by the Senate and called for a division.

The motion to reconsider prevailed.

Senator Doderer asked and received unanimous consent to withdraw the amendment previously adopted and offered the following amendment:

- 1 Amend Senate File 203 as follows:
- 2 Page 1, by adding after line 21 the following
- 3 section:
- 4 "Sec. 2. Section seventeen A point one (17A.1),
- 5 subsection three (3), unnumbered paragraph one (1), is
- 6 amended as follows:
- 7 "Rule" means any rule, regulation, order, or
- 8 standard, of general application or the amendment, supple-
- 9 ment, repeal, rescission, or revision of any rule,
- 10 regulation, order, or standard of general application, and
- 11 rules of administrative procedure issued by any agency
- 12 under authority of law. *"Rule" includes any departmental*
- 13 *requirement by an agency that a person must complete or*
- 14 *fill out a form for any purpose, excluding competitive or*
- 15 *qualification test. However said forms shall not be*
- 16 *reprinted in the volume of departmental rules or*
- 17 *supplements. For the purpose of section 17A.5 copies of*
- 18 *a proposed form shall be submitted."*

Senator Doderer moved the adoption of the amendment.

Division was called for.

The amendment lost.

Senator Mowry moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 203) the vote was:

Ayes, 37:

Anderson	Gaudineer	Messerly	Rabedeaux
Arbuckle	Gilley	Miller	Rhodes
Balloun	Graham	Milligan	Shaff
Bass	Hill	Mowry	Shawver
Briles	Keith	Nicholson	Smith
Brownlee	Kennedy	Ollenburg	Stephens
Carlson	Kyhl	Palmer	Thordsen
Coleman	Lamborn	Potgeter	Van Drie
Conklin	Laverty	Potter	Van Gilst
Curran			

Nays, 10:

Davis
DeKoster
Doderer

Erskine
Glenn
Neu

Riley
Schaben

Tapscott
Walsh

Absent or not voting, 2:

Griffin

Robinson

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

President Jepsen took the chair at 12:06 p.m.

ADOPTION OF SENATE CONCURRENT RESOLUTION 19

Senator Lamborn asked and received unanimous consent to take up the following resolution and moved its adoption:

SENATE CONCURRENT RESOLUTION 19

By Kyhl and Lamborn

Whereas, the President of the United States, Mr. Richard Milhous Nixon, will be in Des Moines on Monday, March 1, 1971, with cabinet members, and members of the Iowa Congressional delegation serving on agriculture committees, to hold a council on Rural Development with the Governors of Iowa, Missouri, Illinois and Wisconsin; and

Whereas, Iowa is highly honored in the holding of this Rural Development Conference in our Capital City of Des Moines; and

Whereas, all the people of the Midwest are concerned about our rural problems and appreciate the President's deep interest as evidenced by this special trip to Des Moines; and

Whereas, addressing the Iowa General Assembly provides an ideal opportunity for an expression of the President's concern about rural problems; *Now Therefore*,

Be It Resolved by the Senate, the House Concurring: That the Sixty-fourth General Assembly extend to President Nixon a most cordial invitation to attend a joint session of the General Assembly and present a message to the people of the Midwest.

Be It Further Resolved: That the Joint Session of the General Assembly be held on Monday, March 1, at such time as is convenient for President Nixon.

Be It Further Resolved: That the President of the Senate, Lieutenant Governor Roger W. Jepsen, and the Speaker of the House of Representatives, the Honorable William H. Harbor, be delegated to present this resolution to Mr. Nixon and personally urge his acceptance of this invitation.

The motion prevailed and the resolution was adopted.

On motion of Senator Lamborn, the Senate recessed until the fall of the gavel.

AFTERNOON SESSION

The Senate reconvened, President pro tempore Kyhl presiding.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 13, establishing the final day for introduction of individually sponsored bills in the House and Senate.

Also: That the House has adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 19, extending to President Nixon an invitation to attend a joint session of the General Assembly and present a message to the people of the Midwest.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 236, a bill for an act relating to congressional districts.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 172, a bill for an act relating to a reorganization of the Iowa liquor control commission.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 197, a bill for an act relating to taxation and regulation of rural electric cooperatives.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 278, a bill for an act relating to eligibility requirements for aid to dependent children.

WILLIAM R. KENDRICK, Chief Clerk

HOUSE MESSAGES CONSIDERED

House File 172, a bill for an act relating to a reorganization of the Iowa liquor control commission; creating an Iowa beer and liquor control department; providing for the appointment of an Iowa beer and liquor control council and a director of beer and liquor control and designating their powers and duties; amending provisions concerning liquor control licenses, special liquor permits, beer permits, and fees charged therefor; abolishing special distributors; altering dram shop liability; requiring certificates of compliance from distiller and brewers; declaring certain acts to be unlawful and providing penalties for violations; and otherwise amending current statutory provisions relating to the sale and possession of alcoholic liquor and beer in this state.

Read first time and **passed on file.**

House File 197, a bill for an act relating to taxation and regulation of rural electric cooperatives.

Read first time and **passed on file.**

House File 278, a bill for an act relating to eligibility requirements for aid to dependent children.

Read first time and **passed on file**.

INTRODUCTION OF BILLS

Senate File 282, by Senator Riley, a bill for an act relating to the issuance of bonds by cities and towns.

Read first time and **passed on file**.

Senate File 283, by Senator Gaudineer, a bill for an act relating to immunity of witnesses from use of evidence given by them in criminal proceedings.

Read first time and **passed on file**.

Senate File 284, by Senator Gaudineer, a bill for an act to increase the annuity of judges retired since the effective date of mandatory retirement.

Read first time and **passed on file**.

Senate File 285, by Senator Gaudineer, a bill for an act relating to railway crossings and providing a penalty for violations.

Read first time and **passed on file**.

Senate File 286, by Senator Gaudineer, a bill for an act relating to appointment of public officials.

Read first time and **passed on file**.

Senate File 287, by Senator Robinson (Lipsky), a bill for an act designating a certain water area of the Wapsipinicon River as an artificial lake and providing for the management of the lake area.

Read first time and **passed on file**.

Senate File 288, by Senators Potgeter and Walsh, a bill for an act to establish the office of ombudsman for the investigation of citizen complaints and certain acts of government within the state, to define his powers and duties, and to provide penalties.

Read first time and **passed on file**.

Senate File 289, by Senators Doderer and Conklin, a bill for an act relating to providing protective eyeglass lens and frames and providing a penalty.

Read first time and **passed on file**.

Senate File 290, by Senators Nicholson, Potgeter and Shaff

(Holden), a bill for an act relating to fees for census searches charged by the Iowa department of history and archives.

Read first time and **passed on file**.

BILLS ASSIGNED TO COMMITTEE

President Jepsen announced the assignment of the following bills to committee:

- S. F. 278 Ways and means
- S. F. 279 Ways and means
- S. F. 280 Human and industrial relations
- S. F. 281 Law enforcement
- S. F. 282 Cities and towns
- S. F. 283 Judiciary
- S. F. 284 Judiciary
- S. F. 285 Transportation
- S. F. 286 State government
- S. F. 287 Conservation and recreation
- S. F. 288 State government
- S. F. 289 Human and industrial relations
- S. F. 290 State government
- H. F. 172 State government
- H. F. 278 Social services

REPORTS OF COMMITTEES

Senator Stephens submitted the following reports:

MR. PRESIDENT: Your committee on agriculture, to which was referred **House File 71**, a bill for an act making hemp a noxious weed, begs leave to report it has had the same under consideration and recommends the same **do pass**.

RICHARD L. STEPHENS, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on agriculture, to which was referred **House File 130**, a bill for an act relating to brucellosis tests, begs leave to

report it has had the same under consideration and recommends the same **do pass**.

RICHARD L. STEPHENS, Chairman

Ordered passed on file.

Senator Bass submitted the following report:

MR. PRESIDENT: Your committee on social services, to which was referred **Senate File 155**, a bill for an act relating to finding of the commission of hospitalization, begs leave to report it has had the same under consideration and recommends the same **do pass**.

EARL G. BASS, Chairman

Ordered passed on file.

AMENDMENTS FILED

- 1 Amend Senate File 155, page 2, line 12, by striking the word
- 2 "issue" and inserting in lieu thereof the following: "[issue]
- 3 *be issued*".

RICHARD L. STEPHENS

- 1 Amend the Nicholson amendment, filed February 22, 1971, to
- 2 Senate File 188 as follows:
- 3 1. Line 8, by striking the word "and" and inserting in
- 4 lieu thereof the word "or".
- 5 2. Line 9, by inserting after the word "year" the words
- 6 "or both".

R. DEAN ARBUCKLE

- 1 Amend Senate File 190 by striking all after the en-
- 2 acting clause and inserting in lieu thereof the follow-
- 3 ing:
- 4 "Section 1. A county board of supervisors may, by
- 5 majority vote, establish and maintain by lease, purchase,
- 6 or construction, or contract with a private nonprofit
- 7 agency or corporation to establish and maintain, facili-
- 8 ties where persons may be detained or confined pursuant
- 9 to a court order as provided in section three hundred
- 10 fifty-six point one (356.1), subsections two (2) and
- 11 three (3) of the Code. Such facilities shall be in ad-
- 12 dition to the jail required in section three hundred
- 13 fifty-six point thirty-seven (356.37) of the Code. The
- 14 board shall designate the age, sex, or type of offender
- 15 or person which may be detained or committed to each
- 16 such facility and establish rules and regulations for
- 17 their operation. Any person detained or confined to
- 18 such a facility shall be required to do all cleaning,
- 19 upkeep, maintenance, minor repairs, and anything else
- 20 necessary to properly maintain, operate, and preserve
- 21 such facility. The sheriff shall not have charge or
- 22 custody of any person detained or confined in such fa-
- 23 cility or transferred thereto. Such facility need not
- 24 contain any cells, cell blocks, or bars, if it is not
- 25 necessary for the protection of the public, as deter-

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1 mined by the board.

2 Sec. 2. If the board of supervisors contract with a
3 private nonprofit agency or corporation for the estab-
4 lishment and maintenance of such a facility, the con-
5 tract shall state the age, sex, or type of offender or
6 person which may be detained or confined therein; the
7 charge per person per day to be paid by the county; that
8 each such facility shall insure the performance of the
9 duties of the keeper as defined in section three hundred
10 fifty-six point five (356.5) of the Code; the activities
11 and service to be provided those detained or confined;
12 the extent of security to be provided in the best inter-
13 ests of the community; the maximum number of persons
14 that can be detained or committed at any one time; the
15 number of employees to be provided by the contracting
16 private nonprofit agency or corporation for the mainte-
17 nance, supervision, control, and security of persons de-
18 tained or confined therein; and any other matters deemed
19 necessary by the supervisors. All such contracts shall
20 be for a period not to exceed two years.

21 Sec. 3. Any municipal or district court judge may
22 sentence and commit a person to a facility established
23 and maintained pursuant to section one (1) or two (2)
24 of this Act instead of the county jail. A district
25 court judge may order the transfer of a person sentenced

Page 3

1 and committed to the county jail to such a facility upon
2 his own motion, the motion of the sentenced and commit-
3 ted person, or the motion of the sheriff. The original
4 order of commitment or the order of transfer to the
5 facility shall set forth the terms and conditions of
6 the detention or commitment; that the detained or com-
7 mitted persons shall abide by the terms and conditions
8 of this Act and the rules and regulations of the facil-
9 ity to which committed or transferred. The order shall
10 be read to the detained, committed or transferred per-
11 son in open court. The committing court or a district
12 court judge may order any person who has been detained,
13 committed, or transferred to such a facility to be
14 transferred to the county jail if, upon hearing, the
15 court determines such person has been refractory, dis-
16 orderly, has willfully destroyed or injured any property
17 in the facility, or has violated any of the terms and
18 conditions of the order of detention, commitment, or
19 transfer or the provisions of this Act or the rules
20 and regulations of the facility wherein he was detained
21 or committed. Any violations of the order of detention,
22 commitment, or transfer shall further be punished as
23 contempt of court pursuant to chapter six hundred sixty-
24 five (665) of the Code. The county or city to which the
25 cause originally belonged shall be liable for the expense

Page 4

1 of the original detention, commitment, or transfer and
2 the subsequent expenses of maintaining such person in
3 the facility. The county's expense shall be levied and
4 paid out of the court expense fund pursuant to section
5 four hundred forty-four point ten (444.10) of the Code.

6 Sec. 4. A person detained, committed, or transferred
7 to a facility established and maintained pursuant to
8 sections one (1) or two (2) of this Act, may further be
9 released from such facility during necessary and reason-
10 able hours, by court order, for the purposes stated in
11 section three hundred fifty-six point twenty-six
12 (356.26) of the Code. Such release and any wages earned
13 shall be governed by the provisions of sections three
14 hundred fifty-six point twenty-seven (356.27) through
15 three hundred fifty-six point thirty-six (356.36), in-
16 clusive, except that during such time the released per-
17 son shall not be in the legal custody of the sheriff;
18 any wages earned shall be collected, managed, and dis-
19 pensed by the person in charge of the facility and not
20 the sheriff; and any wages earned shall first be applied
21 to the reasonable cost of housing such person in the
22 facility.

23 Sec. 5. Any person sentenced, detained, committed,
24 or transferred to a facility established and maintained
25 pursuant to section one (1) or two (2) of this Act shall

Page 5

1 be discharged therefrom upon completion of their original
2 term of detention or commitment. The person in charge
3 of such facility shall keep a calendar as required in
4 section three hundred fifty-six point six (356.6) of the
5 Code and return a copy of the calendar as required by
6 section three hundred fifty-six point seven (356.7) of
7 the Code.

8 Sec. 6. A judge of the municipal or district court
9 may originally commit a person to the county jail to
10 serve any part of the sentence pronounced and thereafter
11 be transferred to a facility established and maintained
12 pursuant to section one (1) or two (2) of this Act.

13 Sec. 7. A county board of supervisors may further
14 contract with another county or a city maintaining a
15 jail meeting the requirements of sections three hundred
16 fifty-six point thirty-seven (356.37) to three hundred
17 fifty-six point forty-one (356.41), inclusive, of the
18 Code for detention and commitment of persons pursuant
19 to section three hundred fifty-six point one (356.1) of
20 the Code. Any person detained or confined therein shall
21 be in charge of and in the custody of the governmental
22 unit maintaining the jail. The cost of detention and
23 confinement shall be levied and paid from the court
24 expense fund of the county to which the cause originally
25 belonged pursuant to section four hundred forty-four

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1 point ten (444.10) of the Code."

JOHN E. TAPSCOTT
JOHN D. MOWRY
LEE H. GAUDINEER, JR.
LUCAS J. DeKOSTER
GEORGE F. MILLIGAN
CLOYD E. ROBINSON

1 Amend Senate File 217 by adding in line 10 after
2 the word "*dispatcher*" the words "*, if such officer or*
3 *employee resides in or is working in Polk County*".

RUDY VAN DRIE

1 Amend House File 12, as amended, passed, and re-
2 printed, as follows:

3 1. Page 9A, by inserting before line 22 the follow-
4 ing:

5 "Sec. Section three hundred twenty-one point
6 one hundred fifty-two (321.152), Code 1971, is amended
7 as follows:

8 321.152 FEE FOR COUNTY. Each county treasurer
9 shall be allowed to retain, for the use and benefit of
10 the county general fund, [seventy-five cents] *one dollar*
11 for each vehicle registration issued by him out of money
12 collected in each year for the registration of such
13 vehicles and sixty-five cents for each certificate of
14 title and sixty-five cents for each notation of a lien
15 or encumbrance when a fee therefor is prescribed by the
16 provisions of this chapter, the same to be deducted, and
17 reported to the department, when the county treasurer
18 transfers the money collected under the provisions of
19 this chapter; provided, however, that no such deduction
20 shall be lawful unless the county treasurer has complied
21 with the provisions of sections 321.24 and 321.153."

22 2. By renumbering the remaining sections according-
23 ly.

LEE H. GAUDINEER, JR.
JAMES E. BRILES

1 Amend the Gaudineer and Briles amendment, filed
2 February 23, 1971, to House File 12, as follows:

3 1. Line 8, by striking the word "collection" and
4 inserting in lieu thereof the words "[collection] *fees*".

5 2. Line 9, by striking the words "fee of [fifty
6 cents] *one dollar*" and inserting in lieu thereof the
7 words "[fee of fifty cents]".

8 3. Line 10, by striking the words "on each regis-
9 tration" and inserting in lieu thereof the words "[on]
10 each [registration] *as provided in this chapter*".

VERNON H. KYHL

1 Amend House File 15, as amended, passed and reprinted by the
2 House, by striking from page 2A lines 12 and 13 and inserting in
3 lieu thereof the following:

4 "(249A.3), subsection two (2) and subsection four (4), Code

1971, are amended as follows:

2. Medical assistance may also, within the limits of available funds and in accordance with section 249A.4, subsections 1 and 2 be provided to, or on behalf of, other individuals and families who are not excluded under subsection 4 of this section and whose incomes and resources are insufficient to meet the cost of necessary medical care and services, and who have no spouse or parent responsible under the law of this state and found by the county board to be able to provide him or them with such necessary medical care and services, in accordance with the following order of priorities:

a. Individuals and families whose incomes and resources are such that they are eligible for old-age assistance, aid to dependent children, aid to the disabled, or aid to the blind, but who are not actually receiving such public assistance.

b. *Individuals and families who are ineligible under paragraph "a" solely because of their incomes and resources, but who would otherwise be eligible under paragraph "a".*

[b]c. Children under twenty-one years of age whose incomes and resources are comparable to those receiving aid to dependent children.

Page 2

[c]d. Individuals sixty-five years of age or older who are patients in institutions for mental diseases.

[d]e. Individuals and families whose incomes and resources make them ineligible for old-age assistance, aid to dependent children, aid to the disabled, or aid to the blind.

4. No assistance shall be granted under this chapter to:

a. Any individual whose income, after deduction of health care expenses incurred by the applicant, exceeds one thousand six hundred dollars annually, or any family living together whose combined income, after deduction of health care expenses incurred by the family, exceeds one thousand six hundred dollars for the first adult member plus eight hundred dollars for the second member and six hundred dollars for each additional member of the family. Income shall not include the value of gifts or services contributed in kind to the individual or family."

RICHARD L. STEPHENS

Amend House File 172, as amended, passed and reprinted by the House, page 9, line 5, by inserting before the word "twenty-five" the words "not more than".

FRANCIS L. MESSERLY

Amend House File 172 as amended, passed by the House and reprinted, page 40, by adding the following new subsection after line 19:

The treasurer of state shall semiannually distribute a sum of money equal to four percent of the gross sales made by the state liquor stores, one-half of which shall be paid to the Iowa commission on alcoholism, and one-half shall be paid to each county treasurer in the amount determined by dividing the total population of each

10 county by the total population of the state according to
11 the latest federal decennial census. Such apportionment
12 shall be made semiannually as of July 1 and January 1 of
13 each year. Warrants for the same shall be issued by the
14 state comptroller upon certification of the treasurer of
15 state and the apportionment shares mailed to the
16 treasurer of each county and to the Iowa commission on
17 alcoholism. This appropriation shall be used for the
18 following purposes: the rehabilitation of alcoholics
19 pursuant to the provisions of chapter one hundred twenty-
20 three B (123B) of the Code and the implementation of new
21 alcoholic treatment procedures and services. The
22 expenditure of funds by the county board of supervisors
23 shall be approved by the Iowa commission on alcoholism,
24 as shall all new alcoholism rehabilitation programs using
25 or having access to these funds. The provisions of

Page 2

- 1 section eight point thirty-three (8.33) of the Code shall
- 2 apply to these funds and any unused funds shall revert to
- 3 the general fund of the state.

JOHN E. TAPSCOTT
MARVIN W. SMITH
VERNON H. KYHL
MINNETTE DODERER

On motion of Senator Balloun, the Senate adjourned until 9:00
a.m., Friday, February 26, 1971.

JOURNAL OF THE SENATE

FORTY-SEVENTH DAY

SENATE CHAMBER

DES MOINES, IOWA, FRIDAY, FEBRUARY 26, 1971

The Senate met in regular session, President Jepsen presiding.

Prayer was offered by Father Paul Alvey, superintendent of Saint Edmond's High School, Fort Dodge, Iowa.

The Senate pledged allegiance to the flag.

The Journal of Thursday, February 25, 1971, was approved.

SENATE FILE DEFERRED

Senator Lamborn asked and received unanimous consent that further action on **Senate File 68** be deferred and that the bill be placed at the end of the regular calendar.

PETITION

The following petition was presented and placed on file:

By Senator Keith, from forty-three residents of Emmet County urging property tax relief.

CONSIDERATION OF BILLS

Senate File 188

On motion of Senator Neu, Senate File 188, a bill for an act to define criminal trespass and to prescribe the penalty for such trespass, was taken up and considered.

Senator DeKoster offered the following amendment by the committee on judiciary:

Division 1

- 1 Amend Senate File 188 as follows:
- 2 1. By striking on page 2, line 4, the words "occupied
- 3 structure" and inserting in lieu thereof the word
- 4 "premises".

Division 2

- 5 2. By inserting on page 2, line 12, after the word
- 6 "down" the word ", opening,".
- 7 3. By striking on page 2, line 20, the words "cattle,
- 8 hogs, or sheep" and inserting in lieu thereof the words
- 9 "livestock or poultry".

Senator DeKoster called for a division of the amendment, section 1 to be considered as division 1, and sections 2 and 3 as division 2.

Senator DeKoster asked and received unanimous consent to defer action on division 1 of the amendment.

On motion of Senator DeKoster, division 2 of the committee amendment was adopted.

Senator Graham offered the following amendment filed by him :

Division 1

1 Amend Senate File 188 as follows:

2 1. Page 2, line 15, by adding after the word

3 "obtaining" the word "written".

Division 2

4 2. Page 2, line 18, by adding after the word

5 "obtaining" the word "written".

Division 3

6 3. Page 2, line 23, by adding after the word

7 "procured" the word "written".

Senator Rhodes took the chair at 9:40 a.m.

Senator Arbuckle called for a division of the amendment, section 1 to be considered as division 1, section 2 as division 2, and section 3 as division 3.

Senator Graham moved the adoption of division 1 of the amendment.

Roll call was requested.

On the question "Shall the division 1 of the amendment be adopted?" (S.F. 188) the vote was:

Ayes, 23:

Anderson	Curran	Lamborn	Shaff
Arbuckle	Gilley	Messerly	Shawver
Balloun	Graham	Mowry	Smith
Bass	Hill	Nicholson	Stephens
Briles	Keith	Rabedaux	Van Gilst
Carlson	Kyhl	Schaben	

Nays, 25:

Brownlee	Gaudineer	Neu	Riley
Coleman	Glenn	Ollenburg	Robinson
Conklin	Griffin	Palmer	Tapscott
Davis	Kennedy	Potgeter	Thordsen
DeKoster	Miller	Potter	Van Drie
Doderer	Milligan	Rhodes	Walsh
Erskine			

Absent or not voting, 1:

Laverty

Division 1 of the amendment lost.

Senator Graham moved the adoption of division 2 of the amendment and called for a division.

Division 2 of the amendment lost.

Senator Potgeter moved that further action on Senate File 188 be deferred and that the bill be placed on the calendar under unfinished business.

Senator Potgeter withdrew the motion to defer.

Senator Potgeter moved to defer further action on division 3 of the Graham amendment.

Division was called for.

The motion prevailed.

Senator Neu offered the following amendment filed by him :

- 1 Amend Senate File 188 as follows:
- 2 1. Page 3, by adding the following sentence after
- 3 line 2: "Those using lands and waters pursuant to
- 4 chapter one hundred eleven C (111C), of the Code, shall
- 5 not be considered to be in violation of this act."
- 6 2. Page 3, by adding the following section after
- 7 line 22:
- 8 Sec. 5. Chapter one hundred eleven C point
- 9 one (111C.1), Code 1971, is amended as follows:
- 10 111C.1 PURPOSE. The purpose of the chapter is to
- 11 encourage private owners of land to make land and water
- 12 areas available to the public for recreational purposes
- 13 by limiting their liability toward persons [entering] *who*
- 14 *have received permission, whether actual or implied,*
- 15 *to enter thereon for such purposes.*

Senator Riley took the chair at 11:25 a.m.

Senator Graham offered the following amendment to the amendment:

- 1 Amend the Neu amendment filed February 12, 1971, to
- 2 Senate File 188 as follows:
- 3 1. Line 14 by adding after the word "*received*" the
- 4 word "*written*".
- 5 2. Line 14, by striking the words "*, whether actual or*
- 6 *implied,*".

Senator Graham asked and received unanimous consent to defer action on the amendment filed by Senator Neu and the amendment to the amendment by Senator Graham.

Senator Anderson offered the following amendment filed by him :

- 1 Amend Senate File 188 as follows:
- 2 1. Page 3, by adding after line 6, the following
- 3 new section:

- 4 "Sec. 3. In an action based upon the doctrine of
5 'attractive nuisance' a rebuttable presumption of due
6 care by the defendant shall arise if:
- 7 1. The defendant made a reasonable effort to inform
8 persons that they are not to intrude and that a
9 possible danger to an intruder exists, or
- 10 2. The defendant took reasonable steps to minimize
11 any possible danger to intruders, and
- 12 3. The possible danger is open or obvious and a
13 reasonable man would not normally take additional steps
14 to protect the lives and well-being of intruding
15 children."
- 16 2. Page 3, line 7, by striking the number "3" and
17 inserting in lieu thereof the number "4".
- 18 3. Page 3, line 19, by striking the number "4" and
19 inserting in lieu thereof the number "5".
- 20 4. Page 1, line 1, by inserting after the word
21 "trespass" the words ", relating to liability involving
22 trespass".

Senator Neu raised a point of order on the amendment for the reason that it was not germane to the main bill or to the title of the bill.

The Chair ruled the point not well taken and the amendment in order.

(Senate File 188 pending.)

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has refused to concur in Senate amendment to the following bill in which the concurrence of the House was asked:

House File 177, a bill for an act increasing the tax on cigarettes.

Also: That the House has adopted the following concurrent resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 18, urging the Congress to propose an amendment to the United States Constitution regarding the voting rights of eighteen-year-olds.

WILLIAM R. KENDRICK, Chief Clerk

HOUSE CONCURRENT RESOLUTION 18

By Gluba, Drake, Cochran, Camp, Priebe, Lipsky,
Dunton, Hansen, McCormick, Pierson, Small,
Rex, Ewell, Johnston, Blouin, Patton, Curtis,
Monroe, Moffitt, Campbell, Kelly, Bray,
Pellett, Scott, Mollett, Millen, Middleswart,
Franklin, Schwieger, Norpel, Tieden,
Schmeiser, Stanley, Knoblauch, Siglin,
Husak, Kennedy, Kreamer, Kinley,
Jesse, Pelton, Christensen, Larson,
Skinner and Clark

Whereas, the United States Supreme Court has recently ruled that the eighteen-year-old voting age provisions of the Federal Voting Rights Act Amendments of 1970 are effective only with respect to federal elections; and

Whereas, Iowa and all other states in which the minimum voting age exceeds eighteen years are confronted with complex legal, administrative, and financial problems in endeavoring to implement the dual-age voting; and

Whereas, orderly elections are the very foundation upon which our nation is based; and

Whereas, the one feasible solution to the situation herein described which best serves the greatest national interest is to establish a single voting age by the adoption of an amendment to the United States Constitution, *Now Therefore*,

Be It Resolved by the House of Representatives, the Senate Concurring, That the Sixty-fourth General Assembly of the State of Iowa urge the Senate and House of Representatives of the Congress of the United States of America to unanimously propose an amendment to the United States Constitution providing:

That citizens of the United States who are eighteen years of age or older, shall not be denied or abridged of the right to vote by the United States or by any state thereof on account of age; and that the Senate and House of Representatives of the Congress of the United States transmit the proposed amendment to state legislatures for ratification; and

Be It Further Resolved, That the secretary of state of this state be directed to forward a copy of this resolution to the Congress and to the secretary of state of each of the states.

INTRODUCTION OF BILLS

Senate File 291, by Senator Gaudineer, a bill for an act providing for representation in the Senate and the House of Representatives beginning with the Sixty-fifth General Assembly.

Read first time and **passed on file**.

Senate File 292, by committee on agriculture, a bill for an act prohibiting certain business entities from engaging in business in the agricultural industry and providing penalties for violations of the act.

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

Senate File 293, by committee on law enforcement, a bill for an act relating to the control of traffic by means of a red or "stop" signal.

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

Senate File 294, by Senators Briles and Doderer, a bill for an act relating to bedding sanitation in hotels, motels and motor inns.

Read first time and **passed on file**.

Senate File 295, by committee on judiciary, a bill for an act relating to nonprobate transfers.

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

Senate File 296, by committee on agriculture (committee on agriculture), a bill for an act relating to the establishment of a soybean promotion fund to receive assessments made on the sale of soybeans; to establish an Iowa soybean promotion board; to provide for a referendum among soybean producers to make an appropriation and to provide penalties.

Read first time and referred to committee on **appropriations** (under Rule 37).

Senate File 297, by committee on law enforcement, a bill for an act relating to motor vehicle inspection and safety and providing penalties for violation of the act.

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

Senate File 298, by Senator Griffin (Kreamer), a bill for an act relating to motor vehicle registration certificate containers.

Read first time and **passed on file**.

Senate File 299, by Senators Griffin, Arbuckle, Balloun, Carlson, DeKoster, Nicholson, Palmer and Potgeter, a bill for an act relating to the collection of premium taxes on insurance premiums of nonprofit hospital and medical service corporations.

Read first time and **passed on file**.

Senate File 300, by Senators Griffin, Davis, Shawver, Brownlee, Potter, Walsh and Kennedy, a bill for an act to permit pari-mutuel betting in Iowa; to create a state racing commission and prescribe its powers and duties; to provide for licensing of certain organizations for the purpose of conducting horse races and racing meets; imposing taxes and fees and providing for their use and disbursement; and declaring certain acts to be unlawful and prescribing penalties for the commission of such acts.

Read first time and **passed on file**.

Senate File 301, by Senators Shawver, Balloun, Hill, Van Gilst and Arbuckle (Strothman, Bergman, Fisher of Greene, Kruse, Nielsen, Stokes and Tieden), a bill for an act relating to the use of dead animals.

Read first time and **passed on file**.

Senate File 302, by Senator Conklin, a bill for an act relating to the reporting of motor vehicle accidents.

Read first time and **passed on file**.

Senate File 303, by Senator Conklin, a bill for an act relating to the obtaining of a test showing either susceptibility or immunity from rubella as a condition precedent to obtaining a marriage license.

Read first time and **passed on file**.

Senate File 304, by Senator Riley, a bill for an act to reimburse low-income householders for extraordinary property tax burdens and providing a penalty for a fraudulent claim.

Read first time and **passed on file**.

BILLS ASSIGNED TO COMMITTEE

President Jepsen announced the assignment of the following bills to committee:

S. C. R. 17 Higher education

S. F. 291 Constitutional amendments and reapportionment

S. F. 294 Social services

S. F. 298 Transportation

S. F. 299 Ways and means

S. F. 300 Judiciary

S. F. 301 Agriculture

S. F. 302 Law enforcement

S. F. 303 Social services

S. F. 304 Ways and means

H. C. R. 18 Constitutional amendments and reapportionment

AMENDMENTS FILED

- 1 Amend Senate File 188 as follows:
2 1. Page 2, by adding the following new lines after
3 "intruders." on line 11: "For the purposes of this section
4 the term 'occupied structure' means any structure; land,
5 water or air vehicle, or enclosed place adapted for overnight
6 accommodation of persons, or occupied by persons for the
7 purpose of carrying on business or other activity therein,
8 or for the storage or safekeeping of anything of value.
9 Such a structure is an 'occupied structure' whether vacant
10 or not."

GENE W. GLENN

- 1 Amend Senate File 188, page 2, line 20, as follows: by
2 inserting after the word "where" the words "domesticated game
3 animals,".

CHARLES F. BALLOUN

- 1 Amend the Anderson-Graham amendment, filed February
2 16, 1971, to Senate File 188 as follows:
3 1. Line 6, by striking the words "or against".
4 2. Line 7, by striking the words "such person's property".

JOHN E. TAPSCOTT

- 1 Amend Senate File 204 as follows:
2 1. Page 2, by striking from lines 11 and 12 the words
3 "*subject to the approval of the board of supervisors*,".
4 2. Page 2, by striking from lines 19 and 20 the words
5 "*subject to the approval of the boards of supervisors*,".
6 3. Page 2, by striking lines 32 through 35, inclusive.
7 4. Page 3, by striking lines 1 through 15, inclusive.

TOM RILEY

- 1 Amend Senate File 296 by striking from page 8, line 7, the
2 word "twenty" and inserting the word "eighty".

RICHARD L. STEPHENS

- 1 Amend House File 12, as passed, amended and reprinted by the
2 House, page 1, as follows:
3 1. Line 3, by striking the word "and".
4 2. Line 4, by inserting after the word "vehicles" the
5 following: "and real estate liens".

RICHARD L. STEPHENS

- 1 Amend House File 12, as amended and passed by the
2 House and reprinted, page 9A, line 32, by striking the
3 words, "*seventy-five cents*" and by inserting in lieu
4 thereof the words, "*one dollar*".

LEE H. GAUDINEER, JR.

- 1 Amend House File 15, as amended, passed and reprinted by the
2 House, by striking from page 2A lines 31 through 35 and from
3 page 2B lines 36 through 39.

RICHARD L. STEPHENS

- 1 Amend House File 71 as follows:
2 1. Page 2, by adding the following section after line 28:
3 Sec. 3. Chapter three hundred seventeen (317), Code 1971,
4 is amended by adding the following new section:
5 "No person shall sell, offer for sale or distribute teasel
6 (Dipsacus) biennial, or seeds thereof in any form in the state
7 of Iowa. Any person violating the provision of this section shall
8 be guilty of a misdemeanor. It shall be the duty of the county
9 weed commissioner to enforce this section."
10 2. Page 1, line 1, by inserting after the word "weed" the
11 following:
12 "and prohibiting sale or distribution of teasel (Dipsacus)
13 biennial and providing a penalty therefor."

EARL G. BASS

On motion of Senator Lamborn, the Senate adjourned until 10:00 a.m., Monday, March 1, 1971.

JOURNAL OF THE SENATE

FIFTIETH DAY

SENATE CHAMBER
DES MOINES, IOWA, MONDAY, MARCH 1, 1971

The Senate met in regular session, President Jepsen presiding.

The following prayer was offered by the Reverend James Osborn, pastor of the United Methodist Church, Fredericksburg, Iowa:

O Lord, we are grateful for the opportunity to come together where important decisions are being made to better the quality of life for the people of Iowa. Enable us to become more intuned to the problems facing our country, torn apart by war, racial strife, the disintegration of our urban and rural communities, as well as environmental pollution.

We pray that these men and women who make the laws will be given insight that will help them to become sensitive and able to respond to the needs of all people, rich or poor, young or old.

O Lord, the great Governor of all the world, we pray for all who hold public office and power, and for the life, welfare and virtue of the people who are in their hands. Strengthen the sense of duty and commitment in our political life. Grant that your servants of the state may feel ever more deeply that any diversion of their public powers for private and selfish means is a betrayal of their country. Purge our cities, states and nation of the deep causes of corruption and greed which have so often made sin profitable and uprightness hard.

Breathe a new spirit into all our nation. Give our leaders new vision and set their hearts on fire with large resolves. Raise up a new generation of public men and women who have the faith, courage and convictions of your kingdom in their hearts, who will involve themselves in issues and problems of all mankind and will work for the freedom and rights of all people.

O Lord, we pray that President Nixon and his wife and the cabinet members who are coming to Des Moines will have a safe trip. We pray that we can be open and honest in sharing our concerns about the issues and problems facing the people of Iowa. We come before you in an attitude of humbleness and humility. Open our hearts and minds that we may listen to the guidance of the Holy Spirit.

We ask this prayer in your name. Amen.

The Senate pledged allegiance to the flag.

The Journal of Friday, February 26, 1971, was approved.

PETITIONS

The following petitions were presented and placed on file:

By Senator Ollenburg, from twenty-three residents of Hancock County favoring state aid for mental health centers in Iowa.

By Senator Balloun, from sixteen residents of Benton County opposing legislation prohibiting widows of veterans from living at the Iowa Soldiers Home at Marshalltown, Iowa.

RESOLUTION

The following resolution, dated January 26, 1971, was presented and placed on file by Senator Potgeter from the Hardin County Bar Association :

Whereas, the Iowa District Judges Association has proposed a plan for the redistricting of the present Iowa Judicial Districts, and

Whereas, the proposed plan has certain disadvantages contained within it for Hardin County,

Now Therefore, Be It Resolved by the Hardin County Bar Association in meeting assembled that this Association declare itself to be opposed to the proposed Judicial redistricting plan as currently advanced by the Iowa District Judges Association, and

Be It Further Resolved that the Secretary of the Association be and he is hereby directed to forward copies of this resolution to the Honorable Richard W. Welden, State Representative for Hardin County, and to the Honorable James Potgeter, Senator for Hardin County, Iowa.

ADOPTION OF SENATE CONCURRENT RESOLUTION 20

Senator Lamborn asked and received unanimous consent to take up the following resolution and moved its adoption :

SENATE CONCURRENT RESOLUTION 20

By Kyhl and Lamborn

Whereas, the President of the United States, Richard Milhous Nixon, has accepted an invitation to address a joint convention of the Senate and House of the Sixty-fourth General Assembly to be held Monday, March 1, 1971; *Now Therefore*

Be It Resolved by the Senate, the House Concurring: That Governor Robert D. Ray be invited to attend the joint convention; and

Be It Further Resolved: That the President of the Senate and the Speaker of the House be designated to deliver this invitation to Governor Ray.

The motion prevailed and the resolution was adopted.

ADOPTION OF SENATE CONCURRENT RESOLUTION 21

Senator Lamborn asked and received unanimous consent to take up the following resolution and moved its adoption :

SENATE CONCURRENT RESOLUTION 21

By Kyhl and Lamborn

Whereas, the President of the United States, Richard Milhous Nixon, has accepted an invitation to address a joint convention of the Senate and House

of the Sixty-fourth General Assembly to be held Monday, March 1, 1971;
Now Therefore,

Be It Resolved by the Senate, the House Concurring: That the Chief Justice and members of the Supreme Court, the elected state officials and the Iowa Congressional delegation to be invited to attend the joint convention; and

Be It Further Resolved: That the President of the Senate and the Speaker of the House be designated to deliver this invitation to them.

The motion prevailed and the resolution was adopted.

MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has adopted the following concurrent resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 21, providing for a joint convention on March 1, 1971, for the purpose of hearing the President of the United States, Richard M. Nixon.

WILLIAM R. KENDRICK, Chief Clerk

ADOPTION OF HOUSE CONCURRENT RESOLUTION 21

Senator Lamborn asked and received unanimous consent to take up the following resolution and moved its adoption:

HOUSE CONCURRENT RESOLUTION 21

By Varley and Cochran

Be It Resolved by the House, the Senate Concurring, that a joint convention of the two houses of the Sixty-fourth General Assembly, First Regular Session, be held on Monday, March 1, 1971, at 10:10 a.m. for the purpose of hearing the President of the United States, Richard M. Nixon, address the joint convention.

The motion prevailed and the resolution was adopted.

COMMITTEE FROM THE HOUSE

A committee from the House appeared and announced that the House was ready to receive the Senate in joint convention.

In accordance with House Current Resolution 21, duly adopted, the Senate proceeded to the House under the direction of the Secretary of the Senate and the Sergeant-at-Arms.

JOINT CONVENTION

In accordance with law and House Concurrent Resolution 21 duly adopted, the joint convention was called to order, President Jepsen presiding.

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

The Sergeant-at-Arms announced the arrival of Mrs. Richard M. Nixon, wife of the President of the United States, and Mrs. Robert D. Ray, wife of the Governor of Iowa.

Mrs. Richard M. Nixon was escorted by Lieutenant Governor Roger W. Jepsen and Mrs. Robert D. Ray was escorted by Speaker William H. Harbor to the well of the chamber.

The Sergeant-of-Arms announced that the President of the United States and the Governor of the State of Iowa were present in the House chamber.

The President of the United States, Richard M. Nixon, was escorted to the Speaker's station by the Governor of Iowa, Robert D. Ray.

The President of the Senate introduced to the joint convention the Honorable Robert D. Ray, Governor of the State of Iowa.

Governor Robert D. Ray presented the President of the United States, Richard M. Nixon, with the following remarks:

MR. PRESIDENT, MRS. NIXON, PRESIDENT OF THE SENATE, MR. CHIEF JUSTICE, JUSTICES OF THE SUPREME COURT, STATE OFFICIALS, MEMBERS OF THE GENERAL ASSEMBLY, GUESTS, LADIES AND GENTLEMEN:

Indeed it is an honor today to be host to the President of the United States. The President and Mrs. Nixon are not newcomers to our state. They have visited us on other occasions. As a matter of fact, they lived some seven months in Ottumwa. It was then Lieutenant (j.g.) Nixon and as I understand it, they lived in a \$55 a month apartment. They have come a long, long way.

This is, however, the first time President Nixon has been in our state since he has been President of the United States. This is also the first time that a President has ever brought his Cabinet to meet in our state and while one other President visited at the Capitol here, President Nixon is the first President to ever address the General Assembly in this capitol.

We are very pleased President Nixon and Mrs. Nixon are with us and I take great pride in telling the President that having come back from the Governor's Conference in Washington just this last week, that the Governors of this country have tremendous respect for the Office of the Presidency but likewise, regardless of their party affiliation, they have great and tremendous appreciation, admiration and respect for you, Mr. President.

And now it is my pleasure to introduce our President to this General Assembly, to the people of the State of Iowa, to the people in the midwest and this entire nation. Ladies and gentlemen, the President of the United States.

Remarks by the
PRESIDENT OF THE UNITED STATES
RICHARD M. NIXON

Delivered before a Joint Session
of the Sixty-fourth General Assembly
First Session

GOVERNOR RAY, MR. PRESIDENT, MR. SPEAKER, MR. CHIEF JUSTICE, MEMBERS OF THE LEGISLATURE, MEMBERS OF THE SUPREME COURT, SENATOR MILLER, AND ALL OF OUR DISTINGUISHED GUESTS ON THIS VERY SPECIAL OCCASION:

As Governor Ray has indicated, this is my first visit to Iowa as President of the United States and I am honored that it takes place here in an address to the legislature of the State of Iowa.

I should point out that Vice President Agnew has made a visit to Iowa since taking office. You may recall in a speech he made in Des Moines on November 13, he received quite a bit of national publicity. I spoke with him on the phone yesterday about my pending visit to Iowa, and he suggested that if I really wanted to make major news that I might address myself to the subject of the news media, when I appeared before this group. In matter of fact, that is the most risky idea the Vice President has advanced since he invited me to play golf with him a few weeks ago.

I want you to know that I greatly appreciate this invitation to address this joint session of the Iowa state legislature—both to share with you a few of my thoughts about America's future, and to reaffirm my own strong conviction that in the state capitols of America there is a wealth of wisdom and compassion and understanding of the great needs that confront our nation's people.

This is my first appearance before a legislative body since I delivered my State of the Union address to the United States Congress—and I am especially pleased that it can be before this legislature, which I note was recently cited by the Citizens Conference on State Legislatures as one of the best in the nation. I congratulate you.

In that address, I outlined six great goals for America, and I urged the Congress to join in bringing about a new American revolution—a peaceful revolution, in which power was turned back to the people—in which government at all levels was refreshed and renewed, and made truly responsive to the people of this country.

It is especially appropriate that that appeal to the Congress should be followed by this, the first appearance as President of the United States I have had an opportunity to make before a state legislature. For as we consider the changes that are needed in American government, we must remember that we have not one chief executive in America, but many; not one legislature, but many—and that each of these is a vital part of the American system.

One of my key proposals to the Congress is that we make a \$16 billion investment in renewing state and local government by sharing federal revenues without the cumbersome restrictions that now follow federal funds. I have noted that this legislature has already expressed its support for the principle of revenue sharing. I also have proposed a sweeping reorganization of the federal government itself to make it more responsive to the needs of the people.

Together, these changes can give us, all here in Iowa and across this great nation, better government, but they have special meaning for what we call rural America.

First, in terms of dollars, I am announcing today that I am increasing by an extra \$100 million the amount that I originally proposed in special

revenue sharing for rural community development, bringing that to \$1.1 billion for the coming year—which is 24 percent more for rural development programs than is being made available to the states under existing categorical grant programs this year.

The direct dollar benefit to rural America is obvious. In addition, rural America will share substantially in general revenue sharing funds, and also in special revenue sharing for manpower, education, transportation and law enforcement, and all of these of course cut across all of America, whether it is rural or urban or a mixture of the two. Funds for urban community development will also go in part to urban communities, like the city of Des Moines, in largely rural areas.

A second reason these changes have special meaning for rural America is that one of their chief purposes is to give each state and each community greater freedom to decide for itself those questions that directly affect its own future. If the lessons of the past decades mean anything, they mean that as power has been concentrated more and more in Washington, as decisions have increasingly been made by remote control, the special needs of our rural communities and of the great heartland of America more and more have either been neglected or even gone unrecognized.

I want those decisions that affect rural America made by people who know rural America. And the people who know a place best are the people who live there. To put it bluntly I believe that legislators in Iowa know better than bureaucrats in Washington, D. C., what is best for Iowa.

It is fashionable in a lot of quarters these days to scoff at state and local government. To speak of its corruption, its inefficiency and all of the other problems that seem to confront them at this time. But to those who sneer at state legislatures, at city councils, at any level of government other than that in Washington, I say they don't know the American people and the American system.

I reject completely the contention that you cannot trust state and local governments. The patronizing notion that a bureaucratic elite in Washington knows best what is best for people everywhere is completely alien to the American experience.

The honesty and efficiency of government depends on people. Government at all levels—the federal level, the state level and the local level—has good people and bad people. And the way to get more good people into government is to give them more opportunity to do good things. Not just at the federal level but at the state level and the local level as well.

You know and I know how much dedication there is in state capitals, how much of a desire to do the right thing—and how much frustration there is with the restrictions and red tape that Washington so often imposes—and also with the tightening squeeze between needs and resources.

Like other state legislatures, you confront here in Iowa enormous problems.

As is the case in most of our states, I know you are wrestling with ways of avoiding the prospect of a deficit this year. That's true of a majority of the states in this nation this year. I know how heavy the burden of state and local taxes has become. I was thinking in that retrospect as I was preparing my remarks for this occasion.

I entered public life as a freshman Congressman from California almost twenty-five years ago. And since then I have been in and out of government all of that time, a little more in than out. But in that twenty-five years I have noted what has happened. Listen to these comparisons. Today, we find that state and local expenditures are twelve times as high as they were just twenty-five years ago. Property taxes are six times as high as

they were twenty-five years ago and state and local debts are nine times as high as they were just twenty-five years ago.

Against that background, look at the double mismatch we now have: As the nation grows and the economy expands, needs grow fastest at the state and local level, while revenues grow fastest at the federal level. And at the same time, experience shows that the federal government is very good at collecting revenues and often very bad at dispensing services.

So it makes elementary good sense to turn over some of the money collected by the federal tax system to meet state and local needs.

It makes good sense, because people on the scene are most often the best judges of what those needs are.

It also makes sense because our people need relief from the mounting burden of state and local taxes.

Here in Iowa, with our revenue sharing program, let me tell you what it will do for you. It means you could make a choice. Your choice could be to increase services if you desire to do so or to avert a deficit if you desire to do so or perhaps to increase appropriations for the agricultural land tax credit if you desire to do so. The point is you make the choice as to what should happen with those revenues. And you choose, according to your best judgment of the needs and wishes of the people of Iowa, and that's the way it should be—here in Iowa and in every state in this country.

Let me also say a word about my proposal to reorganize the federal government—in particular as it affects the farmer.

One of the automobile companies has recently been using the advertising slogan "You've changed. We've changed." But when we look at the farmer and the way the federal government is organized, it is a different story. The only way to state the case, sadly enough, is that he has changed and we have not. The farmer is a man of many talents now—a businessman, a technician, a scientist—often a man who makes his living in more lines of work than farming alone. The term agro-business is often used here in Iowa and in my own state of California to describe this great new powerful instrument of American agriculture which has made America first in the world of productivity in agriculture, first in the world of this most important fact that the housewives of America, the best fed country in the world, pay less of her budget for food than in any country of the world. This is an indication of what the farmer has done for America. And when the farmer and American agriculture has done that, when it is the most productive of all phases of our economy, certainly American agriculture and the American farmer deserves a fair share of America's increasing prosperity.

Now let's take a look beyond that farmer. Let's look at the rural community in which he lives, or here in the city where the farmer comes from time to time. We find that the rural community is becoming increasingly diversified in its economic base and its land use and its population patterns. While all this has gone on, we have sat in Washington with the same Department of Agriculture we have had since 1862. Oh, changes have been made in the organization—new functions have been added—the Department of Agriculture, as far as its mission is concerned, is the same as it was then when the problems were very different.

"You've changed and we haven't"—it could become the epitaph for rural America, for the countryside where this nation's roots are. But to be able to say that you have changed and so have we—that could be the keynote for a new surge of vitality and progress on the farms, on the ranches and in the towns and the open lands across this nation.

It comes to a question of whether farmers and others in rural America want an Agriculture Department for its own sake or whether they really

want things like better farm prices, better technical assistance for agriculture problems, wider development opportunities in rural communities, better schools, better roads, and so on. I think they want the latter—the tangible results.

Under the present setup, only one Cabinet department represents the farmer. Under my proposed reorganization, four Cabinet secretaries—half the Cabinet—will be speaking up for the farmer when his diverse interests are at stake. I submit that this is not less representation, but more—and more effective representation, because the rural interest will be represented wherever decisions are being made that affect that interest.

These proposals I have made are not Republican proposals or Democratic proposals. I have offered them in a bipartisan spirit. In Washington I met with all the Republicans of the House and Senate and all of the Democrats of the House and Senate, at breakfast, after the State of the Union Message in order to present them in that bipartisan spirit and that is why today as I speak to you, I seek not partisan support but bipartisan support, for these proposals cut to the heart of our hopes for progress in America not just this year, not just next year, but for the balance of the decade and the balance of the century.

This nation at the beginning developed a constitution and a form of government that has survived magnificently for 190 years not because that constitution was developed out of partisan debate, oh, there is debate all right, but it was not on party lines, it was on the great issue of what was best for this new country, and out of this came a constitution and system of government which we have been very proud to have since that time. That's what we need today as we look at the new problems of America and new ways to meet those problems.

I have met with many groups in these past few weeks, talking with them about my proposals for the reform and renewal of government in America. And I have told them that I know there are many objections that people will raise to this proposal and that proposal, and the rest, and objections should be raised—that's the way to refine a proposal, to make it better, to make it more effective in reaching those goals that we all want to reach, but I told these people, those who object that when they have an objection I challenge them to answer this one question—I say, let the first person who thinks that we ought to keep things as they are, stand up and defend the status quo—and I have not yet had a single taker.

I realize that many, particularly many in government—and I am proud to be, as you are proud to be, a man who is in government—many in government throughout the land were somewhat shocked and taken aback when I used the colloquial expression that a majority of the American people today are “fed up” with government, and that doesn't mean just government in Washington but it means government at all levels. But we know it is true and here are the reasons—they are fed up with government because they think it costs too much, they think it doesn't work and they think they cannot do anything about it, and what I have proposed is designed to meet these needs—to cut the cost of government, to make it work, and to give the people a greater voice in determining what kind of government they want. Now that is a goal above partisanship, it is the goal that I submit to the Iowa legislature and ask for your support.

People know that we need a change. They know that what may have been right twenty or thirty or forty years ago is not right today. They know that like any living thing, government in America has to change and develop; it has to adapt itself to new circumstances. And it has to be made to meet the needs of our people, as those needs exist in today's America—

so that for the farmer, the worker, the taxpayer, the housewife—for everyone in America—government can do a better job.

America's great strength lies precisely in its great diversity—in the fact that our states and communities are different, that we do not all fit in the same mold, that each of us has his own ambitions, his own desires, his own individuality. The essence of freedom is to give scope to that individuality and to respect that diversity.

When I talk about returning power to the people, I am talking about just that—about letting people make their own decisions, in their own lives and in the lives of their own communities.

For I have faith in the people of America. And faith in people is what the American system of government was all about in the beginning and it is what it is all about today. Here in the heartland of America, we can see that the heart of America is good—and that its people deserve our faith.

We became a great nation because the nation's founders had the courage to place their faith in people—and because, having that faith, they established institutions that allowed the people to prove themselves worthy of it.

Now the time has come to return to that faith, one of those great watershed periods in the history of a nation, when we return to that faith we return to renew those institutions, and by so doing to lead America to a new birth of greatness—a greatness not simply as the richest nation, not simply as the strongest nation, but a greatness that springs from the unshackling of the spirit of the people themselves.

We need to today at a time when American involvement in the longest and most difficult war in our history is coming to an end. It is time to turn the great energies of our people to the works of peace in this last third of the twentieth century. And at this time, I invite you to join with me in beginning a national renewal—in fitting our government to the times we live in—in strengthening our government at the state and local level—in forging a new partnership that can give us prosperity with peace, progress with unity and freedom with diversity.

The President of the United States, Richard M. Nixon, and Mrs. Nixon were escorted from the House chamber by Governor and Mrs. Robert D. Ray.

Senator Lamborn moved that the joint convention be now dissolved.

Motion prevailed.

The Senate returned to the Senate chamber and resumed regular session, President pro tempore Kyhl presiding.

On motion of Senator Lamborn, the Senate recessed until the fall of the gavel.

AFTERNOON SESSION

The Senate reconvened, President pro tempore Kyhl presiding.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 20, inviting Governor Robert D. Ray to attend the joint convention to hear President Richard Milhous Nixon.

Also: That the House has adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 21, inviting the Supreme Court, elected state officials and Iowa congressional delegation to hear President Richard Milhous Nixon.

WILLIAM R. KENDRICK, Chief Clerk

INTRODUCTION OF BILLS

Senate File 305, by committee on social services, a bill for an act establishing a state board of residential care standards, providing for selection of members thereof, and prescribing their powers and duties.

Read first time and referred to committee on **state government** (under Rule 37).

Senate File 306, by committee on social services, a bill for an act relating to the licensing of funeral homes.

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

Senate File 307, by Senators Potter and Potgeter, a bill for an act relating to the real property tax credit provided for disabled veterans.

Read first time and **passed on file**.

Senate File 308, by Senators Griffin and Walsh, a bill for an act relating to delegates to political party caucuses and conventions.

Read first time and **passed on file**.

Senate File 309, by Senators Davis, Lamborn, Palmer and Griffin (Schwieger and Norpel), a bill for an act relating to the revocation or suspension of the license to practice chiropractic.

Read first time and **passed on file**.

Senate File 310, by Senator Griffin (Knoke, Mollett and Schroeder), a bill for an act relating to the number of official county newspapers.

Read first time and **passed on file**.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which divisions 1 and

2 of the Graham amendment, filed February 18, 1971, to Senate File 188 failed to pass the Senate.

JAMES A. POTGETER

REPORTS OF COMMITTEES

Senator DeKoster submitted the following report:

MR. PRESIDENT: Your committee on judiciary, to which was referred **Senate File 277**, a bill for an act to legalize and validate the procedures wherein the West Marshall Community School District in the counties of Marshall and Story entered into contract for the sale of certain real estate, begs leave to report it has had the same under consideration and recommends the same **do pass**.

LUCAS J. DeKOSTER, Chairman

Ordered passed on file.

Senator Thordsen submitted the following report:

MR. PRESIDENT: Your committee on law enforcement, to which was referred **House File 82**, a bill for an act providing a penalty for the unlawful use of temporary and instructional driving permits, begs leave to report it has had the same under consideration and recommends the same **do pass**.

HAROLD A. THORSEN, Chairman

Ordered passed on file.

AMENDMENTS FILED

- 1 Amend Senate File 188 by striking all after the enacting clause
- 2 and inserting in lieu thereof the following:
- 3 "Section 1. It shall be unlawful for any person to enter
- 4 in or upon the lands, tenements, or hereditaments of another or
- 5 any building erection thereon without first having obtained the
- 6 permission of the owner, lessee, or person in possession of said
- 7 real estate. If the person making such entry causes no damage
- 8 to the real estate or any building erection thereon or personal
- 9 property located therein or thereon nor does not suffer or
- 10 permit or participate in a joint venture causing damage to the
- 11 real estate or any building erection thereon or personal property
- 12 located therein or thereon then in said event it shall be a
- 13 defense to the offense of trespass upon showing that:
- 14 a. the entry was by inadvertence or mistake, or
- 15 b. the entry was by invitation or license by one representing or
- 16 claiming to be the owner, lessee, or person in possession, or
- 17 c. the entry was by a person less than 18 years of age, or
- 18 d. the entry was for a mutual business transaction or solicitation
- 19 of a legitimate business transaction or for a lawful business
- 20 purpose relating to the use or occupancy of the real estate, or
- 21 e. the entry was by a person pursuant to the exercise of the
- 22 service of a judicial process or in pursuit of a person having
- 23 committed a public offense or a peace officer in the pursuit of
- 24 a person where there is reason to believe a public offense has
- 25 been committed, or

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1 f. the entry was by a person or with an associate of a person
2 related by marriage or within the fourth degree of consanguinity
3 to the owner, person in possession, lessee or a known friend or
4 mutual acquaintance, other than casual, to the owner, person in
5 possession or lessee, or
6 g. any one or more of the aforesaid defenses may be rebutted by
7 the prosecution and the issue shall be determined by the court
8 or jury as appropriate at the trial.

9 Sec. 2. Any person found guilty of the offense of
10 trespass shall be fined the sum of not more than one hundred
11 dollars (\$100) or to a term of not more than thirty days in the
12 county jail or by both said fine and imprisonment. If the person
13 having entered into or upon the real estate of another or any
14 building erection thereon as provided in section one (1) has been
15 requested to leave or vacate said real estate or any building
16 erection thereon by the owner, lessee, or occupant or their agent
17 or employee and thereupon or thereafter fails to forthwith
18 peaceably vacate said premise or as a consequence thereof causes
19 or participates in a disturbance said person shall be fined the
20 sum of not more than two hundred dollars (\$200) or to a term of
21 not more than sixty days in the county jail or by both said fine
22 and imprisonment.

23 Sec. 3. Any person who without either implied or actual
24 permission enters any public building or, having lawfully entered
25 a public building, causes any nuisance therein, or uses, misuses,

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1 destroys, or partially destroys any public or private property
2 therein, shall be fined not more than three hundred dollars (\$300)
3 or imprisoned in the county jail not more than one year, or by
4 both said fine and imprisonment."

JOHN L. MOWRY

1 Amend Senate File 237 as follows:

2 1. Page 1, line 19, by inserting after the word "person"
3 the word "*wrongfully*".

4 2. Page 1, line 22, by striking all after the word "*issued*"
5 and inserting a period.

6 3. Page 1, by striking all of lines 23 and 24.

W. CHARLENE CONKLIN

1 Amend the Gaudineer and Briles amendment, filed February
2 23, 1971, to House File 12, by striking all after line 4
3 and inserting the following:

4 "Sec. 11. Section three hundred twenty-one point one
5 hundred forty-five (321.145), Code 1971, is amended as
6 follows:

7 321.145 DISPOSITION. The money, except fines and for-
8 feitures, and except operator's and chauffeur's license
9 fees, *certificate of title fees and lien or encumbrance*
10 *notation fees* collected pursuant to the provisions of this
11 chapter shall be credited by the treasurer of state to the
12 following funds:

13 1. Three percent of the gross fees and penalties thereon
14 [,] to the general fund of the state.

15 2. The balance of said money, less the collection fees
16 [of fifty cents] retained by the county treasurer *pursuant to*
17 *section 321.152* [on each registration,] and less the one per-
18 cent received by the department as a reimbursement fund
19 from which to pay refunds, to the road use tax fund.

20 *The treasurer of state shall credit certificate of title*
21 *fees, and lien or encumbrance fees, to the general fund of*
22 *the state, less the fees retained by the county treasurer*
23 *pursuant to section 321.152."*

24 2. By renumbering the remaining sections accordingly.

FRANCIS L. MESSERLY

On motion of Senator Lamborn, the Senate adjourned until 9:00 a.m., Tuesday, March 2, 1971.

JOURNAL OF THE SENATE

FIFTY-FIRST DAY

SENATE CHAMBER

DES MOINES, IOWA, TUESDAY, MARCH 2, 1971

The Senate met in regular session, President pro tempore Kyhl presiding.

Prayer was offered by the Reverend Herbert R. Gould, pastor of the United Methodist Church, Oakland, Iowa.

The Senate pledged allegiance to the flag.

The Journal of Monday, March 1, 1971, was approved.

PRESENTATION OF VISITORS

The Chair announced that the following visitors were present in the Senate gallery:

Ten students and members of Town and Country Y.W.C.A. Teens, South Page Community School, Clarinda, Iowa, accompanied by Mrs. Linda McDowell.

Thirteen students and members of Town and Country Y.W.C.A. Teens, Essex High School, Essex, Iowa, accompanied by Mrs. Roy McGraw.

Seven students and members of Town and Country Y.W.C.A. Teens, Washington High School, Washington, Iowa, accompanied by Mrs. Lain Messer.

Thirty-five students from the government class of Union-Whitten School, Union, Iowa, accompanied by their instructors, Mr. Przychodzin, Mr. Clark and Mr. Dillon.

Twenty-six students from Graettinger High School, Graettinger, Iowa, accompanied by their instructors, Helen Brenen and Joseph Ferrell.

Thirty-three students, members of Cadette Girl Scout Troops Nos. 173 and 320 from Oelwein, Iowa, accompanied by their leaders.

Sixty students from Johnston High School, Johnston, Iowa, accompanied by their instructors, Mrs. Doolittle and Mr. Pitz.

Eighteen ninth-grade students from Newton High School, Newton, Iowa, accompanied by their instructor, Russell Clayton.

Fifty students from Phoenix Elementary School, West Des Moines, Iowa, accompanied by their instructors, Miss Boyle and Mrs. Svoboda.

PETITIONS

The following petitions were presented and placed on file :

By Senator Messerly, from sixty-three residents of Iowa opposing sex education in Iowa schools.

By Senator Van Gilst, from thirty-four residents of Marion County recommending legislation to shift the public school financing from property taxes to some other tax.

SENATE RECEDES

House File 177

Senator Ollenburg called up House File 177, a bill for an act to increase the tax on cigarettes, amended by the Senate, and moved that the Senate recede from its amendment, which was offered and adopted on February 17, 1971, and found on page 296 of the Senate Journal.

Roll call was requested.

On the question "Shall the Senate recede from its amendment?" (H.F. 177) the vote was :

Ayes, 25:

Arbuckle	Erskine	Kyhl	Robinson
Briles	Gilley	Messerly	Shaff
Brownlee	Graham	Milligan	Shawver
Conklin	Griffin	Ollenburg	Thordsen
Curran	Keith	Rhodes	Van Drie
Davis	Kennedy	Riley	Walsh
Doderer			

Nays, 24:

Anderson	Gaudineer	Mowry	Rabedaux
Balloun	Glenn	Neu	Schaben
Bass	Hill	Nicholson	Smith
Carlson	Lamborn	Palmer	Stephens
Coleman	Laverty	Potgeter	Tapscott
DeKoster	Miller	Potter	Van Gilst

Absent or not voting, none.

The motion prevailed and the Senate receded from its amendment.

Senator Ollenburg moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 177) the vote was :

Ayes, 41 :

Anderson	DeKoster	Laverty	Rhodes
Arbuckle	Doderer	Messerly	Riley
Balloun	Erskine	Milligan	Robinson
Bass	Gilley	Mowry	Shaff
Briles	Graham	Neu	Shawver
Brownlee	Griffin	Nicholson	Smith
Carlson	Keith	Ollenburg	Stephens
Coleman	Kennedy	Potgeter	Van Drie
Conklin	Kyhl	Potter	Van Gilst
Curran	Lamborn	Rabedeaux	Walsh
Davis			

Nays, 6 :

Gaudineer	Miller	Schaben	Tapscott
Glenn	Palmer		

Voting present, 2 :

Hill	Thordsen
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Absent or not voting, none.

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

ADOPTION OF SENATE CONCURRENT RESOLUTION 16

Senator Riley called up the following resolution and moved its adoption :

SENATE CONCURRENT RESOLUTION 16

By Riley, Anderson, Arbuckle, Balloun, Bass, Briles, Brownlee, Carlson, Coleman, Conklin, Curran, Davis, DeKoster, Doderer, Erskine, Gaudineer, Gilley, Glenn, Graham, Griffin, Keith, Kennedy, Kyhl, Lamborn, Laverty, Messerly, Miller, Milligan, Mowry, Neu, Nicholson, Ollenburg, Palmer, Potgeter, Potter, Rabedeaux, Rhodes, Robinson, Schaben, Shaff, Shawver, Smith, Stephens, Tapscott, Thordsen, Van Drie, Van Gilst and Walsh

Whereas, more than one thousand five hundred Americans are listed as prisoners of war or missing in action in Southeast Asia, and

Whereas, the citizens of Iowa have demonstrated their great concern for the well-being, humane treatment and safe return of prisoners of war or those missing in action in Southeast Asia, *Now Therefore*,

Be It Resolved by the Senate, the House Concurring, That in order that the citizens of Iowa may in the demonstration of their support and concern for more than one thousand five hundred Americans listed as prisoners of war or missing in action in Southeast Asia, have the unequivocal support of the General Assembly and the Chief Executive Officer of this state and in order to forcefully register their protest over the inhumane treatment these men are receiving at the hands of the North Vietnamese, in violation of the Geneva Convention, the Governor is hereby requested to issue a proclamation designating the week beginning March 21,

1971, and ending March 27, 1971, as "Iowa Concern for Prisoners of War Missing in Action Week", and calling upon the citizens of Iowa to observe such week with appropriate ceremonies and activities.

The motion prevailed and the resolution was adopted.

UNFINISHED BUSINESS DEFERRED

Senator Lamborn asked and received unanimous consent that further action on **Senate File 53** be deferred and that the bill retain its place on the calendar under **unfinished business**.

Senator Lamborn asked and received unanimous consent that further action on **House File 12** be deferred and that the bill retain its place on the calendar under **unfinished business**.

Senator Lamborn asked and received unanimous consent that further action on **Senate File 188** be deferred and that the bill retain its place on the calendar under **unfinished business**.

CONSIDERATION OF BILLS

Senate File 204

On motion of Senator Nicholson, Senate File 204, a bill for an act relating to board of supervisor approval of the salaries for probation officers and their staff, was taken up and considered.

Senator Riley offered the following amendment filed by him:

- 1 Amend Senate File 204 as follows:
- 2 1. Page 2, by striking from lines 11 and 12 the words
- 3 "*subject to the approval of the board of supervisors*,".
- 4 2. Page 2, by striking from lines 19 and 20 the words
- 5 "*subject to the approval of the boards of supervisors*,".
- 6 3. Page 2, by striking lines 32 through 35, inclusive.
- 7 4. Page 3, by striking lines 1 through 15, inclusive.

Senator Gaudineer moved that Senate File 204 be referred to the committee on judiciary for further study.

Division was called for.

The motion lost.

President Jepsen took the chair at 10:55 a.m.

Senator Riley moved the adoption of his amendment and requested a roll call.

On the question "Shall the amendment be adopted?" (S.F. 204) the vote was:

Ayes, 26:

Brownlee	Erskine	Miller	Rhodes
Carlson	Gaudineer	Milligan	Riley
Coleman	Glenn	Neu	Robinson
Conklin	Griffin	Ollenburg	Shawver
Davis	Kennedy	Palmer	Tapscott
DeKoster	Laverty	Potgeter	Walsh
Doderer	Messerly		

Nays, 21:

Anderson	Gilley	Mowry	Shaff
Arbuckle	Graham	Nicholson	Smith
Balloun	Hill	Potter	Stephens
Bass	Kyhl	Rabedaux	Van Drie
Briles	Lamborn	Schaben	Van Gilst
Curran			

Absent or not voting, 2:

Keith	Thordsen
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The amendment was adopted.

Senator Nicholson moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 204) the vote was:

Ayes, 34:

Anderson	Erskine	Milligan	Schaben
Balloun	Gilley	Mowry	Shaff
Bass	Graham	Nicholson	Shawver
Briles	Griffin	Ollenburg	Smith
Brownlee	Hill	Rabedaux	Stephens
Carlson	Kyhl	Rhodes	Thordsen
Coleman	Lamborn	Riley	Van Gilst
Conklin	Laverty	Robinson	Walsh
Curran	Messerly		

Nays, 14:

Arbuckle	Gaudineer	Neu	Potter
Davis	Glenn	Palmer	Tapscott
DeKoster	Kennedy	Potgeter	Van Drie
Doderer	Miller		

Absent or not voting, 1:

Keith

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

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Rhodes, from the joint committee on enrolled bills, submitted the following report and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully re-

ports that it has examined and finds correctly enrolled: House Files 13, 17 and 29.

JOHN C. RHODES
Chairman, Senate Committee
ELIZABETH R. MILLER
Chairman, House Committee

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate the following bills: House Files 13, 17 and 29.

INTRODUCTION OF BILLS

Senate File 311, by Senator Tapscott, a bill for an act relating to the establishment of housing for disabled persons by the department of social services and providing an appropriation.

Read first time and referred to committee on **appropriations** (under Rule 37).

Senate File 312, by committee on judiciary, a bill for an act relating to the organization of corporations.

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

Senate File 313, by Senators Potgeter, Lavery and Coleman, a bill for an act relating to child labor.

Read first time and **passed on file**.

Senate File 314, by Senators Keith and DeKoster (Waugh, Doyle, Rodgers, Rex, Strand and Curtis), a bill for an act relating to travel trailers.

Read first time and **passed on file**.

Senate File 315, by Senators Walsh, Coleman, Griffin, Neu, Kennedy, Tapscott, Davis and Doderer, a bill for an act authorizing the department of social services to purchase additional services from other public or private social service agencies and making an appropriation for that purpose.

Read first time and referred to committee on **appropriations** (under Rule 37).

Senate File 316, by committee on conservation and recreation, a bill for an act relating to the authority of boat inspectors, water safety officers, and conservation officers to board and inspect vessels and providing penalties.

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

Senate File 317, by Senators Van Gilst and Curran, a bill for an act relating to funeral benefits.

Read first time and **passed on file**.

On motion of Senator Lamborn, the Senate recessed until the fall of the gavel.

AFTERNOON SESSION

The Senate reconvened, President Pro tempore Kyhl presiding.

INTRODUCTION OF BILLS

Senate File 318, by Senator Van Drie, a bill for an act relating to eligibility for motor fuel and special fuel tax refunds.

Read first time and **passed on file**.

Senate File 319, by Senator Smith, a bill for an act relating to the issuance of permits by the governing bodies of counties, cities, and towns authorizing commercial entertainment events, declaring certain acts to be unlawful and providing penalties for commission of those acts.

Read first time and **passed on file**.

Senate File 320, by Senators Glenn, Kennedy and Gaudineer, a bill for an act prohibiting certain corporations from engaging in farming and ranching operations, providing a method whereby such corporation shall dispose of agricultural or ranch lands, and providing that small family-type corporations may engage in farming and ranching operations within limitations.

Read first time and **passed on file**.

Senate File 321, by Senators Coleman, Kennedy and Gaudineer, a bill for an act relating to state assistance to local governments following major disasters and providing an appropriation therefor.

Read first time and referred to committee on **appropriations** (under Rule 37).

Senate File 322, by Senators Curran, Coleman, Rabedeaux and Miller (Lawson, Strand, Mayberry, Logemann, Rex, Ellsworth, Edelen, Drake, Dunton, Nielsen and Millen), a bill for an act relating to compensation for feeding prisoners in certain counties.

Read first time and **passed on file**.

Senate File 323, by Senators Davis and Doderer, a bill for an act relating to negotiation proceedings of public agencies.

Read first time and **passed on file**.

Senate File 324, by Senator Griffin, a bill for an act relating to enrollments at the state universities.

Read first time and **passed on file**.

EXPLANATION OF VOTE

I voted against Senate Concurrent Resolution 16, the Vietnam Prisoner of War Week Resolution, because I consider it a useless gesture designed to placate the relatives and friends of those men who are held prisoner by the North Vietnamese. It will be recognized as such.

We are obviously "on the horns of a dilemma", having neither the will to win, nor to accept defeat, in the war in Vietnam.

The men who are prisoners of war are the pawns in this stalemate.

Action, not Prisoner of War Resolutions, is required.

EUGENE M. HILL

REPORTS OF COMMITTEES

Senator Potgeter submitted the following reports:

MR. PRESIDENT: Your committee on state government, to which was referred **Senate File 144**, a bill for an act relating to the board of parole, begs leave to report it has had the same under consideration and recommends the same **be amended as follows; and when so amended the bill do pass**:

- 1 Amend Senate File 144 by striking all after the enacting
- 2 clause and inserting in lieu thereof the following:
- 3 Section 1. Section two hundred forty-seven point three
- 4 (247.3), Code 1971, is amended as follows :
- 5 The board of parole shall be in the department of social
- 6 services for administrative purposes, only. The commissioner
- 7 shall provide the board with the necessary personnel, supplies
- 8 and office space. *Any employee assigned to the board for six*
- 9 *months or more shall not be reassigned by the department*
- 10 *without the consent of the board, except to promote such*
- 11 *employee to a higher classification within the merit system.*

JAMES A. POTGETER, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on state government, to which was referred **Senate File 183**, a bill for an act relating to disposal of unneeded documents, begs leave to report it has had the same under consideration and recommends the same **do pass**.

JAMES A. POTGETER, Chairman

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on state government, to which was referred **Senate File 290**, a bill for an act relating to fees for census searches charged by the Iowa department of history and archives, begs leave to report it has had the same under consideration and recommends the same **do pass**.

JAMES A. POTGETER, Chairman

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on state government, to which was referred **House File 231**, a bill for an act relating to incentive awards for state employees, begs leave to report it has had the same under consideration and recommends the same **do pass**.

JAMES A. POTGETER, Chairman

Ordered passed on file.

Senator Shaff submitted the following reports :

MR. PRESIDENT: Your committee on ways and means, to which was referred **Senate File 128**, a bill for an act relating to the taxation of coin-operated laundries, begs leave to report it has had the same under consideration and recommends the same **do pass**.

ROGER J. SHAFF, Chairman

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on ways and means, to which was referred **Senate File 259**, a bill for an act relating to the imposition of an annual registration fee upon all motorboats and sailboats in lieu of personal property taxes and providing penalties for violations, begs leave to report it has had the same under consideration and recommends the same **do pass**.

ROGER J. SHAFF, Chairman

Ordered passed on file.

AMENDMENTS FILED

- 1 Amend Senate File 189 as follows:
- 2 1. Page 2, line 30, by striking the words "so for
- 3 that" and inserting in lieu thereof the words "to allow
- 4 service of".
- 5 2. Page 3, line 35, by striking the word and figure
- 6 "fifty-four (262.54)" and inserting in lieu thereof the
- 7 word and figure "fifty-three (262.53)".
- 8 3. Page 4, line 30, by striking the word "to" and
- 9 inserting in lieu thereof the word "for".
- 10 4. Page 6, line 34, by striking the word "condemn"
- 11 and inserting in lieu thereof the word "condemnation".
- 12 5. Page 10, line 10, by striking the word "for,".
- 13 6. Page 10, line 34, by striking the comma after
- 14 the word "commission".
- 15 7. Page 12, line 23, by striking the comma after

- 16 the word "hold".
 17 8. Page 12, line 24, by inserting after the word
 18 "be" the word "found".
 19 9. Page 13, line 4, by striking the comma after
 20 the word "Owners".
 21 10. Page 15, line 17, by striking the word "they"
 22 and inserting in lieu thereof the words "[they] *it*".
 23 11. Page 16, line 15, by striking the words "for
 24 the" and inserting in lieu thereof the words "for [the]".
 25 12. Page 19, line 28, by striking the word "them"

Page 2

- 1 and inserting in lieu thereof the words "[them] *it*".
 2 13. Page 19, line 29, by striking the word "their"
 3 and inserting in lieu thereof the words "[their] *its*".
 4 14. Page 24, line 27, by striking the figure
 5 "(368B.2)" and inserting in lieu thereof the figure
 6 "(386B.2)".
 7 15. Page 27, line 18, by inserting before the word
 8 "*acquire*" the word "*may*".
 9 16. Page 28, lines 4 and 5, by striking the words
 10 "*pursuant to section twenty (20) of this Act*".
 11 17. Page 33, line 21, by striking the word "*Act*"
 12 and inserting in lieu thereof the word "*Act*".

JAMES E. BRILES

- 1 Amend Senate File 189 as follows:
 2 1. Page 6, by inserting after line 3 the following
 3 new subsection:
 4 "Purchase or condemn property or interests therein
 5 for projects provided for in chapter four hundred sixty-
 6 seven B (467B) of the Code."
 7 2. Page 33, by inserting after line 23 the follow-
 8 ing new section:
 9 Sec. 90. Section four hundred sixty-seven B point
 10 nine (467B.9), Code 1971, is amended as follows:
 11 467B.9 TAX. The county board of supervisors may
 12 annually levy a tax not to exceed one-quarter mill on all
 13 agricultural lands in the county, the same to be used to
 14 acquire land or rights or interests therein [by purchase
 15 or condemnation] *pursuant to section (15) of this*
 16 *Act*, and for repair, alteration, maintenance, and opera-
 17 tion of the present and future works of improvement built
 18 on lands under the control or jurisdiction of the county,
 19 as provided for in this chapter.
 20 3. By renumbering the remaining sections.

JAMES E. BRILES

- 1 Amend the Tapscott, et al., amendment to Senate
 2 File 190, filed February 25, 1971, as follows:
 3 1. Page 1, line 6, by inserting after the word
 4 "a", the words "public or".
 5 2. Page 2, line 2, after the word "a", the words
 6 "public or".

- 7 3. Page 5, line 23, after the word "paid", the
8 words "by the city or".

LEE H. GAUDINEER, JR.

- 1 Amend Senate File 252 as follows:

2 1. Page 1, line 22, by striking the word "*All*" and in-
3 serting in lieu thereof the words "*Also, all*".

4 2. Page 1, line 24, by inserting after the word
5 "*purposes*" the words "*shall be exempt*".

JAMES W. GRIFFIN, SR.

- 1 Amend Senate File 310 as follows:

2 1. Page 2, by striking lines 15 through 18 and inserting
3 in lieu thereof the following:

4 "2. In counties having a population of more than fifty
5 thousand, divided into two divisions for court purposes,
6 [three] *two* such newspapers in each such division."

7 2. Page 2, line 22, by striking *2* and inserting in lieu
8 thereof *3*.

JAMES W. GRIFFIN, SR.

- 1 Amend House File 12, as amended, passed, and re-
2 printed by the House, page 3A, by adding the following new
3 section after line 16, and renumbering the remaining
4 sections.

5 Sec. 3. Section three hundred twenty-one point thirty-
6 four (321.34), unnumbered paragraph 4, Code 1971, is
7 amended as follows:

8 The owner of an automobile who holds an amateur radio
9 license issued by the federal communications commission
10 may, upon written application to the county treasurer
11 accompanied by a fee of [two] *five* dollars, order special
12 registration plates bearing the call letters authorized
13 the radio station covered by his amateur radio license.
14 When received by the county treasurer, such special
15 registration plates shall be issued to the applicant in
16 exchange for the registration plates previously issued
17 to him. Not more than one set of special registration
18 plates may be issued to an applicant. Said fee shall be
19 in addition to and not in lieu of the fee for regular
20 registration plates.

RUDY VAN DRIE

On motion of Senator Lamborn, the Senate adjourned until 9:00
a.m., Wednesday, March 3, 1971.

JOURNAL OF THE SENATE

FIFTY-SECOND DAY

SENATE CHAMBER

DES MOINES, IOWA, WEDNESDAY, MARCH 3, 1971

The Senate met in regular session, President pro tempore Kyhl presiding.

Prayer was offered by Marion M. Pease, elder of the Reorganized Church of Jesus Christ of Latter Day Saints, Des Moines, Iowa.

The Senate pledged allegiance to the flag.

The Journal of Tuesday, March 2, 1971, was approved.

PRESENTATION OF VISITORS

The Chair announced that the following visitors were present in the Senate gallery :

Nine students from Anamosa Community School, Anamosa, Iowa, accompanied by their instructor, Mr. Middents.

Twenty-five students from the government class of Hedrick High School, Hedrick, Iowa, accompanied by their instructor, Michael Haines.

Sixty-five students from Woodbine High School, Woodbine, Iowa, accompanied by their instructors, Mr. Hummel and Mr. Cooper.

Twenty-eight eighth-grade students from Dallas Community School, Dallas, Iowa, accompanied by their instructor, Mr. Graham.

Sixty-eight students from Central Community High School, Argyle, Iowa, accompanied by their instructor, Howard Carter.

Thirteen eighth and ninth grade students from Alden Community School, Popejoy, Iowa, accompanied by their instructor, Janet Ziesman.

PETITIONS

The following petitions were presented and placed on file :

By Senator Hill, from twenty-seven residents of Poweshiek County opposing the sale of beer and liquor on Sunday.

By Senator Curran, from sixteen residents of Cerro Gordo County

favoring Senate File 84, a bill relating to salary adjustments for highway commission and other state employees.

INTRODUCTION OF BILLS

Senate File 325, by Senator Mowry (Pelton), a bill for an act relating to escheat of unclaimed postal savings system accounts.

Read first time and **passed on file**.

Senate File 326, by Senator Laverty (Varley), a bill for an act relating to the authority of the chemical technology review board.

Read first time and **passed on file**.

Senate File 327, by Senator Laverty, a bill for an act relating to construction specifications for secondary roads.

Read first time and **passed on file**.

Senate File 328, by Senators Laverty, Erskine, Curran and Smith (Varley, Lawson, Blouin, Cochran, Miller, Rodgers, McCormick and Dougherty), a bill for an act to prohibit the discharge of sewage from residences into open ditches along the right-of-way of any highway or public road, and to provide penalties therefor.

Read first time and **passed on file**.

SPECIAL ORDER

Senator DeKoster asked and received unanimous consent that **Senate File 188** be made a special order of business for Wednesday, March 10, 1971, at 9:30 a.m.

SENATE FILE DEFERRED

Senator DeKoster asked and received unanimous consent that further action on **Senate File 53** be deferred and that the bill retain its place on the calendar under **unfinished business**.

HOUSE FILE DEFERRED

Senator DeKoster asked and received unanimous consent that further action on **House File 12** be deferred and that the bill retain its place on the calendar under **unfinished business**.

CONSIDERATION OF BILLS

Senate File 211

On motion of Senator Mowry, Senate File 211, a bill for an act

relating to the licensing of insurance adjusters and providing penalties for the violations thereof, was taken up and considered.

Senator Griffin withdrew the following amendment filed by him on February 15, 1971:

- 1 Amend Senate File 211, page 2, by adding the following
- 2 new subsection after line 22:
- 3 3. All insurer employees.

Senator Gaudineer offered the following amendment and called for a division of the amendment, lines 4 and 5 to be considered as division 1, and the remainder of the amendment to be considered as division 2:

Division 1

- 4 "3. A person employed by and acting on behalf of an
- 5 attorney at law admitted to practice in this state."

Division 2

- 1 Amend Senate File 211 as follows:
- 2 1. Page 2, by adding after line 22 the following
- 3 new subsection and paragraph:
- 6 "A person, firm, or corporation licensed pursuant to
- 7 this Act need not also be licensed pursuant to chapter
- 8 eighty A (80A), Code of Iowa."
- 9 2. Page 5, line 17, by inserting after the word,
- 10 "thereof" the following:
- 11 "Every resident adjuster and the insurer he repre-
- 12 sents shall be subject to service of process at such
- 13 place of business".

Senator Gaudineer asked and received unanimous consent to withdraw division 1 of the amendment.

Senator Gaudineer offered the following amendment to division 2 of his amendment and moved its adoption:

- 1 Amend the Gaudineer amendment, filed February 15, 1971, to
- 2 Senate File 211 by inserting in line 12 before the word
- 3 "shall" the following:
- 4 " , if such insurer is not otherwise subject to service of
- 5 process in this State,"

The amendment to division 2 of the amendment was adopted.

On motion of Senator Gaudineer, division 2 of the amendment, as amended, was adopted.

Senator Griffin offered the following amendment filed by Senators Griffin, et al.:

- 1 Amend Senate File 211, page 2, by adding the following
- 2 new subsection after line 22:
- 3 3. A salaried officer or employee of an authorized

- 4 insurer, or group of such insurers under common control
5 or ownership.

Senator Mowry offered the following amendment to the amendment:

- 1 Amend the Griffin, et al., amendment to Senate File 211 by
2 striking all after line 3 and inserting in lieu thereof
3 the following "county mutual insurance association operating
4 under chapter five hundred eighteen (518) of the Code".

Senator Mowry moved the adoption of his amendment to the amendment and called for a division.

The amendment to the amendment lost.

Senator Griffin moved the adoption of the amendment and requested a roll call.

On the question "Shall the Griffin, et al., amendment be adopted?" (S.F. 211) the vote was:

Rule 24 was invoked.

Ayes, 28:

Anderson	DeKoster	Neu	Schaben
Arbuckle	Griffin	Ollenburg	Shawver
Briles	Keith	Palmer	Stephens
Carlson	Kennedy	Potgeter	Thordsen
Coleman	Kyhl	Potter	Van Drie
Curran	Laverty	Rabedeaux	Van Gilst
Davis	Milligan	Riley	Walsh

Nays, 19:

Balloun	Erskine	Hill	Robinson
Bass	Gaudineer	Messerly	Shaff
Brownlee	Gilley	Miller	Smith
Conklin	Glenn	Mowry	Tapscott
Doderer	Graham	Nicholson	

Absent or not voting, 2:

Lamborn Rhodes

The amendment was adopted.

Senator Mowry moved that Senate File 211 be re-referred to the committee on commerce.

The motion lost.

Senator Mowry moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 211) the vote was:

Ayes, 29:

Arbuckle	Brownlee	Conklin	Davis
Briles	Carlson	Curran	DeKoster

Erskine
Griffin
Keith
Kennedy
Kyhle
Laverty

Mowry
Neu
Ollenburger
Palmer
Potgeter

Potter
Rabedeaux
Rhodes
Riley
Shawver

Stephens
Thordsen
Van Drie
Van Gilst
Walsh

Nays, 19:

Anderson
Balloun
Bass
Coleman
Doderer

Gaudineer
Gilley
Glenn
Graham
Hill

Messerly
Miller
Milligan
Nicholson
Robinson

Schaben
Shaff
Smith
Tapscott

Absent or not voting, 1:

Lamborn

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

ADOPTION OF AMENDMENTS TO TEMPORARY RULES OF THE SENATE

Senator Neu offered the following amendment to the Temporary Rules of the Senate filed January 18, 1971, by the committee on rules:

- 1 Amend the Temporary Standing Rules of the Senate as follows:
- 2 1. Rule 31 as amended, by adding after paragraph 3 the following
- 3 new paragraph:
- 4 "Unless a request for a fiscal note is made at least two
- 5 legislative days prior to the commencement of consideration of
- 6 the bill, its consideration shall not be delayed unless otherwise
- 7 ordered by the senate."
- 8 2. Rule 43, line 15, by striking "forty-one" and inserting in
- 9 lieu thereof "thirty-four".
- 10 3. Rule 26, line 4, by striking "forty-one" and inserting in
- 11 lieu thereof "thirty-four".

On motion of Senator Neu, the amendment was adopted.

Senator Neu offered the following amendment to the Temporary Rules of the Senate filed January 25, 1971, by the committee on rules:

Division 1

- 1 Amend Temporary Rules of the Senate, filed
- 2 January 19, 1971, as follows:
- 3 1. Rule 2, line 6, by striking "forty-one" and
- 4 inserting "thirty-four".
- 5 2. Rule 25, by adding the following new paragraph:
- 6 "A motion to reconsider and lay on the table shall have
- 7 priority over a motion to reconsider if they are both
- 8 filed on the same legislative day".
- 14 4. Rule 42, by adding the following paragraph:
- 15 "The reports of the committees recommending a bill for

16 passage shall not be read while the Senate is in session.
17 All reports shall be printed in the Journal immediately
18 after they are filed with the Secretary of the Senate. If
19 the report recommends a bill for passage with an amendment
20 or contains no recommendation, it shall be read to the
21 Senate by the secretary. All committee reports shall then
22 stand approved unless the Senate directs otherwise".

Division 2

9 3. Rule 28, by adding the following sentence:
10 "Privately sponsored bills requested prior to the fore-
11 going deadlines, delivered by legislative service bureau
12 after the deadline, shall be introduced within one week
13 after delivery to the member".

Senator Potgeter called for a division of the amendment, sections 1, 2 and 4 to be considered as division 1, and section 3 as division 2.

Senator Neu offered the following amendment to division 1 of the amendment and moved its adoption:

1 Amend the rules committee amendment, filed January 25, 1971, to
2 the Temporary Rules of the Senate by striking lines 15 through
3 22 and inserting in lieu thereof the following:
4 "All reports shall be printed in the Journal immediately
5 after they are filed with the Secretary of the Senate. Reports
6 of committees recommending bills for passage shall not be read.
7 Reports of committees recommending amendment and passage,
8 indefinite postponement, or without recommendation shall be
9 read to the Senate by the secretary. All committee reports
10 shall then stand approved unless the Senate directs otherwise."

The amendment to division 1 of the amendment was adopted.

President Jepsen took the chair at 11:35 a.m.

On motion of Senator Neu, division 1 of the amendment as amended was adopted.

On motion of Senator Neu, action on division 2 of the amendment was deferred.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Rhodes, from the joint committee on enrolled bills, submitted the following report and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate Files 1, 28, 59, 158 and 236.

JOHN C. RHODES
Chairman, Senate Committee
ELIZABETH R. MILLER
Chairman, House Committee

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate the following bills: Senate Files 1, 28, 59, 158 and 236.

President pro tempore Kyhl took the chair at 11:45 a.m.

On motion of Senator DeKoster, the Senate recessed until the fall of the gavel.

AFTERNOON SESSION

The Senate reconvened, President pro tempore Kyhl presiding.

BILLS SENT TO THE GOVERNOR

Senator Rhodes, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 3rd day of March, 1971, sent to the Governor for his approval: Senate Files 1, 28, 59, 158 and 236.

JOHN C. RHODES, Chairman

Passed on file.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am direct to inform your honorable body that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 41, a bill for an act relating to the authorization of assistant county attorneys and salaries therefor.

Also: That the House has amended Senate amendment to, concurred in Senate amendment as amended and re-passed the following bill in which the concurrence of the House was asked:

House File 121, a bill for an act to provide limitations on the property tax levy for general fund expenditures of school corporations.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 107, a bill for an act relating to the use of school lunch facilities by senior citizen organizations.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 236, a bill for an act relating to the establishment of rest areas or rest area buildings on interstate highways.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 283, a bill for an act relating to the payment of claims.

WILLIAM R. KENDRICK, Chief Clerk

HOUSE AMENDMENT TO SENATE FILE 41

Amend Senate File 41, as amended and passed by the Senate, as follows:

1. Page 1, line 7, by striking all after the period and by striking lines 8, 9, 10, and 11.
2. Page 1, line 18, by striking the words "fifty to" and inserting in lieu thereof the words "not to exceed".

HOUSE AMENDMENT TO SENATE AMENDMENT
TO HOUSE FILE 121

Amend the Senate amendment to House File 121 as follows:

1. Page 1, line 8, by inserting a period after the word "committee".
2. Page 1, line 8, by striking the words ", but said".

3. Page 1, by striking lines 9 and 10 and inserting in lieu thereof the following:

"As used in this section, the amount raised by the district for the fiscal year commencing July 1, 1970, includes the amount received by the district as its share of the basic school tax levied equally in the basic school tax unit, as provided in section four hundred forty-two point four (442.4) and four hundred forty-two point six (442.6) of the Code, and the amount raised by the district as an additional tax as provided in section four hundred forty-two point seventeen (442.17) of the Code. Subject to the limitations on amounts provided in this Act, the method of levying and distributing the basic school tax shall remain the same for the fiscal year commencing July 1, 1971, as it was for Page 2

the fiscal year commencing July 1, 1970, and as provided in section four hundred forty-two point four (442.4), four hundred forty-two point six (442.6), and four hundred forty-two point eight (442.8) of the Code.

Except as otherwise provided in this Act, the basic school tax levy in each basic school tax unit in the state for the fiscal year commencing July 1, 1971, shall not exceed the basic school tax levy for that basic school tax unit for the fiscal year commencing July 1, 1970, and the additional property tax levy in each school district in the state for the fiscal year commencing July 1, 1971, as provided in section four hundred forty-two point seventeen (442.17) of the Code, shall not exceed the additional property tax levy for that school district for the fiscal year commencing July 1, 1970, and no school district shall levy any other amounts for general fund expenditures for the fiscal year commencing July 1, 1971, in excess of the amounts levied by that district for general fund expenditures for the year commencing July 1, 1970.

The intent of this Act is to make available to each school district in the state for general fund

Page 3

expenditures for the fiscal year commencing July 1, 1971, an amount received from property and income taxes equal to but not greater than the amount received from property and income taxes by each school district in the state for general fund expenditures for the fiscal year commencing July 1, 1970, except as otherwise provided in case of extraordinary and unusual circumstances, and except as otherwise provided for state equalization aid."

4. Page 1, lines 14 and 15, by striking the words "forty-five dollars per pupil received in addition to state aid" and inserting in lieu thereof the words "appropriation in section six (6) of this Act".

5. Page 1, line 20, by striking the words "and special service" and inserting in lieu thereof the words "and special services expenditures other than administrative costs. The special education and special services expenditures other than administrative costs shall be limited for the fiscal year commencing July 1, 1971, to an amount in dollars not to exceed one hundred five point three percent of the budget for the fiscal year commencing July 1, 1970, for special education and special services".

Page 4

6. Page 2, line 18, by striking the words "for the school year 1971-1972" and inserting in lieu thereof the words "on the 1971 fall enrollment date".

7. Page 2, lines 19 and 20, by striking the words "for the school year 1970-1971" and inserting in lieu thereof the words "on the 1970 fall enrollment date".

8. Page 2, line 23, by inserting after the figure "1971-1972" the words "pursuant to section six (6) of this Act and the income tax distributed for the fiscal year commencing July 1, 1971".

INTRODUCTION OF BILLS

Senate File 329, by Senators Laverty and Van Drie (Pierson, Middlewart, Waugh, Dougherty, Rodgers, Priebe, Roorda, Dunton and Mendenhall), a bill for an act relating to the operation of aircraft.

Read first time and **passed on file**.

Senate File 330, by Senator DeKoster, a bill for an act relating to cattle guards, fences, and depot grounds.

Read first time and **passed on file**.

Senate File 331, by Senator Palmer, a bill for an act relating to child desertion and the penalty therefor.

Read first time and **passed on file.**

Senate File 332, by committee on conservation and recreation, a bill for an act relating to the seasons and limits on fish and frogs.

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

HOUSE MESSAGES CONSIDERED

House File 107, a bill for an act relating to the use of school lunch facilities by senior citizen organizations.

Read first time and **passed on file.**

House File 283, a bill for an act relating to the payment of claims.

Read first time and **passed on file.**

House File 236, a bill for an act relating to the establishment of rest areas or rest area buildings on interstate highways.

Read first time and **passed on file.**

SUPPLEMENTAL REPORT OF COMMITTEE ON MEMORIAL RESOLUTIONS

MR. PRESIDENT: Your committee on memorial resolutions begs leave to report that a committee should be appointed to prepare a suitable memorial resolution for the following deceased member of the Senate:

G. W. Patterson, Kossuth, Emmet, Palo Alto, Clay and Dickinson Counties.

RICHARD L. STEPHENS, Chairman
RUDY VAN DRIE
CHARLES F. MILLER

Report adopted.

ANNOUNCEMENT BY THE PRESIDENT

President Jepsen announced the appointment of the following memorial resolution committee:

On G. W. Patterson:
Senator Keith, Chairman
Senator Ollenburg
Senator Brownlee

BILLS ASSIGNED TO COMMITTEE

President Jepsen announced the assignment of the following bills to committee:

S.C.R. 22 State government

S. F. 307 Ways and means

- S. F. 308 Judiciary
- S. F. 309 Commerce
- S. F. 310 County government
- S. F. 313 Human and industrial relations
- S. F. 314 Transportation
- S. F. 317 Social services
- S. F. 318 Commerce
- S. F. 319 County government
- S. F. 320 Commerce
- S. F. 322 County government
- S. F. 323 Human and industrial relations
- S. F. 324 Higher education
- S. F. 325 Judiciary
- S. F. 326 Environmental preservation
- S. F. 327 Transportation
- S. F. 328 Environmental preservation

SENATE CONCURRENT RESOLUTION 22

By Doderer and Carlson

Whereas, many state departments of government have rules relating to professional and regulatory examining and licensing provisions, and

Whereas, in connection therewith they require the applicant to fill out and file a form before approval of the request to take a test, examination or to engage in his occupation or profession, and

Whereas, many of these forms require answers wholly at variance with public policy and have no reasonable connection with the occupation or profession sought by the applicant, and

Whereas, some of these questions relate to the national origin of the applicant's parents, his religion and other nonpertinent or impertinent matters, and

Whereas, some require the form to be signed by persons already in the occupation or profession approving of the applicant's request which is not a legal requirement, *Now Therefore*,

Be It Resolved by the Senate the House Concurring, That the legislative council is directed to create a study committee consisting of three members of the Senate representing both political parties and three members of the House of Representatives representing both political parties. It shall be the duty of the committee, during the ensuing interim, to demand and receive of every state department, having examining and licensing duties relating to occupations and professions, their forms of application. It shall

be the further duty of the committee to review these forms and suggest omission, deletions or revisions having in mind public policy as outlined in civil rights legislation, invasion of privacy and other statutory and constitutional inhibitions and prohibitions. The study committee shall require each state department to report back revised forms where needed and the committee shall, prior to the convening of the second session of this General Assembly, make its report to the legislative council and thereafter to the General Assembly meeting in the year 1972.

REPORTS OF COMMITTEES

Senator Erskine submitted the following reports:

MR. PRESIDENT: Your committee on conservation and recreation, to which was referred **Senate File 149**, a bill for an act relating to the imposition of a general criminal penalty for violations of the fish and game conservation laws, begs leave to report it has had the same under consideration and recommends the same **do pass**.

ALDEN J. ERSKINE, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on conservation and recreation, to which was referred **Senate File 150**, a bill for an act relating to administrative and maintenance facilities for county conservation boards, begs leave to report it has had the same under consideration and recommends the same **do pass**.

ALDEN J. ERSKINE, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on conservation and recreation, to which was referred **Senate File 287**, a bill for an act designating a certain water area of the Wapsipinicon River as an artificial lake and providing for the management of the lake area, begs leave to report it has had the same under consideration and recommends the same **do pass**.

ALDEN J. ERSKINE, Chairman

Ordered passed on file.

Senator Briles submitted the following reports:

MR. PRESIDENT: Your committee on county government, to which was referred **Senate File 269**, a bill for an act to provide that expenditure of funds by the county board of supervisors to replace property acquired by another governmental body need not be submitted to the voters, begs leave to report it has had the same under consideration and recommends the same **do pass**.

JAMES E. BRILES, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on county government, to which was referred **House File 140**, a bill for an act relating to assignment of real estate mortgages by marginal entry, begs leave to report it has had the same under consideration and recommends the same **be amended as follows; and when so amended the bill do pass**:

- 1 Amend House File 140, page 2, by striking lines three
- 2 (3) through seven (7), inclusive.

JAMES E. BRILES, Chairman

Ordered passed on file.

Senator DeKoster submitted the following report:

MR. PRESIDENT: Your committee on judiciary, to which was referred **Senate File 263**, a bill for an act to legalize and validate the proceedings of the Board of Directors of Iowa Lakes Community College of the Counties of Emmet, Dickinson, Clay, Palo Alto, and Kossuth, Iowa, (Merged Area III) and the Estherville Community School District of the Counties of Emmet and Dickinson, Estherville, Iowa, in regard to the transfer of buildings, real estate, equipment, books and the repayment of operational costs necessary in the transfer of the existing Estherville Junior College operated by the Estherville Community School District to the Iowa Lakes Community College (Merged Area III) and to authorize and direct the Board of Directors of the Iowa Lakes Community College (Merged Area III) to execute and deliver to the Estherville Community School District a warranty deed for the real estate involved and to authorize and direct said Boards of Directors to execute any and all other instruments necessary to complete said transition agreements, begs leave to report it has had the same under consideration and recommends the same **do pass**.

LUCAS J. DeKOSTER, Chairman

Ordered passed on file.

AMENDMENTS FILED

- 1 Amend the Temporary Rules of the Senate, filed January 19,
- 2 1971, as follows:
- 3 Amend Rule 19, line 1, by striking the word "Fifteen" and
- 4 inserting in lieu thereof the word "Ten".

LEE H. GAUDINEER, JR.
JAMES F. SCHABEN
C. JOSEPH COLEMAN

- 1 Amend the Senate Temporary Rules, Rule 25, by striking in
- 2 lines 1 and 2 the following: "Other than the vote on the con-
- 3 firmation of a gubernatorial appointment".

QUENTIN V. ANDERSON

- 1 Amend the Temporary Rules of the Senate, filed
- 2 January 19, 1971, as follows:
- 3 "Amend Rule 37, line 6, by inserting after the word,
- 4 "committee", the following:
- 5 "or appropriately within its jurisdiction".

LEE H. GAUDINEER, JR.

- 1 Amend the Temporary Rules of the Senate, filed January 19,
- 2 1971, as follows:
- 3 1. Amend Rule 38, page 19, line 11, by striking the
- 4 words "to sponsor a committee bill or".
- 5 2. Further amend Rule 38, page 19, by adding the
- 6 following new section:
- 7 "7. The affirmative vote of two-thirds of the members

8 of a committee is needed to sponsor a committee bill."

JAMES F. SCHABEN

1 Amend the Nicholson amendment, filed February 22, 1971,
2 to Senate File 188, line 6, by striking the word "uses".

TOM RILEY

1 Amend Senate File 289 as follows:

2 1. Page 1, line 7, by inserting after the word "lenses",
3 the words "or laminated lenses".

4 2. Page 2, by adding the following new section after
5 line seven.

6 Sec. 2. The provisions of this Act shall become
7 effective July 1, 1972.

MINNETTE DODERER

1 Amend Senate File 322 as follows:

2 Page 2, by striking from lines 22 and 23 the words
3 "[The] *Notwithstanding the provisions of subsection 11 of*
4 *section 337.11, the*" and inserting in lieu thereof the
5 word "The".

LEIGH R. CURRAN

On motion of Senator DeKoster, the Senate adjourned until 9:00
a.m., Thursday, March 4, 1971.

JOURNAL OF THE SENATE

FIFTY-THIRD DAY

SENATE CHAMBER

DES MOINES, IOWA, THURSDAY, MARCH 4, 1971

The Senate met in regular session, President pro tempore Kyhl presiding.

Prayer was offered by the Reverend Melvin B. Miller, pastor of the United Methodist Church, Anamosa, Iowa.

The Senate pledged allegiance to the flag.

The Journal of Wednesday, March 3, 1971, was approved.

PRESENTATION OF VISITORS

The Chair announced that the following visitors were present in the Senate gallery :

Twenty-six eighth-grade students from Dallas Center Community School, Dallas Center, Iowa, accompanied by their instructor, Mr. Graham.

PETITIONS

The following petitions were presented and placed on file :

By Senator Potgeter, from seventeen residents of Hardin County recommending legislation to shift the financing of education, welfare, and state institutions, from property taxes to some other tax.

By Senator Messerly, from twelve residents of Marion County favoring legislation to appropriate funds for the Upper Iowa National Scenic River Project.

By Senator Erskine, from twenty residents of Woodbury County favoring Senate File 84, a bill relating to salary adjustments for highway commission and other state employees.

By Senator Stephens, from twenty-five residents of Jefferson County opposing legislation permitting the sale of beer and liquor on Sunday.

By Senator Stephens, from sixty-one residents of Jefferson County recommending legislation to shift financing of education,

welfare, and state institutions from property taxes to another form of taxation.

By Senator Bass, from fourteen residents of Montgomery County opposing legalized gambling and the sale of beer and liquor on Sunday.

By Senator Doderer, from twenty-six residents of Jefferson County opposing legalized gambling.

INTRODUCTION OF BILLS

Senate File 333, by committee on law enforcement, a bill for an act relating to the revocation or suspension of operators' or chauffeurs' licenses.

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

Senate File 334, by committee on agriculture, a bill for an act relating to the vending of foods and beverages and providing a penalty.

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

Senate File 335, by Senators Mowry and Briles (Knoke), a bill for an act to require higher bail for persons accused of violent crimes.

Read first time and **passed on file**.

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

The Senate resumed session, President Jepsen presiding.

INTRODUCTION OF BILL

Senate File 336, by Senator Gaudineer, a bill for an act relating to replevin bonds.

Read first time and **passed on file**.

HOUSE AMENDMENT TO SENATE AMENDMENT CONSIDERED

House File 121

Senator Keith called up for consideration House File 121, a bill for an act to provide limitations on the property tax levy for the general fund budget of school districts, county boards of education, and joint boards of education and to make an appropriation to the department of public instruction for allocation to school districts, amended by the Senate, and further amended by the House, and moved that the Senate refuse to concur in the House amendment to

the Senate amendment found on pages 417 and 418 of the Senate Journal.

The motion prevailed and the Senate refused to concur in the House amendment to the Senate amendment.

UNFINISHED BUSINESS

House File 12

On motion of Senator Kennedy, House File 12, a bill for an act relating to motor vehicle fees collected by county treasurers, and to the amount of such fees retained by the county, and to the filing of instruments pertaining to motor vehicles, was taken up for further consideration.

Senator Van Drie offered the following amendment filed by him and moved its adoption:

- 1 Amend House File 12, as amended, passed, and re-
- 2 printed by the House, page 3A, by adding the following new
- 3 section after line 16, and renumbering the remaining
- 4 sections.
- 5 Sec. 3. Section three hundred twenty-one point thirty-
- 6 four (321.34), unnumbered paragraph 4, Code 1971, is
- 7 amended as follows:
- 8 The owner of an automobile who holds an amateur radio
- 9 license issued by the federal communications commission
- 10 may, upon written application to the county treasurer
- 11 accompanied by a fee of [two] *five* dollars, order special
- 12 registration plates bearing the call letters authorized
- 13 the radio station covered by his amateur radio license.
- 14 When received by the county treasurer, such special
- 15 registration plates shall be issued to the applicant in
- 16 exchange for the registration plates previously issued
- 17 to him. Not more than one set of special registration
- 18 plates may be issued to an applicant. Said fee shall be
- 19 in addition to and not in lieu of the fee for regular
- 20 registration plates.

The amendment was adopted.

Senator Messerly offered the following amendment filed by Senators Messerly and Tapscott and moved its adoption:

- 1 Amend House File 12, as amended and passed by the House,
- 2 page 8, by inserting after line 7 the following:
- 3 Sec. 10. Section three hundred twenty-one point one hun-
- 4 dred five (321.105), Code 1971, is amended by adding at the
- 5 end of the second unnumbered paragraph the following:
- 6 "Any owner may, when applying for registration or re-
- 7 registration of his motor vehicle or trailer, request that
- 8 the plates be mailed to his post office address. His request
- 9 shall be accompanied by a mailing fee as determined annually

10 by the commissioner of public safety. Said fee shall be
11 deposited in the county general fund."

Senator DeKoster took the chair at 11:45 a.m.

The amendment was adopted.

The Senate resumed consideration of the following amendment filed by Senators Gaudineer and Briles and offered on February 24:

- 1 Amend House File 12, as amended, passed, and re-
- 2 printed by the House, as follows:
- 3 1. Page 9A, by inserting after line 21 the follow-
- 4 ing section:
- 5 "Sec. 11. Section three hundred twenty-one point
- 6 one hundred forty-five (321.145), subsection two (2),
- 7 Code 1971, is amended as follows:
- 8 2. The balance of said money, less the collection
- 9 fee of [fifty cents] *one dollar* retained by the county
- 10 treasurer on each registration, and less the one percent
- 11 received by the department as a reimbursement fund from
- 12 which to pay refunds, to the road use tax fund."
- 13 2. By renumbering the remaining sections according-
- 14 ly.

Senator Messerly offered the following amendment to the amendment:

- 1 Amend the Gaudineer and Briles amendment, filed February
- 2 23, 1971, to House File 12, by striking all after line 4
- 3 and inserting the following:
- 4 "Sec. 11. Section three hundred twenty-one point one
- 5 hundred forty-five (321.145), Code 1971, is amended as
- 6 follows:
- 7 321.145 DISPOSITION. The money, except fines and for-
- 8 feitures, and except operator's and chauffeur's license
- 9 fees, *certificate of title fees and lien or encumbrance*
- 10 *notation fees* collected pursuant to the provisions of this
- 11 chapter shall be credited by the treasurer of state to the
- 12 following funds:
- 13 1. Three percent of the gross fees and penalties thereon
- 14 [,] to the general fund of the state.
- 15 2. The balance of said money, less the collection fees
- 16 [of fifty cents] retained by the county treasurer *pursuant to*
- 17 *section 321.152* [on each registration,] and less than the one per-
- 18 cent received by the department as a reimbursement fund
- 19 from which to pay refunds, to the road use tax fund.
- 20 *The treasurer of state shall credit certificate of title*
- 21 *fees, and lien or encumbrance fees, to the general fund of*
- 22 *the state, less the fees retained by the county treasurer*
- 23 *pursuant to section 321.152."*
- 24 2. By renumbering the remaining sections accordingly.

Senator Messerly moved the adoption of his amendment to the amendment and requested a roll call.

On the question "Shall the amendment to the amendment be adopted?" (H.F. 12) the vote was:

Rule 24 was invoked.

Ayes, 34:

Anderson	Davis	Laverty	Rhodes
Arbuckle	DeKoster	Messery	Shaff
Balloun	Doderer	Mowry	Shawver
Bass	Erskine	Nicholson	Smith
Briles	Gilley	Ollenburg	Stephens
Brownlee	Graham	Potgeter	Thordsen
Carlson	Keith	Potter	Van Drie
Conklin	Kyhl	Rabedaux	Walsh
Curran	Lamborn		

Nays, 10:

Coleman	Kennedy	Riley	Tapscott
Glenn	Miller	Robinson	Van Gilst
Hill	Palmer		

Absent or not voting, 5:

Gaudineer	Milligan	Neu	Schaben
Griffin			

The amendment to the amendment was adopted.

Senator Kyhl withdrew the following amendment to the amendment filed by him on February 24, 1971:

- 1 Amend the Gaudineer and Briles amendment, filed on Feb-
- 2 ruary 23, 1971, to House File 12, by striking in line 9 the
- 3 words "*one dollar*" and inserting the words "*seventy-five*
- 4 *cents*".

Senator Kyhl withdrew the following amendment to the amendment filed by him on February 25, 1971:

- 1 Amend the Gaudineer and Briles amendment, filed
- 2 February 23, 1971, to House File 12, as follows:
- 3 1. Line 8, by striking the word "collection" and
- 4 inserting in lieu thereof the words "[collection] *fees*".
- 5 2. Line 9, by striking the words "fee of [fifty
- 6 cents] *one dollar*" and inserting in lieu thereof the
- 7 words "[fee of fifty cents]".
- 8 3. Line 10, by striking the words "on each regis-
- 9 tration" and inserting in lieu thereof the words "[on]
- 10 each [registration] *as provided in this chapter*".

On motion of Senator Briles, the Gaudineer-Briles amendment as amended was adopted.

(House File 12 pending.)

On motion of Senator Lamborn, the Senate recessed until the fall of the gavel.

AFTERNOON SESSION

The Senate reconvened, President pro tempore Kyhl presiding.

INTRODUCTION OF BILLS

Senate File 337, by Senators Gaudineer, Miller, Tapscott and Palmer, a bill for an act providing state aid to cities and towns and an appropriation therefor.

Read first time and referred to committee on **appropriations** (under Rule 37).

Senate File 338, by Senators Doderer, Coleman, Robinson, Miller and Gaudineer (Kehe, Stanley, Winkelman, Campbell, Egenes, Mollett, Uban, Schwieger and Doyle), a bill for an act to provide for this state to enter into the midwest nuclear compact.

Read first time and **passed on file**.

Senate File 339, by Senator Curran (Lawson), a bill for an act relating to the support of mentally retarded children.

Read first time and **passed on file**.

Senate File 340, by Senator Tapscott, a bill for an act relating to the levy of taxes for the operation and maintenance of courts.

Read first time and **passed on file**.

Senate File 341, by Senator Griffin (Sorg, Camp, Lawson, Mendenhall, Stokes, Kreamer and Winkelman), a bill for an act relating to bank offices.

Read first time and **passed on file**.

Senate File 342, by Senators Riley, Briles, Walsh, Miller and Messerly (Hansen, Camp, Christensen, Wells, Schmeiser, Mayberry, Ellsworth, Taylor and Gluba), a bill for an act to require that railway employees be provided adequate sanitation and shelter and providing a penalty.

Read first time and **passed on file**.

Senate File 343, by Senators Riley, Kennedy, Van Gilst, Walsh, Conklin, Ollenburg, Carlson, Palmer, Griffin, Neu, Doderer, Potter, Shaff, Gaudineer and Rhodes, a bill for an act relating to the contribution ceiling under the Iowa public employees' retirement system.

Read first time and **passed on file**.

Senate File 344, by Senator Potgeter, a bill for an act relating to abortion and to provide a penalty.

Read first time and **passed on file**.

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which the Gaudineer and Briles amendment, filed February 23, 1971, to House File 12 was adopted by the Senate.

JOHN M. WALSH

MR. PRESIDENT: I move to reconsider the vote by which the Messerly amendment, filed March 1, 1971, to the Gaudineer and Briles amendment, filed February 23, 1971, to House File 12 was adopted by the Senate.

JOHN M. WALSH

SENATE CONCURRENT RESOLUTION 23

By Tapscott, Walsh, Potgeter, Kennedy, Glenn, Neu, Riley, Miller,
Van Gilst, Shawver, Brownlee, Gaudineer, Griffin, Schaben,
Palmer, Rhodes, Robinson, Briles, Rabedeaux, Coleman,
Davis and Doderer

Whereas, the United States Supreme Court has recently ruled that the eighteen-year-old voting age provisions of the Federal Voting Rights Act Amendments of 1970 are effective only with respect to federal elections; and

Whereas, Iowa and all other states in which the minimum voting age exceeds eighteen years are confronted with complex legal, administrative, and financial problems in endeavoring to implement the dual-age voting; and

Whereas, orderly elections are the very foundation upon which our nation is based; and

Whereas, the one feasible solution to the situation herein described which best serves the greatest national interest is to establish a single voting age by the adoption of an amendment to the United States Constitution, *Now Therefore*,

Be It Resolved by the Senate, the House Concurring, That the Sixty-fourth General Assembly of the State of Iowa urge the Senate and House of Representatives of the Congress of the United States of America to unanimously propose an amendment to the United States Constitution providing:

That citizens of the United States who are eighteen years of age or older, shall not be denied or abridged of the right to vote by the United States or by any state thereof on account of age; and that the Senate and House of Representatives of the Congress of the United States transmit the proposed amendment to state legislatures for ratification; and

Be It Further Resolved, That the secretary of the state of this state be directed to forward a copy of this resolution to the Congress and to the secretary of the state of each of the states.

COMMUNICATION FROM SECRETARY OF STATE

March 3, 1971

Mr. Carroll Lane
Secretary of Senate
State Capitol Building
Des Moines, Iowa 50319

I hereby certify that Senate File 70 was published in the Lee Town News, Des Moines, Iowa, February 25, 1971, and in The Anamosa Eureka, Anamosa, Iowa, February 25, 1971.

I further certify that House File 83 was published in The DeWitt Ob-

server, DeWitt, Iowa, February 25, 1971, and in The Clinton Herald, Clinton, Iowa, February 26, 1971.

Respectfully submitted,

MELVIN D. SYNHORST
Secretary of State

BILLS ASSIGNED TO COMMITTEE

President Jepsen announced the assignment of the following bills to committee:

- S.C.R. 23 Constitutional amendments and reapportionment
- S. F. 329 Transportation
- S. F. 330 Commerce
- S. F. 331 Judiciary
- S. F. 335 Law enforcement
- S. F. 336 Judiciary
- S. F. 338 Iowa development
- S. F. 339 Social services
- S. F. 340 Ways and means
- S. F. 341 Commerce
- S. F. 342 Human and industrial relations
- S. F. 343 Appropriations
- S. F. 344 Judiciary
- H. F. 107 Schools
- H. F. 236 State government
- H. F. 283 State government

REPORT OF COMMITTEE

Senator Potter submitted the following report:

MR. PRESIDENT: Your committee on cities and towns, to which was referred **Senate File 80**, a bill for an act relating to the establishment of a municipal tax relief fund, begs leave to report it has had the same under consideration and recommends the same **do pass**.

RALPH W. POTTER, Chairman

Ordered passed on file.

AMENDMENTS FILED

1 Amend Senate File 326, page 1, by adding the following
2 new section after line 25:

3 Sec. 2. This Act, being deemed of immediate
4 importance, shall take effect and be in force from and
5 after its publication in The Albia Union-Republican, a
6 newspaper published in Albia, Iowa, and in The Knoxville
7 Journal, a newspaper published in Knoxville, Iowa.

CHARLES O. LAVERTY

1 Amend House File 48 as amended, passed, and reprinted
2 by the House by striking all after the enacting clause
3 and inserting in lieu thereof the following:

4 "Section 1. Section three hundred twenty-one E point
5 three (321E.3), Code 1971, is amended as follows:

6 321E.3 ESCORTS FOR MOVEMENT—DISTANCE SCHED-
ULES.

7 All movements of mobile homes and other vehicles the
8 width of which, including any load, exceeds the road-
9 way lane width of the highway or street being traversed,
10 shall be under escort. Permits for the movement of
11 *other motor vehicles with indivisible loads exceeding*
12 *twelve feet five inches in width [or mobile homes of*
13 *widths including appurtenances exceeding twelve feet*
14 *five inches]* shall be restricted to maximum trip distances
15 in accordance with the following schedule:

16 SCHEDULE OF OVER-WIDTH MOVEMENT DISTANCES FOR
PAVEMENT
17 WIDTHS OF 24 FEET OR MORE WITH TRAFFIC OF 4,000 OR
MORE
18 VEHICLES PER DAY

19 Load	Distance
20 Width (ft.)	(Miles)
21 13.....	50
22 14.....	50
23 15.....	41
24 16.....	32
25 17.....	23

Page 2

1 18.....	15
2 19 to 40.....	10
3 Over 40.....	Not allowed.

4 *Any mobile home exceeding twelve feet five inches in*
5 *width and not exceeding fourteen feet five inches may*
6 *be moved on the highways of this state upon filing of*
7 *an application for and receiving a single trip permit.*
8 *Any mobile home exceeding fourteen feet five inches*
9 *in width shall be restricted to maximum trip distances*
10 *in accordance with the above schedule.*

11 Sec. 2. Section three hundred twenty-one E point
12 eight (321E.8), subsection one (1), Code 1971, is amended
13 as follows:

14 1. Vehicles with indivisible loads having an over-
15 all width not to exceed twelve feet, five inches or

16 mobile homes including appurtenances not to exceed
17 twelve feet, five inches and an over-all length not
18 to exceed [seventy feet, zero inches] *eighty-five feet*,
19 *including the power unit*, may be moved for unlimited
20 distances. The vehicle and load shall not exceed the
21 height of thirteen feet, ten inches and the total gross
22 weight as prescribed in section 321.463.
23 Sec. 3. Section three hundred twenty-one E point
24 nine (321E.9), subsection one (1), Code 1971, is amended
25 as follows:

Page 3

1 1. Vehicles with indivisible loads having an over-
2 all width not to exceed twelve feet, five inches or
3 mobile homes including appurtenances not to exceed
4 [twelve] *fourteen* feet, five inches and an over-all length
5 not to exceed [eighty feet, zero inches] *eighty-five feet*,
6 *including the power unit*, may be moved for unlimited
7 distances. No mobile home may be moved under the
8 provisions of this subsection if the actual mobile home
9 unit exceeds [sixty-eight feet in length] *seventy feet*
10 *in length, not including any area occupied by a hitching*
11 *device*. No unit moved under the provisions of this
12 subsection shall exceed the height as prescribed in
13 section 321.456 and the total gross weight as prescribed
14 in section 321.463.

15 Sec. 4. Section three hundred twenty-one E point
16 eleven (321E.11), unnumbered paragraph one (1), Code
17 1971, is amended as follows:

18 Movements by permit in accordance with this chap-
19 ter shall be permitted [only during daylight hours unless
20 it is established by the issuing authority that the
21 movement can be better accomplished at another period
22 of time because of traffic volume conditions] *from thirty*
23 *minutes before sunrise to thirty minutes after sunset*.

24 Sec. 5. Section three hundred twenty-one point one
25 (321.1), Code 1971, is amended by adding the following

Page 4

1 new subsection:

2 "Daylight hours" means thirty minutes before sunrise
3 to thirty minutes after sunset.

4 Sec. 6. This Act, being deemed of immediate im-
5 portance, shall take effect and be in force from and
6 after its publication in Neola Gazette-Reporter, a
7 newspaper published in Neola, Iowa, and in Council
8 Bluffs Nonpareil, a newspaper published in Council
9 Bluffs, Iowa.

LEIGH R. CURRAN
WAYNE D. KEITH
JOHN M. WALSH

On motion of Senator DeKoster, the Senate adjourned until 9:00
a.m., Friday, March 5, 1971.

JOURNAL OF THE SENATE

FIFTY-FOURTH DAY

SENATE CHAMBER

DES MOINES, IOWA, FRIDAY, MARCH 5, 1971

The Senate met in regular session, President pro tempore Kyhl presiding.

Prayer was offered by the Reverend Ralph E. Hanson, pastor of the First Lutheran Church, Des Moines, Iowa.

The Senate pledged allegiance to the flag.

The Journal of Thursday, March 4, 1971, was approved.

PRESENTATION OF VISITORS

The Chair announced that the following visitors were present in the Senate gallery:

Thirteen students from Milford Community School, Milford, Iowa, accompanied by Mrs. Jim Anderson.

Thirty-two students, members of the Children of the American Revolution, from Black Hawk County, accompanied by Mrs. Helen Ehmke.

PETITIONS

The following petitions were presented and placed on file:

By Senator Bass, from twelve residents of Montgomery County urging legislation to relieve the property tax burden in Iowa.

By Senator Stephens, from twenty-seven residents of Jefferson County opposing the sale of beer and liquor on Sunday.

By Senator Hill, from three hundred nineteen residents of Jasper County urging relief of property tax, and to seek funds other than property taxes to finance local schools.

MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 171, a bill for an act making an appropriation from the primary road fund to the state highway commission.

WILLIAM R. KENDRICK, Chief Clerk

HOUSE AMENDMENT TO SENATE FILE 171

1 Amend Senate File 171, as amended, passed, and re-
2 printed by the Senate, as follows:

3 1. Page 2, by striking from lines 13 and 14 the
4 words "three hundred sixty thousand three hundred
5 ninety dollars and ninety-two cents (360,390.92)"
6 and inserting in lieu thereof the following: "two
7 hundred fifteen thousand three hundred ninety dollars
8 and ninety-two cents (\$215,390.92)".

9 2. Page 2, line 21, by inserting after the period
10 the following: "In addition to the sums
11 appropriated by this section, there shall be paid
12 from the one million dollars (\$1,000,000) credited
13 by subsection five (5) of section three hundred
14 twelve point two (312.2) of the Code to the
15 primary road fund for the purposes of carrying out
16 subsection twelve (12) of section three hundred
17 seven point five (307.5) of the Code, the sum of
18 one hundred forty-five thousand dollars (\$145,000)
19 which, together with the sums appropriated by this
20 section, shall be used to pay the city of Ames,
21 Iowa for the ten special assessments against
22 certain property owned by the state of Iowa for the
23 New Street Improvement Program #2-1970."

Page 2

1 3. Page 3, line 3, by striking the words and
2 figures "ten thousand (10,000)" and inserting in
3 lieu thereof the words and figures "twenty
4 thousand (20,000)".

INTRODUCTION OF BILLS

Senate File 345, by committee on social services, a bill for an act to provide protection for the institutional officers at the Iowa security medical facility.

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

Senate File 346, by Senator Erskine (Tieden), a bill for an act imposing fees for the use of certain state recreational areas and providing penalties for violations.

Read first time and **passed on file**.

Senate File 347, by Senators DeKoster and Gaudineer (Kreamer and Pelton), a bill for an act relating to private foundations and charitable trusts.

Read first time and **passed on file**.

Senate File 348, by Senators DeKoster and Gaudineer (Kreamer and Pelton), a bill for an act relating to nonprofit corporations.

Read first time and **passed on file**.

ADOPTION OF SENATE CONCURRENT RESOLUTION 24

Senator Lamborn asked and received unanimous consent to take up for immediate consideration the following resolution and moved its adoption:

SENATE CONCURRENT RESOLUTION 24

By Lamborn

Whereas, additional facts and information have become available concerning House File 29, a bill for an act relating to the payment of subsequent damages to property owners, and

Whereas, House File 29 has passed both houses of the General Assembly and has been delivered to the Governor, *Now Therefore*,

Be It Resolved by the Senate, the House Concurring: That House File 29 be recalled from the Governor for further consideration of the General Assembly.

The motion prevailed and the resolution was adopted.

President Jepsen took the chair at 9:45 a.m.

SENATE FILE DEFERRED

Senator Lamborn asked and received unanimous consent that further action on **Senate File 53** be deferred and that the bill retain its place on the calendar under **unfinished business**.

UNFINISHED BUSINESS

House File 12

The Senate resumed consideration of House File 12, a bill for an act relating to motor vehicle fees collected by county treasurers, and to the amount of such fees retained by the county, and to the filing of instruments pertaining to motor vehicles.

Senator Walsh called up the following motion to reconsider, filed by him on March 4, 1971, and moved its adoption:

MR. PRESIDENT: I move to reconsider the vote by which the Gaudineer and Briles amendment, filed February 23, 1971, to House File 12 was adopted by the Senate.

Roll call was requested.

On the question "Shall the vote by which the Gaudineer-Briles

amendment was adopted by the Senate be reconsidered?" (H.F. 12) the vote was:

Ayes, 11:

Glenn	Kennedy	Riley	Van Gilst
Griffin	Miller	Tapscott	Walsh
Hill	Palmer	Thordsen	

Nays, 33:

Anderson	Curran	Keith	Potgeter
Arbuckle	Davis	Kyhl	Potter
Balloun	DeKoster	Lamborn	Rhodes
Bass	Doderer	Laverty	Shaff
Briles	Erskine	Milligan	Shawver
Brownlee	Gaudineer	Mowry	Smith
Carlson	Gilley	Nicholson	Stephens
Coleman	Graham	Ollenburg	Van Drie
Conklin			

Absent or not voting, 5:

Messerly	Rabedaux	Robinson	Schaben
Neu			

The motion lost.

Senator Gaudineer withdrew the amendment filed by Senators Gaudineer and Briles on February 25, 1971, and found on page 374 of the Senate Journal.

Senator Gaudineer offered the following amendment filed by him and moved its adoption:

- 1 Amend House File 12, as amended and passed by the
- 2 House and reprinted, page 9A, line 32, by striking the
- 3 words "*seventy-five cents*" and by inserting in lieu
- 4 thereof the words, "*one dollar*".

The amendment was adopted.

Senator Stephens withdrew the following amendment filed by him on February 26, 1971:

- 1 Amend House File 12, as passed, amended and reprinted by the
- 2 House, page 1, as follows:
- 3 1. Line 3, by striking the word "and".
- 4 2. Line 4, by inserting after the word "vehicles" the
- 5 following: "and real estate liens".

Senator Kennedy moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 12) the vote was:

Ayes, 39:

Anderson	Briles	Curran	Erskine
Arbuckle	Brownlee	Davis	Gaudineer
Balloun	Carlson	DeKoster	Gilley
Bass	Conklin	Doderer	Graham

Griffin	Lavery	Potgeter	Stephens
Hill	Miller	Potter	Tapscott
Keith	Milligan	Rhodes	Thordsen
Kennedy	Mowry	Shaff	Van Drie
Kyhl	Nicholson	Shawver	Van Gilst
Lamborn	Ollenburg	Smith	

Nays, 5:

Coleman	Riley	Schaben	Walsh
Glenn			

Absent or not voting, 5:

Messerly	Palmer	Rabedaux	Robinson
Neu			

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

SENATE FILES WITHDRAWN

Senator Curran asked and received unanimous consent that **Senate File 11** be withdrawn from further consideration of the Senate.

Senator Briles asked and received unanimous consent that **Senate File 68** be withdrawn from further consideration of the Senate.

CONSIDERATION OF BILLS

Senate File 216

On motion of Senator Miller, Senate File 216, a bill for an act relating to fees collected by the county recorder for hunting and fishing duplicate licenses, was taken up and considered.

SUBSTITUTION

Senator Miller asked and received unanimous consent that **House File 206** be substituted for **Senate File 216**.

House File 206

On motion of Senator Miller, House File 206, a bill for an act relating to fees collected by the county recorder for hunting and fishing duplicate licenses, was taken up and considered.

Senator Miller moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 206) the vote was:

Ayes, 41:

Anderson	Bass	Carlson	Davis
Arbuckle	Briles	Coleman	DeKoster
Balloun	Brownlee	Conklin	Doderer

Erskine	Kyhl	Potgeter	Shawver
Gaudineer	Lamborn	Potter	Smith
Gilley	Laverty	Rhodes	Stephens
Graham	Miller	Riley	Tapscott
Griffin	Milligan	Robinson	Van Drie
Hill	Ollenburg	Schaben	Van Gilst
Keith	Palmer	Shaff	Walsh
Kennedy			

Nays, 3:

Glenn	Mowry	Thordsen
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Absent or not voting, 5:

Curran	Neu	Nicholson	Rabedaux
Messerly			

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

SENATE FILE WITHDRAWN

Senator Briles asked and received unanimous consent that **Senate File 216** be withdrawn from further consideration of the Senate.

CONSIDERATION OF BILLS

Senate File 224

On motion Senator Coleman, Senate File 224, a bill for an act relating to the qualifications of the commissioner of public health, was taken up and considered.

Action on Senate File 224 was temporarily deferred for the preparation of an amendment.

Senate File 217

On motion of Senator Messerly, Senate File 217, a bill for an act relating to compensating state employees for the use of their motor vehicles, was taken up and considered.

Senator Van Drie offered the following amendment filed by him:

- 1 Amend Senate File 217 by adding in line 10 after
- 2 the word "*dispatcher*" the words "*, if such officer or*
- 3 *employee resides in or is working in Polk County*".

Senator Milligan took the chair at 10:52 a.m.

Senator Van Drie moved the adoption of the amendment.

Roll call was requested.

On the question "Shall the Van Drie amendment be adopted?" (S.F. 217) the vote was:

Ayes, 13:

Brownlee	Glenn	Laverty	Tapscott
Carlson	Griffin	Milligan	Van Drie
Doderer	Hill	Rhodes	Van Gilst
Gaudineer			

Nays, 31:

Anderson	Davis	Lamborn	Schaben
Arbuckle	DeKoster	Messerly	Shaff
Balloun	Erschine	Mowry	Shawver
Bass	Gilley	Nicholson	Smith
Briles	Graham	Ollenburg	Stephens
Coleman	Keith	Potgeter	Thordsen
Conklin	Kennedy	Potter	Walsh
Curran	Kyhl	Robinson	

Absent or not voting, 5:

Miller	Palmer	Rabedeaux	Riley
Neu			

The amendment lost.

Senator Potgeter withdrew the following amendment filed February 17, 1971:

- 1 Amend Senate File 217 by adding in line 10 after the
- 2 word "*dispatcher*" the words "*or in the case of employees of*
- 3 *institutions under the control of the state board of*
- 4 *regents by approval of an official at each such institution*
- 5 *designated by the board*".

Senator Potgeter offered the following amendment filed by Senators Potgeter and Messerly and moved its adoption:

- 1 Amend Senate File 217 by adding the following
- 2 new section after line 11:
- 3 "Sec. 2. This Act, being deemed of immediate
- 4 importance shall take effect and be in force from and
- 5 after its publication in The Daily Freeman-Journal, a
- 6 newspaper published in Webster City, Iowa, and in The
- 7 Record, a newspaper published in Cedar Falls, Iowa."

The Chair called for a division.

The amendment was adopted.

Senator Messerly moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 217) the vote was:

Ayes, 33:

Anderson	Carlson	Graham	Milligan
Arbuckle	Conklin	Griffin	Mowry
Balloun	Curran	Keith	Nicholson
Bass	Davis	Kyhl	Ollenburg
Briles	DeKoster	Lamborn	Potgeter
Brownlee	Gilley	Messerly	Potter

Rabedeaux
Rhodes
Riley

Schaben
Shaff

Shawver
Smith

Stephens
Thordsen

Nays, 14:

Coleman
Doderer
Gaudineer
Glenn

Hill
Kennedy
Laverty
Miller

Palmer
Robinson
Tapscott

Van Drie
Van Gilst
Walsh

Absent or not voting, 2:

Erskine

Neu

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

President Jepsen took the chair at 11:40 a.m.

Senate File 224

The Senate resumed consideration of Senate File 224.

Senator Doderer offered the following amendment and moved its adoption:

- 1 Amend Senate File 224, page 1, by striking in lines
- 2 10 and 11 the words "[specially trained in public hygiene
- 3 and sanitation]" and inserting the words "specially
- 4 trained in public [hygiene] *health* and [sanitation]
- 5 *administration*".

Roll call was requested.

On the question "Shall the Doderer amendment be adopted?" (S.F. 224) the vote was:

Ayes, 31:

Bass
Brownlee
Carlson
Coleman
Conklin
DeKoster
Doderer
Gaudineer

Glenn
Graham
Griffin
Hill
Kennedy
Kyh
Messerly
Milligan

Mowry
Nicholson
Palmer
Potgeter
Rabedeaux
Rhodes
Riley
Schaben

Shaff
Shawver
Tapscott
Thordsen
Van Drie
Van Gilst
Walsh

Nays, 15:

Anderson
Arbuckle
Balloun
Briles

Curran
Davis
Erskine
Gilley

Keith
Lamborn
Laverty
Ollenburger

Potter
Smith
Stephens

Absent or not voting, 3:

Miller

Neu

Robinson

The amendment was adopted.

Senator Coleman moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 224) the vote was:

Ayes, 32:

Anderson	Davis	Lamborn	Schaben
Arbuckle	DeKoster	Lavery	Shaff
Balloun	Erskine	Messerly	Shawver
Bass	Glenn	Mowry	Smith
Briles	Graham	Nicholson	Stephens
Brownlee	Keith	Ollenbourg	Thordsen
Carlson	Kennedy	Potter	Van Drie
Coleman	Kyhl	Rhodes	Van Gilst

Nays, 13:

Conklin	Hill	Potgeter	Robinson
Doderer	Milligan	Rabedaux	Tapscott
Gaudineer	Palmer	Riley	Walsh
Gilley			

Absent or not voting, 4:

Curran	Griffin	Miller	Neu
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Coleman moved that **Senate File 224** be immediately messaged to the House. Motion prevailed, and the request was complied with.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File 39, a bill for an act relating to the regulation of aerial application of pesticides.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 141, a bill for an act relating to disclosure of information learned during the preparation of tax returns.

Also: That the House has adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 24, recalling House File 29 from the Governor.

Also: That the House insists on its amendments to Senate amendments to House File 121, a bill for an act to provide limitations on the property tax levy for the general fund budget of school districts, and requests a conference committee. Conferees on the part of the House are: the Representative from Scott, Mr. Holden, chairman; the Representative from Sioux, Mr. Den Herder; the Representative from Butler, Mr. Grassley, and the Representative from Linn, Mr. Radl.

WILLIAM R. KENDRICK, Chief Clerk

APPOINTMENT OF CONFERENCE COMMITTEE

President Jepsen announced the appointment of the following conference committee on House File 121, on the part of the Senate: Senators Keith, chairman; DeKoster, Ollenburg and Gaudineer.

HOUSE MESSAGES CONSIDERED

House File 39, a bill for an act relating to the regulation of aerial application of pesticides and establishing damage and enforcement procedures.

Read first time and **passed on file**.

House File 141, a bill for an act relating to disclosure of information learned during the preparation of tax returns and providing a penalty for violations.

Read first time and **passed on file**.

INTRODUCTION OF BILLS

Senate File 349, by committee on ways and means, a bill for an act relating to the penalty and interest for the sales tax.

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

Senate File 350, by Senators Laverty and Gaudineer, a bill for an act making an appropriation to the Iowa American revolution bicentennial commission.

Read first time and referred to committee on **appropriations** (under Rule 37).

Senate File 351, by Senators Schaben, Lamborn and Balloun, a bill for an act to repeal the meat and poultry inspection Act.

Read first time and **passed on file**.

Senate File 352, by Senators Potter and Riley (Pelton and Lipsky), a bill for an act relating to standards for ambulance services and providing penalties for violations.

Read first time and **passed on file**.

Senate File 353, by committee on cities and towns, a bill for an act relating to powers of local authorities to designate snow routes and regulate traffic thereon.

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

Senate File 354, by Senators DeKoster and Potgeter, a bill for an

act relating to the issuance of new birth certificates for persons born outside the United States and adopted in Iowa.

Read first time and **passed on file**.

Senate File 355, by Senators Tapscott, Palmer and Carlson, a bill for an act relating to the tax levy for county hospitals in counties having a population of two hundred twenty-five thousand or more.

Read first time and **passed on file**.

Senate File 356, by Senators Gaudineer, Kennedy and Miller, a bill for an act relating to permits to carry concealed weapons, and to provide punishment for those persons who violate the Act.

Read first time and **passed on file**.

Senate File 357, by Senators Palmer, Miller, Robinson and Gaudineer, a bill for an act to allow injured employees under the Iowa Workmen's Compensation Act to select the medical practitioner who treats them.

Read first time and **passed on file**.

Senate File 358, by Senator Gaudineer, a bill for an act to appropriate from the general fund of the state to the department of social services to provide aid to juvenile homes.

Read first time and referred to committee on **appropriations** (under Rule 37).

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on March 5, 1971, the Governor approved and transmitted to the Secretary of State the following bills:

S. F. 1—Relating to the regulation and control of certain drugs and other substances affecting the public health, herein designated as controlled substances, and providing procedures for enforcement and penalties.

S. F. 59—Relating to teachers pension systems.

H. F. 13—Relating to the selection of the compensation commissioners.

H. F. 17—Relating to the Iowa development commission corporation.

COMMUNICATION FROM THE STATE BOARD OF TAX REVIEW

The annual report of the State Board of Tax Review has been received and is now on file in the office of the Secretary of the Senate.

AMENDMENTS FILED

1 Amend Senate File 335 as follows:

2 1. Page 2, by striking lines 3 and 4 and inserting
3 in lieu thereof the words "bodily harm; or property was
4 stolen or damaged in the amount of one thousand dollars
5 or more; or an attempt was made to do damage to property
6 by fire or any explosive substance, shall".

7 2. Page 2, line 23, by striking the word "damaged,"
8 and inserting in lieu thereof the words "stolen or
9 damaged in the amount of one thousand dollars or more;".

10 3. Page 2, line 24, by striking the word "an" and
11 inserting in lieu thereof the word "any" and by striking
12 the comma and inserting in lieu thereof a semicolon.

13 4. Page 2, line 30, by striking the period and
14 inserting in lieu thereof "; or".

15 5. Page 2, following line 30, by inserting the
16 following paragraph:

17 "c. The defendant at the time of the crime charged
18 as specified in this section was free on bail pending an
19 appeal of a conviction on a charge of felony".

JOHN L. MOWRY

1 Amend House File 119, as amended, passed and reprinted by the
2 House, as follows:

3 1. Page 3A, by adding the following paragraph after line 14:

4 "*The secretary of state shall be notified when precinct
5 boundary lines are changed and a map delineating the new boundary
6 lines supplied.*"

7 2. Page 4A, by adding the following paragraph after line 24:

8 "*The secretary of state shall be notified when precinct
9 boundary lines are changed and a map delineating the new boundary
10 lines supplied.*"

JAMES A. POTGETER

1 Amend House File 141 by striking section 4 and insert-
2 ing the following:

3 "Sec. 4. PENALTY. A person who violates the provisions
4 of this Act shall upon conviction be punished by imprison-
5 ment for not more than five years or be fined not more than
6 ten thousand dollars or punished by both such imprisonment
7 and fine."

TOM RILEY
LUCAS J. DeKOSTER

On motion of Senator Lamborn, the Senate adjourned until 10:00
a.m., Monday, March 8, 1971.

JOURNAL OF THE SENATE

FIFTY-SEVENTH DAY

SENATE CHAMBER

DES MOINES, IOWA, MONDAY, MARCH 8, 1971

The Senate met in regular session, President pro tempore Kyhl presiding.

Prayer was offered by Father William McLaughlin, Counselor on the faculty of Columbus High School, Waterloo, Iowa.

The Senate pledged allegiance to the flag.

The Journal of Friday, March 5, 1971, was approved.

LEAVE OF ABSENCE

Senator Neu asked and received unanimous consent that Senator Riley be excused for the day to attend the funeral of a close friend, Mr. Lester Baldwin, in Cedar Rapids, Iowa.

PETITIONS

The following petitions were presented and placed on file:

By Senator Shawver, from thirteen residents of Howard County opposing House File 126, which repeals the county Soldiers Relief Commission and places its duties with the County Board of Social Welfare.

By Senator Messerly, from fifteen residents of Black Hawk County opposing the sale of beer and liquor on Sunday.

INTRODUCTION OF BILLS

Senate File 359, by Senator Potter, a bill for an act relating to motor fuel tax on motor fuel used by the county conservation boards.

Read first time and **passed on file**.

Senate File 360, by Senators Thordsen, Riley, Walsh, Messerly, Curran, Gaudineer, Schaben, Van Drie, Griffin, Nicholson, Rabe-deaux, Graham and Mowry, a bill for an act relating to penalties for the operation of coin machines by false means.

Read first time and **passed on file**.

MESSAGES FROM THE HOUSE

The following messages were received from the House :

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate File 65, a bill for an an act relating to taxation of mobile homes.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 173, a bill for an act requiring voter approval for a member of an aviation authority to levy a one mill tax.

WILLIAM R. KENDRICK, Chief Clerk

HOUSE MESSAGE CONSIDERED

House File 173, a bill for an act requiring voter approval for a member of an aviation authority to levy a one mill tax.

Read first time and **passed on file**.

HOUSE AMENDMENTS CONSIDERED

Senate File 171

Senator Lamborn called up for consideration Senate File 171, a bill for an act making an appropriation from the primary road fund and road use tax fund to the state highway commission to pay for deficiencies in funds appropriated for field operations and to pay for certain special assessments against property owned by the state, amended by the House, and moved that the Senate concur in the following amendment:

- 1 Amend Senate File 171, as amended, passed, and re-
- 2 printed by the Senate, as follows:
- 3 1. Page 2, by striking from lines 13 and 14 the
- 4 words "three hundred sixty thousand three hundred
- 5 ninety dollars and ninety-two cents (360,390.92)"
- 6 and inserting in lieu thereof the following: "two
- 7 hundred fifteen thousand three hundred ninety dollars
- 8 and ninety-two cents (\$215,390.92)".
- 9 2. Page 2, line 21, by inserting after the period
- 10 the following: "In addition to the sums
- 11 appropriated by this section, there shall be paid
- 12 from the one million dollars (\$1,000,000) credited
- 13 by subsection five (5) of section three hundred
- 14 twelve point two (312.2) of the Code to the
- 15 primary road fund for the purposes of carrying out
- 16 subsection twelve (12) of section three hundred
- 17 seven point five (307.5) of the Code, the sum of
- 18 one hundred forty-five thousand dollars (\$145,000)
- 19 which, together with the sums appropriated by this
- 20 section, shall be used to pay the city of Ames,
- 21 Iowa for the ten special assessments against

22 certain property owned by the state of Iowa for the
23 New Street Improvement Program #2-1970."

Page 2

- 1 3. Page 3, line 3, by striking the words and
- 2 figures "ten thousand (10,000)" and inserting in
- 3 lieu thereof the words and figures "twenty
- 4 thousand (20,000)".

The Chair called for a division.

The motion prevailed and the Senate concurred in the House amendment.

Senator Lamborn moved that the bill as amended by the House and concurred in by the Senate be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 171) the vote was:

Ayes, 37:

Arbuckle	Gaudineer	Messerly	Schaben
Bass	Gilley	Milligan	Shaff
Briles	Glenn	Mowry	Shawver
Brownlee	Graham	Neu	Smith
Carlson	Griffin	Nicholson	Stephens
Conklin	Hill	Palmer	Tapscott
Curran	Kyhl	Potgeter	Thordsen
Davis	Lamborn	Potter	Van Gilst
Doderer	Laverty	Rhodes	Walsh
Erskine			

Nays, 4:

Balloun	Coleman	Kennedy	Miller
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Absent or not voting, 8:

Anderson	Keith	Rabedeaux	Robinson
DeKoster	Ollenburg	Riley	Van Drie

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

Senate File 41

Senator Briles called up for consideration Senate File 41, a bill for an act relating to the authorization of assistant county attorneys and salaries therefor, amended by the House, and moved that the Senate concur in the following amendment:

Amend Senate File 41, as amended and passed by the Senate, as follows:

1. Page 1, line 7, by striking all after the period and by striking lines 8, 9, 10, and 11.
2. Page 1, line 18, by striking the words "fifty to" and inserting in lieu thereof the words "not to exceed".

The motion prevailed and the Senate concurred in the House amendment.

Senator Briles moved that the bill as amended by the House and concurred in by the Senate be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 41) the vote was:

Ayes, 33:

Anderson	Gilley	Milligan	Shaff
Briles	Graham	Mowry	Shawver
Brownlee	Kennedy	Neu	Smith
Carlson	Kyhl	Nicholson	Stephens
Coleman	Lamborn	Palmer	Tapscott
Curran	Laverty	Potgeter	Thordsen
Davis	Messerly	Potter	Van Gilst
Doderer	Miller	Rhodes	Walsh
Gaudineer			

Nays, 8:

Arbuckle	Bass	Glenn	Robinson
Balloun	Conklin	Hill	Schaben

Absent or not voting, 8:

DeKoster	Griffin	Ollenburg	Riley
Erskine	Keith	Rabedaux	Van Drie

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

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 171 passed the Senate.

MINNETTE DODERER

President Jepsen took the chair at 10:53 a.m.

CONSIDERATION OF BILLS

House File 119

On motion of Senator Potgeter, House File 119, a bill for an act relating to election precincts, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Potgeter offered the following amendment filed by the committee on state government and called for a division of the amendment into three divisions, as follows:

Division 1

- 1 Amend House File 119, as amended and passed by the
- 2 House and reprinted, as follows:
- 3 1. Page 2A, by striking from line 10 the words

- 4 "five hundred".
11 4. Page 3A, by striking from line 31 the words
12 "five hundred".
13 5. Page 3B, by striking from line 43 the words
14 "five hundred".
21 7. Page 3B, by striking from line 58 the words
22 "five hundred".

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- 4 10. Page 4A, by striking from line 35 the words
5 "five hundred".

Division 2

- 15 6. Page 3B, by striking from lines 46, 47 and 48
16 the words "building or facility, including but not
17 limited to buildings or facilities such as college
18 dormitories and military installations," and inserting
19 in lieu thereof the words "college dormitory or military
20 installation".

Division 3

- 5 2. Page 2B, by striking all of line 41 after the
6 word "data]" and inserting in lieu thereof a period, and
7 by striking lines 42 through 47, inclusive.
8 3. Page 3A, by striking all of line 2 after the
9 word "necessary" and inserting in lieu thereof a period,
10 and by striking lines 3 and 4.
23 8. Page 4A, by striking the comma at the end of
24 line 1 and inserting in lieu thereof a period, and by
25 striking lines 2 through 9, inclusive.

Page 2

- 1 9. Page 4A, by striking from line 11 the word ", or"
2 and inserting in lieu thereof a period, and by striking
3 lines 12, 13 and 14.

Senator Potgeter moved the adoption of division 1 of the amendment.

Division was called for.

Division 1 of the amendment was adopted.

On motion of Senator Potgeter, division 2 of the amendment was adopted.

On motion of Senator Potgeter, division 3 of the amendment was adopted.

Senator Potgeter offered the following amendment filed by him and moved its adoption:

- 1 Amend House File 119, as amended, passed and reprinted by the
2 House, as follows:

- 3 1. Page 3A, by adding the following paragraph after line 14:

4 "*The secretary of state shall be notified when precinct*
5 *boundary lines are changed and a map delineating the new boundary*
6 *lines supplied.*"

- 7 2. Page 4A, by adding the following paragraph after line 24:
 8 *"The secretary of state shall be notified when precinct*
 9 *boundary lines are changed and a map delineating the new boundary*
 10 *lines supplied."*

The amendment was adopted.

Senator Coleman offered the following amendment by Senators Coleman and Miller and moved its adoption:

- 1 Amend House File 119, as amended and passed by the House,
 2 by striking section 4 from page 4B.

The amendment lost.

Senator Potgeter moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 119) the vote was:

Ayes, 43:

Anderson	Doderer	Laverty	Rhodes
Arbuckle	Erskine	Messerly	Robinson
Balloun	Gaudineer	Miller	Schaben
Bass	Gilley	Milligan	Shaff
Briles	Glenn	Mowry	Shawver
Brownlee	Graham	Neu	Smith
Carlson	Hill	Nicholson	Stephens
Coleman	Keith	Ollenburg	Tapscott
Conklin	Kennedy	Palmer	Van Gilst
Curran	Kyhl	Potgeter	Walsh
DeKoster	Lamborn	Potter	

Nays, none.

Absent or not voting, 6:

Davis	Rabedeaux	Thordsen	Van Drie
Griffin	Riley		

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

SENATE FILE WITHDRAWN

Senator Lamborn asked and received unanimous consent that **Senate File 187** be withdrawn from further consideration of the Senate.

PROCEDURE FOR THE NONCONTROVERSIAL CALENDAR

Senator Lamborn announced the following procedure for the non-controversial calendar:

1. Any Senator desiring to place a bill or resolution on the noncontroversial calendar shall submit a written request, with a copy of the bill or resolution attached, to the Majority Leader, Senator Lamborn, or the Minority Leader, Senator Gaudineer. The request should be submitted not later than

12:00 o'clock noon on Wednesday in order to be considered that week for the noncontroversial calendar.

2. The Majority Leader and Minority Leader shall prepare a proposed noncontroversial calendar at least once a week. Only bills and resolutions on the Senate calendar shall be eligible.

3. Any Senator may strike a bill or resolution from the proposed noncontroversial calendar by written request to the Secretary of the Senate's Office not later than 12:00 o'clock noon on Thursday.

4. Bills and resolutions on the noncontroversial calendar may be called up when directed by the President of the Senate or by the Senate.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Rhodes, from the joint committee on enrolled bills, submitted the following report and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: House File 177.

JOHN C. RHODES

Chairman, Senate Committee

ELIZABETH R. MILLER

Chairman, House Committee

Report adopted.

BILL SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate the following bill: House File 177.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File 195, a bill for an act to define an alcoholic beverage as it relates to operation of a motor vehicle.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 288, a bill for an act relating to the joint purchase, ownership, construction, and maintenance of buildings by counties.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 289, a bill for an act relating to the amount of money which can be loaned to a parolee from the state parole relief fund.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 330, a bill for an act relating to the adoption and enforcement of departmental rules by the state conservation commission.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 294, a bill for an act authorizing county boards of supervisors to establish revolving funds for maintenance of drainage or levee districts.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 308, a bill for an act relating to physical requirements for marriage license.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 118, a bill for an act relating to savings and loan associations.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 148, a bill for an act relating to the state park and institutional road system.

Also: That House File 29, a bill for an act relating to the payment of subsequent damages to property owners, is hereby returned to the Senate pursuant to the provisions of Senate Concurrent Resolution 24.

WILLIAM R. KENDRICK, Chief Clerk

On motion of Senator Lamborn, the Senate recessed until the fall of the gavel.

AFTERNOON SESSION

The Senate reconvened, President pro tempore Kyhl presiding.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File 230, a bill for an act relating to election precincts.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 334, a bill for an act relating to deposit and investment of public funds.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 83, a bill for an act relating to the auditing committee of a credit union.

Also: That the House has adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 16, requesting that the Governor designate the week beginning March 21, 1971, and ending March 27, 1971, as "Iowa Concern for Prisoners of War Missing in Action."

WILLIAM R. KENDRICK, Chief Clerk

INTRODUCTION OF BILLS

Senate Joint Resolution 5, by Senator Gaudineer, a joint resolution proposing to amend Article nine (IX) of the Constitution of the State of Iowa to empower the General Assembly to appropriate

state funds to, and provide for the use of public funds by, private schools.

Read first time and **passed on file**.

Senate File 361, by Senator Potgeter, a bill for an act relating to the taxation of private and professional libraries.

Read first time and **passed on file**.

Senate File 362, by Senators Potgeter and Coleman, a bill for an act relating to commercial feed inspection fees.

Read first time and **passed on file**.

Senate File 363, by committee on county government, a bill for an act relating to the salary of deputy sheriffs in counties having a population of over two hundred fifty thousand.

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

Senate File 364, by Senators Griffin and Kennedy, a bill for an act relating to the length of combination vehicles unladen and with load.

Read first time and **passed on file**.

Senate File 365, by committee on Iowa development, a bill for an act to provide for this state to enter into the midwest nuclear compact.

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

Senate File 366, by Senators Curran and Keith, a bill for an act relating to the towing of four-wheeled trailers with steering axles.

Read first time and **passed on file**.

HOUSE MESSAGES CONSIDERED

House File 195, a bill for for an act to define an alcoholic beverage as it relates to the operation of a motor vehicle by an operator under the influence of an alcoholic beverage.

Read first time and **passed on file**.

House File 230, a bill for an act relating to election precincts.

Read first time and **passed on file**.

House File 288, a bill for an act relating to the joint purchase, ownership, construction, and maintenance of buildings by counties.

Read first time and **passed on file**.

House File 289, a bill for an act relating to the amount of money which can be loaned to a parolee from the state parole relief fund.

Read first time and **passed on file**.

House File 294, a bill for an act authorizing county boards of supervisors to establish revolving funds from which expenses for the maintenance of drainage or levee districts may be paid.

Read first time and **passed on file**.

House File 308, a bill for an act relating to physical requirements for marriage license.

Read first time and **passed on file**.

House File 330, a bill for an act relating to adoption and enforcement of departmental rules by the state conservation commission.

Read first time and **passed on file**.

House File 334, a bill for an act relating to deposit and investment of public funds.

Read first time and **passed on file**.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 171 passed the Senate, and move that the motion to reconsider be laid on the table.

CLIFTON C. LAMBORN

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on March 5, 1971, the Governor approved and transmitted to the Secretary of State the following bills:

S. F. 28—Relating to public recreation on private lands.

S. F. 158—Relating to the use of firearms on state preserves.

A communication was received announcing that on March 6, 1971, the Governor approved and transmitted to the Secretary of State the following bill:

S. F. 236—Relating to congressional districts.

REPORTS OF COMMITTEES

Senator Mowry submitted the following reports:

MR. PRESIDENT: Your committee on commerce, to which was referred **Senate File 249**, a bill for an act relating to federal share insurance for

credit unions, begs leave to report it has had the same under consideration and recommends the same **do pass**.

JOHN L. MOWRY, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on commerce, to which was referred **Senate File 250**, a bill for an act relating to the changing and regulation of mileage measurements contained on motor vehicle odometers and providing penalties for violating the act, begs leave to report it has had the same under consideration and recommends the same **be amended as follows; and when so amended the bill do pass**:

1 Amend Senate File 250 as follows:

2 1. Page 1, line 24, by inserting after the word "shall" the words
3 "with the intent to defraud".

4 2. Page 2, lines 1, 2 and 3, by striking the words "with the
5 intent to cause the odometer of the motor vehicle to reflect a
6 lower mileage than the true mileage thereof".

7 3. Page 2, line 23, by inserting after the word "vehicle" the
8 words "of a model year subsequent to the model year 1968".

JOHN L. MOWRY, Chairman

Ordered passed on file.

Senator Thordsen submitted the following report:

MR. PRESIDENT: Your committee on law enforcement, to which was referred **Senate File 268**, a bill for an act to forbid the use of the highways of this state to habitual offenders of the traffic laws and to provide punishment for those who violate the provisions of this act, begs leave to report it has had the same under consideration and recommends the same **be amended as follows; and when so amended the bill do pass**:

1 Amend Senate File 268, page 2, by striking lines 14, 23
2 and 24.

HAROLD A. THORSEN, Chairman

Ordered passed on file.

AMENDMENTS FILED

1 Amend Senate File 292 as follows:

2 1. Page 2, line 14, by inserting after the word "institutions"
3 the word "or"

4 2. Page 2, by striking in lines 14 and 15 the words "or any
5 other financial or contractual arrangement".

CLOYD E. ROBINSON

1 Amend Senate File 332, page 3, by striking lines 10
2 through 24, inclusive, and inserting in lieu thereof the
3 following:

4 "2. SEASONS—LIMITS—MISSISSIPPI AND MISSOURI RIVERS
5 ONLY.

6 a. There shall be a continuous open season with no
7 daily catch limit or possession limit on the following
8 fish: buffalo, carp, chubs, dogfish, gar, gizzard shad,
9 minnows, redear sunfish, rock bass, sunfishes,
10 gill, crappie, redear sunfish, rock bass, sunfishes,

11 warmouth bass, white bass, yellow bass, yellow perch,
12 catfish, bullheads, and sand sturgeon.

13 b. There shall be an open season from September
14 first through August thirty-first on rock sturgeon with
15 one as the daily catch and possession limit.

16 c. There shall be an open season from September first
17 through August thirty-first on paddlefish with a daily
18 catch limit of two and a possession limit of four.

19 d. There shall be a continuous open season on trout
20 with a daily catch limit of six and a possession limit
21 of twelve.

22 e. There shall be a continuous open season on the
23 following fish with a combined daily catch limit of ten
24 and a possession limit of twenty: largemouth bass,
25 spotted bass or Kentucky bass, and smallmouth bass.

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1 f. There shall be a continuous open season on the
2 following fish with a combined daily catch limit of ten
3 and a possession limit of twenty: walleye and sauger
4 pike perch.

5 g. There shall be a continuous open season on the
6 following fish with a combined daily catch limit of five
7 and a possession limit of ten: northern pike and
8 pickerel.

9 h. There shall be an open season from May fifteenth
10 through November thirtieth for muskellunge with a daily
11 catch and possession limit of one.

12 i. There shall be a continuous open season with a
13 daily catch limit of forty-eight and a possession limit
14 of ninety-six frogs, except bullfrogs or rana catesbeiana
15 which shall have a daily catch limit and possession
16 limit of twelve."

ALDEN J. ERSKINE

On motion of Senator Thordsen, the Senate adjourned until 9:00
a.m., Tuesday, March 9, 1971.

JOURNAL OF THE SENATE

FIFTY-EIGHTH DAY

SENATE CHAMBER

DES MOINES, IOWA, TUESDAY, MARCH 9, 1971

The Senate met in regular session, President pro tempore Kyhl presiding.

Prayer was offered by the Reverend Ray Kruger, pastor of the First Presbyterian Church, Sibley, Iowa.

The Senate pledged allegiance to the flag.

The Journal of Monday, March 8, 1971, was approved.

VISITORS

Six students from Y-Teens and Greenfield High School, Greenfield, Iowa, accompanied by Miss Irene Wietzke.

Fifty-one students from Valerius Elementary School, Urbandale, Iowa, accompanied by their instructors, Meredith Nelson and John Crawford.

Thirty-seven students from Windsor Elementary School, Des Moines, Iowa, accompanied by their instructor, Mrs. Bullington.

Twenty students from Meredith Junior High School, Des Moines, Iowa, accompanied by their instructor, Mrs. McMullin.

Fifty seventh and eighth grade students from All Saints School, Des Moines, Iowa, accompanied by their instructor, Mrs. Tom Tracy.

Thirty-eight students from Woodside Junior High School, Polk County, Iowa, accompanied by their instructors, Ruth Webb and John Holiday.

Fifty-one students from Saint Pius X School, Urbandale, Iowa, accompanied by Mr. Mendrys.

PETITIONS

By Senator Bass, from thirteen residents of Montgomery County opposing repeal of Article III, Section 28, of the Iowa Constitution prohibiting lotteries, and the sale of beer and liquor on Sunday.

By Senator Walsh, from forty residents of Dubuque County in favor of "holding the line" on property taxes.

By Senator Arbuckle, from ten residents of Iowa recommending legislation to shift the financing of education, welfare, and state institutions, from property taxes to some other tax.

By Senator Schaben, from two hundred seven residents of Harrison County supporting the amendment to House File 121 which exempted special education programs for handicapped children from any tax freeze.

By Senator Ollenburg, from eight residents of Winnebago County opposing House File 126 which repeals the county Soldiers Relief Commission and places its duties with the County Board of Social Welfare.

MOTIONS TO RECONSIDER WITHDRAWN

Senator Van Drie asked and received unanimous consent to withdraw the following motion to reconsider filed on March 8, 1971:

MR. PRESIDENT: I move to reconsider the vote by which Senate File 171 passed the Senate.

MINNETTE DODERER

Senator Lamborn asked and received unanimous consent to withdraw the following motion to reconsider filed on March 8, 1971:

MR. PRESIDENT: I move to reconsider the vote by which Senate File 171 passed the Senate, and move that the motion to reconsider be laid on the table.

CLIFTON C. LAMBORN

SENATE FILE DEFERRED

Senator Lamborn asked and received unanimous consent that further action on **Senate File 53** be deferred and that the bill retain its place on the calendar under **unfinished business**.

INTRODUCTION OF BILL

Senate File 367, by Senator Tapscott, a bill for an act providing for the rights of a tenant in the maintenance and repair of rental property used in a whole or in part as a dwelling.

Read first time and **passed on file**.

CONSIDERATION OF BILLS

Senate File 233

On motion of Senator Riley, Senate File 233, a bill for an act re-

lating to disclosure of information learned during the preparation of income tax returns and providing penalties for violations, was taken up and considered.

SUBSTITUTION

Senator Riley asked and received unanimous consent that **House File 141** be substituted for **Senate File 233**.

House File 141

On motion of Senator Riley, House File 141, a bill for an act relating to disclosure of information learned during the preparation of tax returns and providing a penalty for violations, was taken up and considered.

Senator Riley offered the following amendment filed by Senators Riley and DeKoster and moved its adoption :

- 1 Amend House File 141 by striking section 4 and insert-
- 2 ing the following:
- 3 "Sec. 4. PENALTY. A person who violates the provisions
- 4 of this Act shall upon conviction be punished by imprison-
- 5 ment for not more than five years or be fined not more than
- 6 ten thousand dollars or punished by both such imprisonment
- 7 and fine."

Senator Mowry offered the following amendment to the amendment and moved its adoption :

- 1 Amend the Riley and DeKoster amendment to House File 141,
- 2 filed March 5, 1971, by striking all of line 5 and inserting in
- 3 lieu thereof the following: "ment in the county jail for not
- 4 more than one year or be fined not more than".

The amendment to the amendment was adopted.

On motion of Senator Riley, the amendment as amended was adopted.

Senator Riley offered the following amendment by Senators Riley and DeKoster and moved its adoption :

- 1 Amend House File 141, page 2, by adding the following
- 2 new subsection after line 7:
- 3 3. "Information" for the purpose of this Act shall
- 4 include but not be limited to the name, address and statisti-
- 5 cal data of the taxpayer.

The amendment was adopted.

Senator Riley moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 141) the vote was :

Ayes, 47:

Anderson	Gaudineer	Miller	Robinson
Arbuckle	Gilley	Milligan	Schaben
Balloun	Glenn	Mowry	Shaff
Bass	Graham	Neu	Shawver
Carlson	Griffin	Nicholson	Smith
Coleman	Hill	Ollenburg	Stephens
Conklin	Keith	Palmer	Tapscott
Curran	Kennedy	Potgeter	Thordsen
Davis	Kyhl	Potter	Van Drie
DeKoster	Lamborn	Rabedaux	Van Gilst
Doderer	Laverty	Rhodes	Walsh
Erskine	Messerly	Riley	

Nays, none.

Absent or not voting, 2:

Briles Brownlee

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

SENATE FILE WITHDRAWN

Senator DeKoster asked and received unanimous consent that **Senate File 233** be withdrawn from further consideration of the Senate.

CONSIDERATION OF BILLS

Senate File 27

On motion of Senator Stephens, Senate File 27, a bill for an act relating to eligibility of welfare recipients, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

SUBSTITUTION

Senator Stephens asked and received unanimous consent that **House File 15** be substituted for **Senate File 27**.

House File 15

On motion of Senator Stephens, House File 15, a bill for an act relating to eligibility of welfare recipients, was taken up and considered.

Senator Stephens offered the following amendment filed by him and moved its adoption:

- 1 Amend House File 15, as amended, passed and reprinted by the
- 2 House, by striking from page 2A lines 12 and 13 and inserting in
- 3 lieu thereof the following:
- 4 "(249A.3), subsection two (2) and subsection four (4), Code
- 5 1971, are amended as follows:

6 2. Medical assistance may also, within the limits of
7 available funds and in accordance with section 249A.4, subsections
8 1 and 2 be provided to, or on behalf of, other individuals and
9 families who are not excluded under subsection 4 of this section
10 and whose incomes and resources are insufficient to meet the
11 cost of necessary medical care and services, and who have no
12 spouse or parent responsible under the law of this state and
13 found by the county board to be able to provide him or them with
14 such necessary medical care and services, in accordance with the
15 following order of priorities:

16 a. Individuals and families whose incomes and resources are
17 such that they are eligible for old-age assistance, aid to
18 dependent children, aid to the disabled, or aid to the blind,
19 but who are not actually receiving such public assistance.

20 b. *Individuals and families who are ineligible under*
21 *paragraph "a" solely because of their incomes and resources,*
22 *but who would otherwise be eligible under paragraph "a".*

23 [b]c. Children under twenty-one years of age whose incomes
24 and resources are comparable to those receiving aid to
25 dependent children.

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1 [c]d. Individuals sixty-five years of age or older who are
2 patients in institutions for mental diseases.

3 [d]e. Individuals and families whose incomes and resources
4 make them ineligible for old-age assistance, aid to dependent
5 children, aid to the disabled, or aid to the blind.

6 4. No assistance shall be granted under this chapter to:

7 a. Any individual whose income, after deduction of health
8 care expenses incurred by the applicant, exceeds one thousand
9 six hundred dollars annually, or any family living together
10 whose combined income, after deduction of health care
11 expenses incurred by the family, exceeds one thousand six
12 hundred dollars for the first adult member plus eight hundred
13 dollars for the second member and six hundred dollars for
14 each additional member of the family. Income shall not
15 include the value of gifts or services contributed in kind
16 to the individual or family."

The amendment was adopted.

Senator Stephens offered the following amendment filed by him
and moved its adoption:

1 Amend House File 15, as amended, passed and reprinted by the
2 House, by striking from page 2A lines 31 through 35 and from
3 page 2B lines 36 through 39.

The amendment was adopted.

Senator Stephens moved that the bill be read the last time now,
which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 15) the vote was:

Ayes, 43:

Anderson	Erskine	Milligan	Robinson
Arbuckle	Gaudineer	Mowry	Schaben
Balloun	Gilley	Neu	Shawver
Bass	Glenn	Nicholson	Smith
Carlson	Graham	Ollenburg	Stephens
Coleman	Hill	Palmer	Tapscott
Conklin	Keith	Potgeter	Thordsen
Curran	Kennedy	Potter	Van Drie
Davis	Kyhl	Rabedeaux	Van Gilst
DeKoster	Lamborn	Rhodes	Walsh
Doderer	Messerly	Riley	

Nays, none.

Absent or not voting, 6:

Briles	Griffin	Miller	Shaff
Brownlee	Laverty		

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

SENATE FILE WITHDRAWN

Senator Stephens asked and received unanimous consent that **Senate File 27** be withdrawn from further consideration of the Senate.

CONSIDERATION OF BILLS

Senate File 115

On motion of Senator Rabedeaux, Senate File 115, a bill for an act relating to election precincts, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

SUBSTITUTION

Senator Rabedeaux asked and received unanimous consent that **House File 230** be substituted for **Senate File 115**.

House File 230

On motion of Senator Rabedeaux, House File 230, a bill for an act relating to election precincts, was taken up and considered.

Action on House File 230 was deferred for the preparation of an amendment.

Senate File 190

On motion of Senator Tapscott, Senate File 190, a bill for an act relating to the transfer of persons committed to jail, with report of

committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Tapscott offered the following amendment filed by Senators Tapscott, et al.:

1 Amend Senate File 190 by striking all after the en-
2 acting clause and inserting in lieu thereof the follow-
3 ing:
4 "Section 1. A county board of supervisors may, by
5 majority vote, establish and maintain by lease, purchase,
6 or construction, or contract with a private nonprofit
7 agency or corporation to establish and maintain, facili-
8 ties where persons may be detained or confined pursuant
9 to a court order as provided in section three hundred
10 fifty-six point one (356.1), subsections two (2) and
11 three (3) of the Code. Such facilities shall be in ad-
12 dition to the jail required in section three hundred
13 fifty-six point thirty-seven (356.37) of the Code. The
14 board shall designate the age, sex, or type of offender
15 or person which may be detained or committed to each
16 such facility and establish rules and regulations for
17 their operation. Any person detained or confined to
18 such a facility shall be required to do all cleaning,
19 upkeep, maintenance, minor repairs, and anything else
20 necessary to properly maintain, operate, and preserve
21 such facility. The sheriff shall not have charge or
22 custody of any person detained or confined in such fa-
23 cility or transferred thereto. Such facility need not
24 contain any cells, cell blocks, or bars, if it is not
25 necessary for the protection of the public, as deter-

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1 mined by the board.

2 Sec. 2. If the board of supervisors contract with a
3 private nonprofit agency or corporation for the estab-
4 lishment and maintenance of such a facility, the con-
5 tract shall state the age, sex, or type of offender or
6 person which may be detained or confined therein; the
7 charge per person per day to be paid by the county; that
8 each such facility shall insure the performance of the
9 duties of the keeper as defined in section three hundred
10 fifty-six point five (356.5) of the Code; the activities
11 and service to be provided those detained or confined;
12 the extent of security to be provided in the best inter-
13 ests of the community; the maximum number of persons
14 that can be detained or committed at any one time; the
15 number of employees to be provided by the contracting
16 private nonprofit agency or corporation for the mainte-
17 nance, supervision, control, and security of persons de-
18 tained or confined therein; and any other matters deemed
19 necessary by the supervisors. All such contracts shall
20 be for a period not to exceed two years.

21 Sec. 3. Any municipal or district court judge may
22 sentence and commit a person to a facility established

23 and maintained pursuant to section one (1) or two (2)
24 of this Act instead of the county jail. A district
25 court judge may order the transfer of a person sentenced

Page 3

1 and committed to the county jail to such a facility upon
2 his own motion, the motion of the sentenced and commit-
3 ted person, or the motion of the sheriff. The original
4 order of commitment or the order of transfer to the
5 facility shall set forth the terms and conditions of
6 the detention or commitment; that the detained or com-
7 mitted persons shall abide by the terms and conditions
8 of this Act and the rules and regulations of the facil-
9 ity to which committed or transferred. The order shall
10 be read to the detained, committed or transferred per-
11 son in open court. The committing court or a district
12 court judge may order any person who has been detained,
13 committed, or transferred to such a facility to be
14 transferred to the county jail if, upon hearing, the
15 court determines such person has been refractory, dis-
16 orderly, has willfully destroyed or injured any property
17 in the facility, or has violated any of the terms and
18 conditions of the order of detention, commitment, or
19 transfer or the provisions of this Act or the rules
20 and regulations of the facility wherein he was detained
21 or committed. Any violations of the order of detention,
22 commitment, or transfer shall further be punished as
23 contempt of court pursuant to chapter six hundred sixty-
24 five (665) of the Code. The county or city to which the
25 cause originally belonged shall be liable for the expense

Page 4

1 of the original detention, commitment, or transfer and
2 the subsequent expenses of maintaining such person in
3 the facility. The county's expense shall be levied and
4 paid out of the court expense fund pursuant to section
5 four hundred forty-four point ten (444.10) of the Code.
6 Sec. 4. A person detained, committed, or transferred
7 to a facility established and maintained pursuant to
8 sections one (1) or two (2) of this Act, may further be
9 released from such facility during necessary and reason-
10 able hours, by court order, for the purposes stated in
11 section three hundred fifty-six point twenty-six
12 (356.26) of the Code. Such release and any wages earned
13 shall be governed by the provisions of sections three
14 hundred fifty-six point twenty-seven (356.27) through
15 three hundred fifty-six point thirty-six (356.36), in-
16 clusive, except that during such time the released per-
17 son shall not be in the legal custody of the sheriff;
18 any wages earned shall be collected, managed, and dis-
19 pensed by the person in charge of the facility and not
20 the sheriff; and any wages earned shall first be applied
21 to the reasonable cost of housing such person in the
22 facility.
23 Sec. 5. Any person sentenced, detained, committed,
24 or transferred to a facility established and maintained

25 pursuant to section one (1) or two (2) of this Act shall

Page 5

1 be discharged therefrom upon completion of their original
2 term of detention or commitment. The person in charge
3 of such facility shall keep a calendar as required in
4 section three hundred fifty-six point six (356.6) of the
5 Code and return a copy of the calendar as required by
6 section three hundred fifty-six point seven (356.7) of
7 the Code.

8 Sec. 6. A judge of the municipal or district court
9 may originally commit a person to the county jail to
10 serve any part of the sentence pronounced and thereafter
11 be transferred to a facility established and maintained
12 pursuant to section one (1) or two (2) of this Act.

13 Sec. 7. A county board of supervisors may further
14 contract with another county or a city maintaining a
15 jail meeting the requirements of sections three hundred
16 fifty-six point thirty-seven (356.37) to three hundred
17 fifty-six point forty-one (356.41), inclusive, of the
18 Code for detention and commitment of persons pursuant
19 to section three hundred fifty-six point one (356.1) of
20 the Code. Any person detained or confined therein shall
21 be in charge of and in the custody of the governmental
22 unit maintaining the jail. The cost of detention and
23 confinement shall be levied and paid from the court
24 expense fund of the county to which the cause originally
25 belonged pursuant to section four hundred forty-four

Page 6

1 point ten (444.10) of the Code.”

Senator Gaudineer offered the following amendment to the amendment and moved its adoption:

1 Amend the Tapscott, et al., amendment to Senate
2 File 190, filed February 25, 1971, as follows:

3 1. Page 1, line 6, by inserting after the word
4 “a”, the words “public or”.

5 2. Page 2, line 2, after the word “a”, the words
6 “public or”.

7 3. Page 5, line 23, after the word “paid”, the
8 words “by the city or”.

The amendment to the amendment was adopted.

Senator Tapscott offered the following amendment to the amendment and moved its adoption:

1 Amend the Tapscott, et al., amendment, filed February
2 25, 1971, to Senate File 190, page 6, after line 1,
3 by adding the following new section:

4 Sec. 8. This Act, being deemed of immediate
5 importance, shall take effect and be in force from
6 and after its publication in the Lee Town News, a
7 newspaper published in Des Moines, Iowa, and in the
8 Marshalltown Times-Republican, a newspaper pub-
9 lished in Marshalltown, Iowa.

The amendment to the amendment was adopted.

(Senate File 190 pending.)

On motion of Senator Lamborn, the Senate recessed until the fall of the gavel.

AFTERNOON SESSION

The Senate reconvened, President pro tempore Kyhl presiding.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate File 8, a bill for an act relating to the acquisition of bridges.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 105, a bill for an act making the embezzlement of secured interests in collateral a crime.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 146, a bill for an act relating to the disposal of certain used state motor vehicles.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 147, a bill for an act relating to the use of trotlines.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 157, a bill for an act relating to conflicts of interest of officers and directors of insurance companies.

Also: That the House has adopted and agreed to the following joint resolution in which the concurrence of the Senate is asked:

House Joint Resolution 2, proposing an amendment to the Constitution of the State of Iowa relating to the appropriation of fines as provided by law.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 26, a bill for an act relating to the use of eminent domain for the development or utilization of water.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 37, a bill for an act authorizing a public agency to dispose of an interest in property.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 112, a bill for an act authorizing the use of bid bonds in lieu of certified or cashiers checks.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 122, a bill for an act relating to the number of official county newspapers.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 199, a bill for an act relating to the use of flashing signal lights and stop arms by school buses in cities and towns.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 307, a bill for an act relating to the amount of credit life insurance that may be sold to a debtor.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 346, a bill for an act relating to refunding of motor fuel tax.

Also: That the House has adopted the following concurrent resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 24, commending Drake University and its basketball team for its outstanding season and supporting the team in its upcoming playoff game.

WILLIAM R. KENDRICK, Chief Clerk

HOUSE CONCURRENT RESOLUTION 24

By Kreamer

Whereas, the Drake University basketball team has tied for the Missouri Valley basketball championship, and won the right to participate in the conference playoffs to be held in Peoria, Illinois, Saturday, March 13, 1971, for an opportunity to compete in the NCAA Midwest Regional Tournament in Wichita, Kansas; and

Whereas, The Drake University basketball team has brought many honors to themselves and their school through consistently displaying the highest qualities of sportsmanship, teamwork and spirit, and has been worthy ambassadors of goodwill for which the state of Iowa is proud, therefore,

Be It Resolved by the House of Representatives, the Senate Concurring, That the Sixty-fourth General Assembly, First Regular Session, commends Drake University and its basketball team for its outstanding season;

Be It Further Resolved, That the Sixty-fourth General Assembly, First Regular Session, wishes to extend its full support and backing to the Drake University basketball team in its upcoming playoff game, and

Be It Further Resolved, That a copy of this resolution be sent to Coach Maurice John and the Drake University basketball team.

INTRODUCTION OF BILLS

Senate File 368, by Senator Kennedy (Sorg), a bill for an act relating to the establishment of civil service for deputy county sheriffs and providing penalties for violations.

Read first time and **passed on file**.

Senate File 369, by Senators Kennedy, Briles, Gilley, Riley, Walsh, Kyhl, Potter, Gaudineer, Lamborn and Shawver (Tieden, Doyle, Ellsworth, Taylor, Mendenhall, Blouin and McCormick), a bill for

an act to authorize certain vehicle safety regulations on streets and highways and to prescribe a penalty.

Read first time and **passed on file.**

Senate File 370, by Senator Griffin, a bill for an act relating to requiring public convenience and necessity for issuance of intra-state truck operator or contract carrier permits and providing penalties.

Read first time and **passed on file.**

Senate File 371, by Senator Potgeter, a bill for an act relating to the movement of vehicles with loads of excess size and weight.

Read first time and **passed on file.**

Senate File 372, by Senator Potgeter, a bill for an act relating to the bureau of labor.

Read first time and **passed on file.**

Senate File 373, by Senators Schaben, Coleman, Tapscott, Kennedy and Gaudineer, a bill for an act allowing the departments of revenue and social services, and the highway commission to employ legal counsel.

Read first time and **passed on file.**

Senate File 374, by committee on higher education, a bill for an act authorizing merged areas to acquire and operate student centers and parking facilities, and to finance the cost with revenue bonds.

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

Senate File 375, by Senators Stephens, Arbuckle, Griffin, Balloun, Coleman, Robinson and Curran, a bill for an act to provide an excise tax on each bushel of corn sold to establish the Iowa corn marketing and research board, and to provide penalties for violations.

Read first time and **passed on file.**

Senate File 376, by Senators Coleman and Kyhl, a bill for an act relating to vehicle equipment requirements.

Read first time and **passed on file.**

HOUSE MESSAGES CONSIDERED

House Joint Resolution 2, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the appropriation of fines as provided by law.

Read first time and **passed on file.**

House File 26, a bill for an act relating to the use of eminent domain for the development or utilization of water or water power for manufacturing, power, industrial and recreational purposes.

Read first time and **passed on file**.

House File 37, a bill for an act authorizing a public agency to dispose of an interest in property.

Read first time and **passed on file**.

House File 112, a bill for an act authorizing the use of bid bonds in lieu of certified or cashiers checks.

Read first time and **passed on file**.

House File 122, a bill for an act relating to the number of official county newspapers.

Read first time and **passed on file**.

House File 199, a bill for an act relating to the use of flashing signal lights and stop arms by school buses in cities and towns.

Read first time and **passed on file**.

House File 307, a bill for an act relating to the amount of credit life insurance that may be sold to a debtor.

Read first time and **passed on file**.

House File 346, a bill for an act relating to refunding of motor fuel tax.

Read first time and **passed on file**.

SENATE CONCURRENT RESOLUTION 25

By Committee on Iowa Development

Whereas, the enforcement of laws relating to motor vehicles and railway, air, and water transportation is presently vested in many state departments; and

Whereas, an efficient public and private transportation system requires coordination of efforts and consideration of all modes of transportation; and

Whereas, the federal government and several other states have established departments of transportation embracing the many phases of the public and private transportation industry to coordinate transportation regulation; and

Whereas, several studies have recommended that the state of Iowa establish a department of transportation; and

Whereas, the Governmental Reorganization Study Committee which during the 1970 interim was assigned the study of the feasibility of establishing

a department of transportation but was unable to undertake this study because of a lack of time; and

Whereas, legislation designed to create a department of transportation would necessarily be complex and include the amendment of statutes relating to all state departments and agencies charged with the responsibility of providing for and regulating all modes of transportation; and

Whereas, with the many issues facing the first session of the Sixty-fourth General Assembly there may not be time for both staff and legislators to adequately develop and study such proposed legislation, *Now Therefore*,

Be It Resolved by the Senate, the House Concurring, That the legislative council is authorized to create a study committee which membership shall include legislative members of the appropriate standing committees and nonlegislative members knowledgeable in the various areas of transportation to conduct during the 1971 legislative interim a comprehensive study relating to the feasibility of establishing a department of transportation encompassing the administration and regulation of motor vehicles, railway, air, and water transportation, and related functions; and

Be It Further Resolved, That the study committee shall make periodic reports to the legislative council and shall submit a final report, including necessary bill drafts to implement recommendations, to the legislative council. Copies of the report and proposed bill drafts approved by the legislative council shall be submitted to members of the General Assembly meeting in the year 1972.

BILLS ASSIGNED TO COMMITTEE

President Jepsen announced the assignment of the following bills to committee:

S. J. R. 5 Constitutional amendments and reapportionment

S. F. 346 Conservation and recreation

S. F. 347 Judiciary

S. F. 348 Judiciary

S. F. 351 Agriculture

S. F. 352 Commerce

S. F. 354 State government

S. F. 355 County government

S. F. 356 Law enforcement

S. F. 357 Human and industrial relations

S. F. 359 Ways and means

S. F. 360 Law enforcement

S. F. 361 Ways and means

S. F. 362 Agriculture

- S. F. 364 Transportation
- S. F. 366 Transportation
- S. F. 367 Judiciary
- H. F. 39 Agriculture
- H. F. 173 Transportation
- H. F. 195 Law enforcement
- H. F. 288 Social services
- H. F. 289 Social services
- H. F. 294 County government
- H. F. 308 Social services
- H. F. 330 Conservation and recreation

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on March 8, 1971, the Governor approved and transmitted to the Secretary of State the following bill:

H. F. 177—To increase the tax on cigarettes.

EXPLANATION OF VOTE

I was absent from the Senate chamber Monday morning, March 8, 1971, attending a funeral and was unable to vote on Senate Files 171 and 41 and House File 119. Had I been present, I would have voted "aye" on all three bills.

RUDY VAN DRIE

REPORTS OF COMMITTEE

Senator Lavery submitted the following reports:

MR. PRESIDENT: Your committee on environmental preservation, to which was referred **Senate File 61**, a bill for an act relating to conservation of soil and water resources of the state, and to control of water pollution, begs leave to report it has had the same under consideration and **recommends the same be amended as follows; and when so amended the bill do pass:**

- 1 Amend Senate File 61 as follows:
- 2 1. Page 37, line 6 by inserting after the word "arose,"
- 3 the words "had submitted application for public
- 4 cost-sharing funds pursuant to section 35 of this Act,
- 5 or."
- 6 2. Page 39, line 33 by inserting "*ex officio*"
- 7 after the word "as".
- 8 3. Page 40, line 3 by inserting the word "*voting*"
- 9 after the word "*seven*".
- 10 4. Page 40, by striking from lines 5 and 6, the

11 words "bona fide farmers living on farms" and
12 inserting in lieu thereof the words "[bona fide
13 farmers living on farms] *persons engaged in actual*
14 *farming operations*".

15 5. Page 42, line 23, by striking the word "plowing"
16 and inserting the word "planting".

17 6. Page 44, line 10, by striking the word "comm-
18 ission" and inserting in lieu thereof the word "committee".

19 7. Page 44, line 13, by striking the word "higher".

20 8. Page 44, line 14, by striking the word "can"
21 and inserting in lieu thereof the word "cannot".

CHARLES O. LAVERTY, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on environmental preservation, to which
was referred **Senate File 326**, a bill for an act relating to the authority of the
chemical technology review board, begs leave to report it has had the same
under consideration and recommends the same **do pass**.

CHARLES O. LAVERTY, Chairman

Ordered passed on file.

AMENDMENTS FILED

- 1 Amend Senate File 79, page 2, by striking lines 15 through
2 21, inclusive, and renumbering the remaining sections.

CHARLES F. BALLOUN

- 1 Amend the Tapscott, et al., amendment, filed February 25, 1971, to
2 Senate File 190, page 6, by adding after line 1 the following
3 new section:

4 Sec. Section three hundred fifty-six point forty-
5 three (356.43), unnumbered paragraph one (1), Code 1971, is
6 amended as follows:

7 The state department of social services shall have
8 general charge and supervision of the provisions of sections
9 356.37 to 356.44, inclusive. The state department of social
10 services and its inspectors and agents shall have the power
11 and duty to make periodic inspections of each such jail *and*
12 *all such facilities established pursuant to this Act*, and
13 officially to notify the county board of supervisors in writ-
14 ing to comply fully with the provisions of sections 356.37 to
15 356.44, inclusive.

FRANCIS L. MESSERLY
LEE H. GAUDINEER, JR.

- 1 Amend Senate File 297 as follows:

2 1. Page 2, by striking lines 1 through 17, inclusive.

3 2. Page 2, by striking lines 20 through 25, inclusive.

4 3. Page 6, line 34, by inserting before the word
5 "vehicle" the word "motor".

6 4. By renumbering remaining sections consecutively.

VERNON H. KYHL

1 Amend Senate File 323 as follows:

- 2 1. By adding in line 8 after the word "*any*" the word "*labor*".
 3 2. By adding in line 9 after the word "*arbitrators*" the
 4 words "*in connection with labor negotiations*".

WILSON L. DAVIS
 MINNETTE DODERER

1 Amend House File 230 as follows:

- 2 1. Page 2, by striking lines 1 through 32, inclusive, and
 3 inserting in lieu thereof the following:

4 Section 1. Section forty-nine point four, unnumbered
 5 paragraph one (1), as amended by House File 119, Code 1971,
 6 is amended as follows:

7 49.4 CHANGE IN PRECINCTS BY SUPERVISORS—SIZE LIMITATION.

- 8 The board of supervisors may divide a township, or part thereof,
 9 into two or more precincts, or change or abolish such division.
 10 *The board of supervisors may also combine two or more contigu-*
 11 *ous townships into one election precinct, subject to the pro-*
 12 *visions of this section.* An order establishing precincts shall
 13 define their boundaries.

- 14 2. Page 3, line 2, by inserting after the word "*more*" the
 15 word "*contiguous*".

- 16 3. Page 3, line 11, by inserting after the word "*more*" the
 17 word "*contiguous*".

JAMES A. POTGETER
 W. R. RABEDeaux

1 Amend House File 334 as follows:

- 2 1. Page 2, line 22, by inserting after the letter "b"
 3 the words "*except that investment in common stocks shall*
 4 *not be permitted*".

- 5 2. Page 3, line 18, by inserting after the letter "b"
 6 the words "*except that investment in common stocks shall*
 7 *not be permitted*".

- 8 3. Page 4, line 5, by inserting after the letter "b" the
 9 words "*except that investment in common stocks shall not be*
 10 *permitted*".

- 11 4. Page 4, line 19, by inserting after the letter "b" the
 12 words "*except that investment in common stocks shall not*
 13 *be permitted*".

- 14 5. Page 4, line 32, by inserting after the letter "b" the
 15 words "*except that investment in common stocks shall not be*
 16 *permitted*".

- 17 6. Page 5, line 15, by adding after the word "Code" the
 18 words "*except that investment in common stocks shall not*
 19 *be permitted*".

- 20 7. Page 5, line 34, by adding after the word "Code" the
 21 words "*except that investment in common stocks shall not*
 22 *be permitted*".

- 23 8. Page 6, line 12, by adding after the word "Code" the
 24 words "*except that investment in common stocks shall not*
 25 *be permitted*".

Page 2

- 1 9. Page 6, line 31, by inserting after the letter "b" the
- 2 words "*except that investment in common stocks shall not*
- 3 *be permitted*".

H. L. OLLENBURG

On motion of Senator Gilley, the Senate adjourned until 9:00 a.m., Wednesday, March 10, 1971.

JOURNAL OF THE SENATE

FIFTY-NINTH DAY

SENATE CHAMBER

DES MOINES, IOWA, WEDNESDAY, MARCH 10, 1971

The Senate met in regular session, President Jepsen presiding.

Prayer was offered by the Reverend Norman Leucht, pastor of the Zion Lutheran Church, Dexter, Iowa.

The Senate pledged allegiance to the flag.

The Journal of Tuesday, March 9, 1971, was approved.

PRESENTATION OF VISITORS

Senator Van Gilst rose on a point of personal privilege and presented to the Senate the Honorable Donald S. McGill, a former member of the Senate from Monroe County.

The Chair announced that the following visitors were present in the Senate gallery :

Twenty-five students from the Perry High School Chapter of the Vocational Industrial Clubs of America, Perry, Iowa, accompanied by their coordinator, Tom South.

Nineteen students from the Fort Dodge Community College Chapter of the Vocational Industrial Clubs of America, Fort Dodge, Iowa, accompanied by their sponsors, Mrs. Judith Sheets, Jim Nelson, Rex Raine and Phillip Martinson.

Sixty students from the civics class of Pella Christian Grade School, Pella, Iowa, accompanied by their teacher, Mrs. Elda VandeLune, and principal, Mr. M. E. Alons.

Thirteen students from Ames High School, Ames, Iowa, accompanied by their instructor, Don Faas.

Twenty-three students from the Southeast Polk High School Chapter of the Vocational Industrial Clubs of America, Polk County, Iowa, accompanied by Mike Horton.

Ten students from the Ottumwa High School Chapter of the Vocational Industrial Clubs of America, Ottumwa, Iowa, accompanied by Keith Kimmel.

PETITIONS

The following petitions were presented and placed on file:

By Senator Potgeter, from twenty-four residents of Hamilton County opposing the sale of beer and liquor on Sunday.

By Senator Potter, from fourteen residents of Buchanan County recommending legislation to shift the costs of financing education, welfare and state institutions from property taxes to some other form of taxation.

By Senator Conklin, from three hundred fifty-one residents of Iowa, opposing House File 126 which repeals the county Soldiers Relief Commission and places its duties with the County Board of Social Welfare.

INTRODUCTION OF BILL

Senate File 377, by Senators Van Drie, Tapscott, Palmer and Baloun, a bill for an act relating to installation or connection charges levied by telephone companies.

Read first time and **passed on file**.

UNFINISHED BUSINESS

Senate File 190

The Senate resumed consideration of Senate File 190, a bill for an act relating to the transfer of persons committed to jail, and the Tapscott, et al., amendment offered, considered and amended on March 9, 1971.

Senator Messerly offered the following amendment to the amendment filed by Senators Messerly and Gaudineer and moved its adoption:

- 1 Amend the Tapscott, et al., amendment, filed February 25, 1971, to
- 2 Senate File 190, page 6, by adding after line 1 the following
- 3 new section:
- 4 Sec. Section three hundred fifty-six point forty-
- 5 three (356.43), unnumbered paragraph one (1), Code 1971, is
- 6 amended as follows:
- 7 The state department of social services shall have
- 8 general charge and supervision of the provisions of sections
- 9 356.37 to 356.44, inclusive. The state department of social
- 10 services and its inspectors and agents shall have the power
- 11 and duty to make periodic inspections of each such jail *and*
- 12 *all such facilities established pursuant to this Act*, and
- 13 officially to notify the county board of supervisors in writ-
- 14 ing to comply fully with the provisions of sections 356.37 to
- 15 356.44, inclusive.

The amendment to the amendment was adopted.

Senator Tapscott moved the adoption of the Tapscott, et al., amendment as amended.

Division was called for.

The amendment as amended was adopted.

Senator DeKoster asked and received unanimous consent to withdraw the amendment filed by the committee on judiciary on February 17, 1971, and found on page 303 of the Senate Journal.

Senator Potter took the chair at 9:42 a.m.

Senator Tapscott moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 190) the vote was:

Ayes, 33:

Anderson	Doderer	Miller	Schaben
Bass	Erskine	Milligan	Shaff
Briles	Gaudineer	Mowry	Shawver
Brownlee	Glenn	Neu	Smith
Carlson	Kennedy	Ollenburg	Tapscott
Coleman	Kyhl	Palmer	Van Drie
Curran	Lamborn	Rhodes	Van Gilst
Davis	Messerly	Riley	Walsh
DeKoster			

Nays, 12:

Arbuckle	Gilley	Nicholson	Rabedeaux
Balloun	Graham	Potgeter	Stephens
Conklin	Hill	Potter	Thordsen

Absent or not voting, 4:

Griffin	Keith	Laverty	Robinson
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

BIRTHDAY CONGRATULATIONS

Senator Lamborn rose on a point of personal privilege to extend best wishes to the Minority Leader, Senator Gaudineer, on his thirty-ninth birthday.

SPECIAL ORDER OF BUSINESS

Senate File 188

The hour having arrived, the Chair announced the special order of business for further consideration of Senate File 188.

President Jepsen took the chair at 10:50 a.m.

On motion of Senator Neu, Senate File 188, a bill for an act to define criminal trespass and to prescribe the penalty for such trespass, was taken up for further consideration.

Senator DeKoster asked and received unanimous consent to withdraw the following division of the amendment by the committee on judiciary:

Division 1

- 1 Amend Senate File 188 as follows:
- 2 1. By striking on page 2, line 4, the words "occupied
- 3 structure" and inserting in lieu thereof the word
- 4 "premises".

Senator Potgeter called up the following motion to reconsider filed by him on March 1, 1971, and moved its adoption:

MR. PRESIDENT: I move to reconsider the vote by which divisions 1 and 2 of the Graham amendment, filed February 18, 1971, to Senate File 188 failed to pass the Senate.

Roll call was requested by Senator Potgeter.

On the question "Shall divisions 1 and 2 of the Graham amendment be reconsidered?" (S.F. 188) the vote was:

Ayes, 25:

Anderson	Davis	Messerly	Shaff
Arbuckle	Gilley	Mowry	Shawver
Balloun	Graham	Nicholson	Smith
Bass	Hill	Potgeter	Stephens
Briles	Kyhl	Rabedaux	Van Gilst
Carlson	Lamborn	Schaben	Walsh
Curran			

Nays, 20:

Brownlee	Erschine	Milligan	Rhodes
Coleman	Gaudineer	Neu	Riley
Conklin	Glenn	Ollenburger	Tapscott
DeKoster	Kennedy	Palmer	Thordsen
Doderer	Miller	Potter	Van Drie

Absent or not voting, 4:

Griffin	Keith	Laverty	Robinson
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The motion prevailed and divisions 1 and 2 of the following amendment were reconsidered:

Division 1

- 1 Amend Senate File 188 as follows:
- 2 1. Page 2, line 15, by adding after the word
- 3 "obtaining" the word "written".

Division 2

- 4 2. Page 2, line 18, by adding after the word
- 5 "obtaining" the word "written".

Division 3

- 6 3. Page 2, line 23, by adding after the word
 7 "procured" the word "written".

Senator Graham moved the adoption of division 1 of his amendment and requested a roll call.

On the question "Shall division 1 of the amendment be adopted?" (S.F. 188) the vote was:

Ayes, 25:

Anderson	Davis	Messerly	Shaff
Arbuckle	Gilley	Mowry	Shawver
Balloun	Graham	Nicholson	Smith
Bass	Hill	Potgeter	Stephens
Briles	Kyhl	Rabedeaux	Van Gilst
Carlson	Lamborn	Schaben	Walsh
Curran			

Nays, 21:

Brownlee	Gaudineer	Milligan	Riley
Coleman	Glenn	Neu	Robinson
Conklin	Griffin	Ollenburg	Tapscott
DeKoster	Kennedy	Palmer	Thordsen
Doderer	Miller	Rhodes	Van Drie
Erskine			

Absent or not voting, 3:

Keith	Laverty	Potter
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Division 1 of the amendment was adopted.

On motion of Senator Graham, division 2 of the amendment was adopted.

The Senate resumed consideration of division 3 of the amendment.

On motion of Senator Graham, division 3 of the amendment was adopted.

Senator Glenn offered the following amendment filed by him and moved its adoption:

- 1 Amend Senate File 188 as follows:
- 2 1. Page 2, by adding the following new lines after
- 3 "intruders." on line 11: "For the purposes of this section
- 4 the term 'occupied structure' means any structure; land,
- 5 water or air vehicle, or enclosed place adapted for overnight
- 6 accommodation of persons, or occupied by persons for the
- 7 purpose of carrying on business or other activity therein,
- 8 or for the storage or safekeeping of anything of value.
- 9 Such a structure is an 'occupied structure' whether vacant
- 10 or not."

The amendment was adopted.

Senator Balloun offered the following amendment and moved its adoption:

- 1 Amend Senate File 188, page 2, line 20, as follows: by
- 2 inserting after the word "where" the words "domesticated game
- 3 animals,".

The amendment was adopted.

The Senate resumed consideration of the following amendment offered by Senator Neu on February 26, 1971, and deferred:

- 1 Amend Senate File 188 as follows:
- 2 1. Page 3, by adding the following sentence after
- 3 line 2: "Those using lands and waters pursuant to
- 4 chapter one hundred eleven C (111C), of the Code, shall
- 5 not be considered to be in violation of this act."
- 6 2. Page 3, by adding the following section after
- 7 line 22:
- 8 Sec. 5. Chapter one hundred eleven C point
- 9 one (111C.1), Code 1971, is amended as follows:
- 10 111C.1 PURPOSE. The purpose of the chapter is to
- 11 encourage private owners of land make land and water
- 12 areas available to the public for recreational purposes
- 13 by limiting their liability toward persons [entering] *who*
- 14 *have received permission, whether actual or implied,*
- 15 *to enter thereon for such purposes.*

The Senate resumed consideration of the following amendment to the amendment offered by Senator Graham on February 26, 1971, and deferred:

- 1 Amend the Neu amendment filed February 12, 1971, to
- 2 Senate File 188 as follows:
- 3 1. Line 14 by adding after the word "*received*" the
- 4 word "*written*".
- 5 2. Line 14, by striking the words "*, whether actual or*
- 6 *implied.*".

Senator Graham asked and received unanimous consent to withdraw his amendment to the amendment.

On motion of Senator Neu, his amendment was adopted.

Senator Anderson asked and received unanimous consent to withdraw the amendment filed by him on February 17, 1971, found on page 304 of the Senate Journal, and offered for consideration on February 26, 1971.

Senator Nicholson offered the following amendment filed by him:

- 1 Amend Senate File 188, page 3, by adding after line 6 the
- 2 following new section and by renumbering the remaining
- 3 sections:
- 4 "Sec. Any person who without either implied or
- 5 actual permission enters any public building or causes any
- 6 nuisance, or uses, misuses, destroys, or partially destroys

- 7 any public or private property shall be fined not more than
8 three hundred dollars and imprisoned in the county jail not
9 more than one year."

Senator Nicholson offered the following amendment to the amendment filed by Senators Riley and Nicholson:

- 1 Amend the Nicholson amendment, filed February 22, 1971,
2 to Senate File 188 as follows:
3 1. Line 5, by inserting after the word "or" the
4 words ", having lawfully entered a public building".
5 2. Line 6, by inserting after the word "nuisance"
6 the word "therein".
7 3. Line 7, by inserting after the word "property"
8 the word "therein".

Senator Rabedeaux took the chair at 11:33 a.m.

Senator Glenn raised a point of order that the Nicholson amendment was not germane to the title of the bill.

The Chair ruled the point not well taken and the amendment in order.

President Jepsen took the chair at 11:52 a.m.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Rhodes, from the joint committee on enrolled bills, submitted the following report and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: House File 206.

JOHN C. RHODES
Chairman, Senate Committee
ELIZABETH R. MILLER
Chairman, House Committee

Report adopted.

BILL SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate the following bill: House File 206.

On motion of Senator Lamborn, the Senate recessed until 1:00 p.m.

AFTERNOON SESSION

The Senate reconvened, President pro tempore Kyhl presiding.

SENATOR EXCUSED

Senator Lamborn asked and received unanimous consent that Senator Laverty be excused for the day to attend a funeral.

CALL OF THE SENATE

The Chair announced the following Call of the Senate had been filed at the desk:

MR. PRESIDENT: Pursuant to Rule 19 of the Temporary Rules of the Senate of the Sixty-fourth General Assembly, we the undersigned, do hereby request a Call of the Senate on Senate File 188 and all amendments and motions thereto.

CLIFTON C. LAMBORN
JAMES A. POTGETER
QUENTIN V. ANDERSON
JOHN M. WALSH
EUGENE M. HILL
MINNETTE DODERER
CHARLES F. BALLOUN
JOHN E. TAPSCOTT
WILSON L. DAVIS
ARTHUR A. NEU
LEIGH R. CURRAN
FRANCIS L. MESSERLY
H. L. OLLENBURG
W. R. RABEDEAUX
JOHN L. MOWRY

SENATOR EXCUSED

Senator Lamborn asked and received unanimous consent that Senator Keith be excused for the day.

SPECIAL ORDER TEMPORARILY DEFERRED

Senator Lamborn asked and received unanimous consent to temporarily defer the special order of business on **Senate File 188** and proceed with the regular calendar.

SENATE FILE DEFERRED

Senator Lamborn asked and received unanimous consent that further action on **Senate File 243** be deferred and that the bill retain its place on the **calendar**.

CONSIDERATION OF BILLS

Senate File 245

On motion of Senator Gilley, Senate File 245, a bill for an act

relating to county contingent funds, was taken up and considered.

Senator Gilley asked and received unanimous consent that **House File 194** be substituted for **Senate File 245**.

House File 194

On motion of Senator Gilley, House File 194, a bill for an act relating to county contingent funds, was taken up and considered.

HOUSE FILE DEFERRED

Senator Gilley asked and received unanimous consent that further action on **House File 194** be deferred and that the bill be placed on the calendar under **unfinished business**.

UNFINISHED BUSINESS

House File 230

The Senate resumed consideration of House File 230, a bill for an act relating to election precincts.

Senator Potgeter offered the following amendment filed by Senators Potgeter and Rabedaux and moved its adoption:

- 1 Amend House File 230 as follows:
- 2 1. Page 2, by striking lines 1 through 32, inclusive, and
- 3 inserting in lieu thereof the following:
- 4 Section 1. Section forty-nine point four, unnumbered
- 5 paragraph one (1), as amended by House File 119, Code 1971,
- 6 is amended as follows:
- 7 49.4 CHANGE IN PRECINCTS BY SUPERVISORS—SIZE LIMITATION.
- 8 The board of supervisors may divide a township, or part thereof,
- 9 into two or more precincts, or change or abolish such division.
- 10 *The board of supervisors may also combine two or more contiguous*
- 11 *townships into one election precinct, subject to the provisions*
- 12 *of this section.* An order establishing precincts shall
- 13 define their boundaries.
- 14 2. Page 3, line 2, by inserting after the word "*more*" the
- 15 word "*contiguous*".
- 16 3. Page 3, line 11, by inserting after the word "*more*" the
- 17 word "*contiguous*".

The amendment was adopted.

Senator Rabedaux moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 230) the vote was:

Ayes, 42:

Anderson	Erskine	Miller	Riley
Arbuckle	Gaudineer	Milligan	Robinson
Balloun	Gilley	Mowry	Shawver
Bass	Glenn	Neu	Smith
Brownlee	Graham	Ollenburg	Stephens
Carlson	Griffin	Palmer	Tapscott
Coleman	Hill	Potgeter	Thordsen
Curran	Kennedy	Potter	Van Drie
Davis	Kyhl	Rabedeaux	Walsh
DeKoster	Lamborn	Rhodes	Van Gilst
Doderer	Messerly		

Nays, 1:

Schaben

Absent or not voting, 6:

Briles	Keith	Nicholson	Shaff
Conklin	Laverty		

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

SENATE FILE WITHDRAWN

Senator Rabedeaux asked and received unanimous consent that **Senate File 115** be withdrawn from further consideration of the Senate.

CALL OF THE SENATE LIFTED

Senator Lamborn asked and received unanimous consent that the Call of the Senate on Senate File 188 be lifted.

SPECIAL ORDER CONTINUED

Senate File 188

The Senate resumed consideration of Senate File 188.

Senator Potgeter asked unanimous consent to withdraw the following motion to reconsider filed by him:

I move to reconsider the vote by which the Neu amendment, filed February 12, 1971, to Senate File 188 was adopted by the Senate.

Objection was raised.

Senator Potgeter moved that his motion to reconsider be withdrawn.

President Jepsen took the chair at 2:15 p.m.

Action on the motion to reconsider was temporarily deferred.

The Senate resumed consideration of the Riley-Nicholson amendment to the Nicholson amendment.

On motion of Senator Riley, the amendment to the amendment was adopted.

Senator Arbuckle offered the following amendment to the amendment and moved its adoption:

- 1 Amend the Nicholson amendment, filed February 22, 1971, to
- 2 Senate File 188 as follows:
- 3 1. Line 8, by striking the word "and" and inserting in
- 4 lieu thereof the word "or".
- 5 2. Line 9, by inserting after the word "year" the words
- 6 "or both".

The amendment to the amendment was adopted.

Senator Riley offered the following amendment to the amendment and moved its adoption:

- 1 Amend the Nicholson amendment, filed February 22, 1971,
- 2 to Senate File 188, line 6, by striking the word "uses,".

The amendment to the amendment was adopted.

Senator Tapscott offered the following amendment to the amendment and moved its adoption:

- 1 Amend the Nicholson amendment to Senate File 188,
- 2 filed February 22, 1971, by striking in line 6, the
- 3 word "nuisance" and inserting in lieu thereof the
- 4 word "disturbance".

The amendment to the amendment was adopted.

Senator Nicholson moved the adoption of his amendment as amended and requested a roll call.

On the question "Shall the Nicholson amendment as amended be adopted?" (S.F. 188) the vote was:

Rule 24 was invoked.

Ayes, 24:

Anderson	Curran	Lamborn	Shaff
Arbuckle	Davis	Messerly	Shawver
Balloun	Gilley	Mowry	Smith
Bass	Graham	Nicholson	Stephens
Carlson	Hill	Rabedaux	Thordsen
Conklin	Kyhl	Rhodes	Van Gilst

Nays, 20:

Brownlee	Gaudineer	Milligan	Riley
Coleman	Glenn	Neu	Robinson
DeKoster	Griffin	Ollenburg	Schaben
Doderer	Kennedy	Palmer	Tapscott
Erskine	Miller	Potgeter	Walsh

Absent or not voting, 5:

Brilles
Keith

Laverty

Potter

Van Drie

The amendment as amended was adopted.

Senator Anderson offered the following amendment filed by Senators Anderson and Graham:

- 1 Amend Senate File 188 as follows:
- 2 1. Page 3, by inserting after line 22 the follow-
- 3 ing new section:
- 4 "Sec. 5. Any person who in his presence injures
- 5 another person who is committing a public offense
- 6 against the person inflicting the injury or against
- 7 such person's property, shall not be liable for any
- 8 civil damages to the injured person or his heirs,
- 9 assignees, dependents, spouse, or personal represent-
- 10 atives."
- 11 2. Page 1, lines 1 and 2, by inserting after the
- 12 word "trespass" the words "relating to liabilities
- 13 involving trespass,".

Senator Neu raised a point of order on the amendment for the reason that it was not germane to the title of the bill.

The Chair ruled the point not well taken and the amendment in order.

Senator Tapscott offered the following amendment to the amendment:

- 1 Amend the Anderson-Graham amendment, filed February
- 2 16, 1971, to Senate File 188 as follows:
- 3 1. Line 6, by striking the words "or against".
- 4 2. Line 7, by striking the words "such person's property".

Senator Ollenburg took the chair at 4:02 p.m.

President Jepsen took the chair at 4:12 p.m.

Senator Tapscott moved the adoption of the amendment to the amendment.

Roll call was requested.

On the question "Shall the amendment to the amendment be adopted?" (S.F. 188) the vote was:

Ayes, 29:

Brownlee
Carlson
Coleman
Curran
Davis
Doderer
Erskine
Gaudineer

Glenn
Kennedy
Messerly
Miller
Milligan
Mowry
Neu

Ollenburg
Palmer
Potgeter
Potter
Rhodes
Riley
Robinson

Schaben
Shaff
Shawver
Tapscott
Thordsen
Van Drie
Walsh

Nays, 14:

Anderson	Gilley	Lamborn	Smith
Arbuckle	Graham	Nicholson	Stephens
Balloun	Hill	Rabedeaux	Van Gilst
Bass	Kyhl		

Absent or not voting, 6:

Briles	DeKoster	Keith	Laverty
Conklin	Griffin		

The amendment to the amendment was adopted.

Senator Neu raised a point of order on the Anderson-Graham amendment as amended for the reason that it was not germane to the bill.

The Chair ruled the point well taken and the amendment as amended out of order.

Senator Neu offered the following amendment and moved its adoption:

- 1 Amend Senate File 188, page 3, by adding the
- 2 following new section:
- 3 Sec. 5. This Act, being deemed of immediate
- 4 importance, shall take effect and be in force from
- 5 and after its publication in The Glidden Graphic, a
- 6 newspaper published in Glidden, Iowa, and in the
- 7 LeMars Daily Sentinel, a newspaper published in
- 8 LeMars, Iowa.

The amendment lost.

Senator Lamborn offered the following amendment:

- 1 Amend Senate File 188, page 3, by adding after line 2 the
- 2 following new section:
- 3 Sec. 2. The state conservation commission shall provide
- 4 duplicate permit form pads in sets of twenty-five, at a cost of
- 5 fifty cents per pad, which shall be purchased by licensed hunters.
- 6 These permit forms shall be used to comply with the provisions
- 7 of subsections three (3), four (4), and five (5) of section
- 8 one (1) of this Act.
- 9 The permit form, when completed, shall provide for list-
- 10 ing the following required information:
- 11 5. Page 1, line 23, by adding after the word "hunting", the
- 12 2. The date or dates during which permission to hunt is
- 13 granted.
- 14 3. The license number of the hunter's motor vehicle, if
- 15 applicable.
- 16 4. The signature of the landowner or tenant or his
- 17 representative.
- 18 5. A statement signed by the hunter waiving liability
- 19 against the landowner or the tenant or the landowner's repre-
- 20 sentative for injury or property damage incurred while hunting.
- 21 The original copy of the permit shall be given to the landowner

22 or tenant, or the landowner's representative, and the duplicate
23 copy shall be retained by the hunter. Any person hunting on
24 private land shall show the permit to hunt on the land to the
25 landowner or tenant or the landowner's representative, or to

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- 1 any law enforcement officer or employee of the department of
- 2 conservation upon request.

Senator Miller offered the following amendment to the amendment by Senators Miller and Kennedy and moved its adoption:

- 1 Amend the Lamborn amendment, filed March 10, 1971, to
- 2 Senate File 188, page 1, by striking all after the word
- 3 "pads" in line 4 and all of line 5, and inserting in
- 4 lieu thereof the following: "which shall be issued
- 5 2. Line 6, by striking the word "shall" and inserting in
- 6 the time of purchase."

Division was called for.

The amendment to the amendment lost.

Senator Gaudineer offered the following amendment to the amendment and moved its adoption:

- 1 Amend the Lamborn amendment, filed March 10, 1971, to Senate
- 2 File 188, page 1, by striking lines 18 through 20, and in-
- 3 serting in lieu thereof the figure "5".

Division was called for.

The amendment to the amendment lost.

Senator Kennedy raised a point of order on the Lamborn amendment for the reason that it was not germane to the bill.

The Chair ruled the point not well taken and the amendment in order.

Senator Miller offered the following amendment to the amendment by Senators Miller and Kennedy and moved its adoption:

- 1 Amend the Lamborn amendment, filed March 10, 1971, to Senate File
- 2 188, as follows:
- 3 1. Page 1, line 11, by adding after the word "hunt", the words,
- 4 "or fish".
- 5 2. Page 1, line 12, by adding after the word "hunt", the words
- 6 "or fish".
- 7 3. Page 1, line 14, by adding after the word "hunter's", the
- 8 words, "or fisherman's".
- 9 4. Page 1, line 18, by adding after the word "hunter", the
- 10 words, "or fisherman".
- 11 5. Page 1, line 23, by adding after the word "hunting", the
- 12 words, "or fishing".
- 13 6. Page 1, line 24, by adding after the word "hunt", the
- 14 words, "or fish".

The amendment to the amendment was adopted.

Senator Messerly offered the following amendment to the amendment and moved its adoption :

- 1 Amend the Lamborn amendment, filed March 10, 1971, to Senate
- 2 File 188 as follows:
- 3 1. Line 5, by striking the word "shall" and inserting in
- 4 lieu thereof "may".
- 5 2. Line 6, by striking the word "shall" and inserting in
- 6 lieu thereof "may".

The amendment to the amendment was adopted.

Action on the Lamborn amendment as amended was temporarily deferred.

Senator Gaudineer offered the following amendment and moved its adoption :

- 1 Amend Senate File 188, page 3, line 2 by adding
- 2 after such line the following new paragraph:
- 3 "All hunting and fishing licenses issued in the state
- 4 of Iowa after January 1, 1972, shall contain in the face
- 5 thereof, in bold type, the statement, 'Hunting (or fishing,
- 6 whichever is applicable) upon private property is legal
- 7 only with written permission of the owner or person in
- 8 control of such private property'."

The amendment was adopted.

Senator Doderer offered the following amendment and moved its adoption :

- 1 Amend Senate File 188, page 3, line 2, by adding
- 2 after the word "organization" the words ", or the
- 3 rights of the people peaceably to assemble and to
- 4 petition the Government for a redress of grievances".

The amendment was adopted.

Senator Mowry offered the following amendment :

- 1 Amend Senate File 188 by striking all after the enacting clause
- 2 and inserting in lieu thereof the following:
- 3 "Section 1. It shall be unlawful for any person to enter
- 4 in or upon the lands, tenements, or hereditaments of another or
- 5 any building erection thereon without first having obtained the
- 6 permission of the owner, lessee, or person in possession of said
- 7 real estate. If the person making such entry causes no damage
- 8 to the real estate or any building erection thereon or personal
- 9 property located therein or thereon nor does not suffer or
- 10 permit or participate in a joint venture causing damage to the
- 11 real estate or any building erection thereon or personal property
- 12 located therein or thereon then in said event it shall be a
- 13 defense to the offense of trespass upon showing that:
- 14 a. the entry was by inadvertence or mistake, or
- 15 b. the entry was by invitation or license by one representing or

16 claiming to be the owner, lessee, or person in possession, or
17 c. the entry was by a person less than 18 years of age, or
18 d. the entry was for a mutual business transaction or solicitation
19 of a legitimate business transaction or for a lawful business
20 purpose relating to the use or occupancy of the real estate, or
21 e. the entry was by a person pursuant to the exercise of the
22 service of a judicial process or in pursuit of a person having
23 committed a public offense or a peace officer in the pursuit of
24 a person where there is reason to believe a public offense has
25 been committed, or

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1 f. the entry was by a person or with an associate of a person
2 related by marriage or within the fourth degree of consanguinity
3 to the owner, person in possession, lessee or a known friend or
4 mutual acquaintance other than casual, to the owner, person in
5 possession or lessee, or
6 g. any one or more of the aforesaid defenses may be rebutted by
7 the prosecution and the issue shall be determined by the court
8 or jury as appropriate at the trial.

9 Sec. 2. Any person found guilty of the offense of
10 trespass shall be fined the sum of not more than one hundred
11 dollars (\$100) or to a term of not more than thirty days in the
12 county jail or by both said fine and imprisonment. If the person
13 having entered into or upon the real estate of another or any
14 building erection thereon as provided in section one (1) has been
15 requested to leave or vacate said real estate or any building
16 erection thereon by the owner, lessee, or occupant or their agent
17 or employee and thereupon or thereafter fails to forthwith
18 peaceably vacate said premises or as a consequence thereof causes
19 or participates in a disturbance said person shall be fined the
20 sum of not more than two hundred dollars (\$200) or to a term of
21 not more than sixty days in the county jail or by both said fine
22 and imprisonment.

23 Sec. 3. Any person who without either implied or actual
24 permission enters any public building or, having lawfully entered
25 a public building, causes any nuisance therein, or uses, misuses,

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1 destroys, or partially destroys any public or private property
2 therein, shall be fined not more than three hundred dollars (\$300)
3 or imprisoned in the county jail not more than one year, or by
4 both said fine and imprisonment."

(Senate File 188 pending on adjournment.)

COMMUNICATIONS

The following communications were presented :

OFFICE OF THE GOVERNOR

State Capitol

Des Moines, Iowa 50319

March 9, 1971

The Honorable Roger W. Jepsen

Lieutenant Governor of Iowa

State Capitol

Local

Dear Governor Jepsen :

It is my pleasure to submit to the Senate for their consideration the name of Robert R. Rigler of New Hampton, Chickasaw County, Iowa, for appointment as a member of the Iowa State Highway Commission under the provisions of section 307.2, 1971 Code of Iowa, for the regular four-year term beginning July 1, 1971, and ending June 30, 1975.

Sincerely,
ROBERT D. RAY
Governor

Also :

Dear Governor Jepsen :

It is my pleasure to submit to the Senate for their consideration the name of Harry F. Reed of Winterset, Madison County, Iowa, for appointment as a member of the Iowa State Highway Commission under the provisions of section 307.2, 1971 Code of Iowa, for the regular four-year term beginning July 1, 1971, and ending June 30, 1975.

Sincerely,
ROBERT D. RAY
Governor

Also :

Dear Governor Jepsen :

It is my pleasure to submit to the Senate for their consideration the name of Michael M. Sellers of Des Moines, Polk County, Iowa, for appointment as Commissioner of Public Safety for the State of Iowa under the provisions of section 80.2, 1971 Code of Iowa, for the unexpired portion of the regular term ending June 30, 1971, and the regular four-year term beginning July 1, 1971, and ending June 30, 1975.

Sincerely,
ROBERT D. RAY
Governor

Also :

Dear Governor Jepsen :

It is my pleasure to submit to the Senate for their consideration the name of William H. Huff III of Des Moines, Polk County, Iowa, for appointment as Commissioner of Insurance for the State of Iowa under the provisions of section 505.2, 1971 Code of Iowa, for the regular four-year term beginning July 1, 1971, and ending June 30, 1975.

Sincerely,
ROBERT D. RAY
Governor

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File 66, a bill for an act relating to the sale of real property owned by a school district.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 211, a bill for an act relating to the term of office of county attorneys.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 103, a bill for an act relating to excuse of jurors.

WILLIAM R. KENDRICK, Chief Clerk

HOUSE AMENDMENT TO SENATE FILE 103

- 1 Amend Senate File 103 as follows:
- 2 1. By striking all of line 13 and inserting in lieu
- 3 thereof the following: "*a succeeding petit jury panel*
- 4 *within the same jury list.*"
- 5 2. By adding the following new section:
- 6 Sec. 2. Section six hundred seven point two (607.2),
- 7 subsection two (2), Code 1971, is amended as follows:
- 8 2. Practicing attorneys, physicians, licensed
- 9 embalmers, registered nurses, chiropractors, osteopaths,
- 10 veterinarians, registered pharmacists,
- 11 dentists, and clergymen, *including Christian Science*
- 12 *practitioners and readers.*

INTRODUCTION OF BILLS

Senate File 378, by Senator Gaudineer, a bill for an act relating to the creation of an Iowa athletic council.

Read first time and **passed on file.**

Senate File 379, by Senators Riley, Miller, Neu and Griffin, a bill for an act relating to safety standards and equipment on motor vehicles used by railroad companies, to the authority of the Iowa state commerce commission, and to provide penalties for violations.

Read first time and **passed on file.**

Senate File 380, by Senators Riley, Griffin, Tapscott, Walsh and Conklin (Shaw, Fischer of Grundy, Sorg, Knoke and Skinner), a bill for an act providing for the inclusion of students of schools of nursing in the tuition grant program.

Read first time and **passed on file.**

Senate File 381, by Senators Curran, Coleman and Rabedeaux (Lawson, Freeman, Strand, Mayberry, Rex, Ellsworth, Edelen, Grassley, Drake, Dunton, Nielsen, Cochran and Millen), a bill for an act relating to reduction of sentence for prisoners held in county jails.

Read first time and **passed on file**.

Senate File 382, by Senators DeKoster and Gaudineer (Kreamer), a bill for an act relating to deceptive trade practices and providing for civil remedies.

Read first time and **passed on file**.

Senate File 383, by Senators Palmer, Doderer, Gaudineer, Hill, Kennedy, Miller and Robinson, a bill for an act relating to the membership of the employment safety commission.

Read first time and **passed on file**.

Senate File 384, by Senator Van Drie (Schwieger), a bill for an act relating to crash-resistant automobile bumpers and declaring certain acts to be unlawful and providing penalties for violations.

Read first time and **passed on file**.

Senate File 385, by Senator Conklin, a bill for an act relating to the issuance of deer hunting licenses.

Read first time and **passed on file**.

HOUSE MESSAGES CONSIDERED

House File 66, a bill for an act relating to the sale of real property owned by a school district.

Read first time and **passed on file**.

House File 211, a bill for an act relating to the term of office of county attorneys.

Read first time and **passed on file**.

PRESENTATION OF VISITOR

President Jepsen welcomed to the Senate the Honorable Max E. Reno, former member of the Senate from Van Buren County.

BILLS ASSIGNED TO COMMITTEE

President Jepsen announced the assignment of the following bills to committee:

- S.C.R. 25 State government
- S. F. 368 County government
- S. F. 369 Law enforcement
- S. F. 370 Transportation
- S. F. 371 Transportation
- S. F. 372 Human and industrial relations
- S. F. 373 State government
- S. F. 375 Agriculture
- S. F. 376 Transportation
- S. F. 377 Commerce
- H.J.R. 2 Constitutional amendments and reapportionment
- H. F. 26 Commerce
- H. F. 37 State government
- H. F. 112 Commerce
- H. F. 122 County government
- H. F. 199 Cities and towns
- H. F. 307 Commerce
- H. F. 346 Ways and means

REPORT OF CONFERENCE COMMITTEE
(House File 121)

TO THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES:

We, the undersigned members of the conference committee appointed to consider the difference between the Senate and the House of Representatives on House File 121, a bill for an act to provide limitations on the property tax levy for the general fund budget of school districts, county boards of education, and joint boards of education and to make an appropriation to the department of public instruction for allocation to school districts, respectfully submit the following recommendations:

1. That the House recede from its amendment to the Senate amendment.
2. That the Senate recede from its amendment to the bill as amended and passed by the House.
3. That House File 121, as amended, passed, and reprinted by the House, be further amended as follows:
 - a. Page 2A, line 1, by striking the word "A" and inserting in lieu thereof the words "Except as provided for special education expenditures in section

three (3) of this Act, a”.

b. Page 2A, by striking lines 7 through 14, inclusive, and inserting in lieu thereof the following:

“unless, because of extraordinary and unusual circumstances, the school district receives permission from the school budget review committee.

As used in this section, the amount received by the district for the fiscal year commencing July 1, 1970, includes the amount received by the district as its share of the basic school tax levied equally in the basic school tax unit, as provided in sections four hundred forty-two point four (442.4) and four hundred forty-two point six (442.6) of the Code, and the amount raised by the district as an additional tax as provided in section four hundred forty-two point seventeen (442.17) of the Code. Subject to the limitations on amounts provided in this Act, the method of levying and distributing the basic school tax shall remain the same for the fiscal year commencing July 1, 1971, as it was for the fiscal year commencing July 1, 1970, and as provided in sections four hundred forty-two point four (442.4), four hundred forty-two point six (442.6), and four hundred forty-two point eight (442.8) of the Code.

The amount of the basic school tax levied in each basic school tax unit in the state for the fiscal year commencing July 1, 1971, shall be the same amount as the basic school tax levied for that basic school tax unit for the fiscal year commencing July 1, 1970, and except as otherwise provided in this Act, the amount of additional money to be provided by a property tax levy in each school district in the state for the fiscal year commencing July 1, 1971, as provided in section four hundred forty-two point seventeen (442.17) of the Code, shall not exceed the amount of additional money provided by the property tax levied for that school district for the fiscal year commencing July 1, 1970, and no school district shall levy any other amounts for general fund expenditures for the fiscal year commencing July 1, 1971, in excess of the amounts levied by that district for general fund expenditures for the year commencing July 1, 1970.

The intent of this Act is to make available to each school district in the state for general fund expenditures for the fiscal year commencing July 1, 1971, an amount received from property and income taxes equal to but not greater than the amount received from property and income taxes by each school district in the state for general fund expenditures for the fiscal year commencing July 1, 1970, except as otherwise provided in case of special education, extraordinary and unusual circumstances, and state aid.

Extraordinary and unusual circumstances for the purpose of this section are circumstances which materially affect the school district's financial status and which will require significant expenditures in addition to the moneys received from the property tax levy and income tax distributed pursuant to this Act and the appropriation in section six (6) of this Act. The school board requesting permission shall have the burden of proof to establish that all available means have been used by it to reduce the costs of the school district.

The limitations imposed in this Act shall apply to a school district which has reorganized since July 1, 1970, but the limitation for the reorganized district shall be based upon the combined general fund budgets of the school districts involved in the reorganization."

c. Page 2A, line 25, by inserting after the word "joint" the word "county".

d. Page 2A, line 27, by inserting after the figure "1971," the words and figures "or the fiscal year commencing January 1, 1972,".

e. Page 2A, line 31, by inserting after the figure "1970," the following:

"or the fiscal year commencing January 1, 1971.

In lieu of the limitations provided in section one (1) of this Act and in this section, expenditures for special education other than administrative expenditures are subject to the following limitations:

1. A school district, county board of education, or joint county board of education shall not certify for the general fund budget for such special education expenditures for the fiscal year commencing July 1, 1971, or January 1, 1972, an amount per pupil receiving special education in excess of one hundred five and three-tenths percent of the per pupil expenditure certified for such special education expenditures for the fiscal year beginning July 1, 1970, or January 1, 1971, for use in existing programs for the number of pupils receiving benefits therefrom on the 1970 fall enrollment date.

2. In addition to the amounts provided in subsection one (1) of this section, and notwithstanding the limitations otherwise provided in this Act, a school district, county board of education, or joint county board of education may certify and receive additional moneys to expand special education programs for the fiscal year commencing July 1, 1971, or January 1, 1972. However, this exception applies only to those special education programs or courses which would have qualified for state reimbursement pursuant to chapter two hundred eighty-one (281) of the Code, as interpreted by the rules and regulations of the

state department of public instruction effective on July 1, 1970.

3. If, for the 1971-1972 school year, responsibility for a special education pupil is transferred from a school district to a county or joint county board of education, or from a county or joint county board of education to a school district, the moneys budgeted for that pupil shall be transferred to the district or board which accepts responsibility for the pupil, or a proportionate amount shall be transferred if the change is made during the school year."

f. Page 2A, line 31, by striking the words "but said limitation on".

g. Page 2A, by striking lines 32 and 33.

h. Page 3A, line 3, by inserting after the word "joint" the word "county".

i. Page 3A, by inserting in line 5 after the figure "1971," the words and figures "or the fiscal year commencing January 1, 1972,".

j. Page 3A, line 7, by inserting after the word "Act" the words ", other than the limitations relating to special education expenditures".

k. Page 3A, line 11, by inserting after the word "joint" the word "county".

l. Page 3A, by striking lines 21 through 25, inclusive, and inserting in lieu thereof the following:

"The difference between the amount appropriated under section four hundred forty-two point seven (442.7) of the Code and the amount to be allocated to the local school districts for the fiscal year commencing July 1, 1971, is appropriated to the school budget review committee. The school budget review committee shall distribute these funds to the various school districts which have an increased public school fall enrollment in excess of five percent for the school year 1971-1972 over the school year 1970-1971. The school budget review committee shall determine the needs of school districts with increased fall enrollments and shall distribute the funds to each school district on the basis of need as determined by the school budget review committee and on the basis of the number of pupils in excess of the five percent increased fall enrollment, and any funds not allocated by the school budget review committee shall revert to the general fund as of June 30, 1972.

However, the maximum to be distributed to a school district under this section shall be computed as follows:

1. Determine the number of public school pupils enrolled in the district on the 1971 fall enrollment date which is in excess of five percent over the number enrolled in the district on the 1970 fall enrollment date.

2. Multiply the number obtained under subsection one (1) of this section by the per pupil average of all state aid distributed for the school year 1971-1972 pursuant to section six (6) of this Act and the income tax distributed pursuant to section five (5) of this Act, for the fiscal year commencing July 1, 1971."

m. Page 3A, lines 32 and 33, by striking the words "or so much thereof as may be necessary" and inserting in lieu thereof the words "as determined by 1971 public school fall enrollment".

n. Page 4A, line 7, by inserting after the word "basis" the words ", except that the forty-five dollars per pupil shall be distributed in three equal payments beginning with the second quarter".

o. Page 4A, by striking lines 8 through 10, inclusive, and inserting in lieu thereof the following:

"Sec. 7. Shared time students shall be computed on the 1971 public school fall enrollment, and shall participate in the forty-five dollars for each pupil enrolled in a public school in each school district as appropriated in section six (6) of this Act. Shared time student participation shall be counted on the basis of number of hours of instruction in a public school, proportionate to a full-time student enrolled in the district."

p. Page 1, amend the title by inserting in line 3 after the word "joint" the word "county".

On the part of the Senate:
WAYNE D. KEITH, Chairman
LUCAS J. DeKOSTER
H. L. OLLENBURG
LEE H. GAUDINEER, JR.

On the part of the House:
EDGAR H. HOLDEN, Chairman
ELMER H. DEN HERDER
CHARLES E. GRASSLEY
RICHARD M. RADL

SENATE CONCURRENT RESOLUTION 26

By Shawver, Kyhl and Lamborn

Whereas, Dr. Norman Borlaug was born and raised on a farm in Howard County, Iowa, and was graduated from the high school in Cresco, Iowa. Doctor Borlaug's parents are now living in Cresco, Iowa, and his two sisters are also residents of this state; and

Whereas, the recent awarding of the Nobel Peace Prize to this native son for his phenomenal achievements in the field of agriculture and his contributions to the problem of feeding of this growing world have brought international acclaim to the State of Iowa, and

Whereas, his rich life is a reflection of the fundamental virtues, heritages and traditions which characterize this great state and which have been reflected in the lives of so many other famous native sons; *Now Therefore*,

Be It Resolved by the Senate, the House Concurring: That a most cordial invitation is hereby tendered to Doctor Borlaug to address a joint convention of the Sixty-fourth General Assembly at his convenience; and

Be It Further Resolved: That a copy of this resolution be sent to Dr. Norman Borlaug.

REPORT OF COMMITTEE

Senator Mowry submitted the following report:

MR. PRESIDENT: Your committee on commerce, to which was referred **Senate File 223**, a bill for an act relating to licenses for professional boxing and wrestling matches, begs leave to report it has had the same under consideration and recommends the same **do pass**.

JOHN L. MOWRY, Chairman

Ordered passed on file.

AMENDMENTS FILED

- 1 Amend the Mowry amendment to Senate File 188, filed
- 2 March 1, 1971, as follows:
- 3 1. Page 1, line 3, by inserting after the word,
- 4 "to" the word "substantially".
- 5 2. Page 2, line 5, by inserting after such line the
- 6 following new subsection and by re-lettering the remaining
- 7 subsection in conformity herewith:
- 8 "g. Nothing in this Act shall be deemed to prohibit
- 9 or restrict the right of lawful picketing by a labor or-
- 10 ganization".
- 11 3. Page 2, line 12, by striking the words, "or by
- 12 both such fine and imprisonment".
- 13 4. Page 2, line 25, by striking the words, "causes
- 14 any nuisance therein, or uses" and by inserting in lieu
- 15 thereof the words, "substantially interferes with the
- 16 orderly and reasonable use thereof by any other person
- 17 who may lawfully use such building, or".

LEE H. GAUDINEER, JR.

- 1 Amend the Mowry amendment, filed March 1, 1971, to Senate
- 2 File 188 by striking from page 2, line 25, the following words:
- 3 "nuisance therein, or uses," and inserting in lieu thereof the
- 4 following: "disturbance therein, or".

JOHN L. MOWRY

- 1 Amend Senate File 293 by striking line 11
- 2 through 21, inclusive, and inserting in lieu thereof
- 3 the following:
- 4 "and shall remain standing until green or 'Go' is
- 5 shown alone, *however, local authorities may by ordinance*
- 6 *provide that the driver of a vehicle which is stopped*
- 7 *at the entrance to an intersection in obedience to a*
- 8 *red or 'Stop' signal, may make a right turn subject to*
- 9 *the right-of-way of pedestrians and other traffic pro-*
- 10 *ceeding as directed by a signal."*

HAROLD A. THORSDEN
EDWARD E. NICHOLSON
JAMES F. SCHABEN

1 Amend Senate File 297 by adding the following new
2 section thereto:

3 Sec. Section three hundred twenty-one point
4 eighty-eight (321.88), Code 1971, is hereby amended as
5 follows:

6 "321.88 Advertisement. If the owner does not appear
7 within that time, the officer having possession of same
8 shall make a determination based upon the condition of the
9 motor vehicle whether such motor vehicle should be sold as
10 a motor vehicle for use upon the highways or sold as junk and
11 shall advertise said motor vehicle for sale in a newspaper
12 published within the county at least once each week for
13 two consecutive weeks specifying whether it is to be sold as
14 a motor vehicle for use upon the highways or as junk. If
15 it is to be sold as a motor vehicle for use upon the high-
16 ways it shall first be inspected as provided in this Act and
17 have a valid certificate of inspection affixed.

18 If such vehicle is sold as junk and not sold to a
19 dealer licensed under chapter three hundred twenty-two (322)
20 of the Code such officer shall detach the registration plates
21 and registration card, if any, and deliver them to the depart-
22 ment and certify to the department that such motor vehicle
23 was sold for junk. Upon receipt of such certification the
24 department shall: if the vehicle is of record in the depart-
25 ment, cancel the registration and certificate of title for

Page 2

1 such vehicle on its records; notify the county treasurer of
2 the county where such vehicle was registered and, if differ-
3 ent the county treasurer of the title issuing county, that
4 the registration and certificate of title to such vehicle
5 have been cancelled; authorize the county treasurers to
6 cancel all records pertaining to such vehicle; and, if the
7 owner of such motor vehicle appears of record in the de-
8 partment, notify the owner that the certificate of title to
9 such vehicle has been cancelled and to deliver such certi-
10 ficate of title to the department. No refunds of license
11 fees for such vehicle shall be made."

LEE H. GAUDINEER, JR.
VERNON H. KYHL
HAROLD A. THORSEN

1 Amend Senate File 365 as follows:

2 Page 3, line 21, by inserting after the word
3 "require" the words ", shall be bonded in such amounts
4 as the board may require".

LEIGH R. CURRAN

1 Amend Senate File 375, page 5, line 31, by adding after
2 the word "state" the word "treasury".

RICHARD L. STEPHENS

On motion of Senator Lamborn, the Senate adjourned until 9:00
a.m., Thursday, March 11, 1971.

JOURNAL OF THE SENATE

SIXTIETH DAY

SENATE CHAMBER
DES MOINES, IOWA, THURSDAY, MARCH 11, 1971

The Senate met in regular session, President pro tempore Kyhl presiding.

Prayer was offered by the Reverend Everett Pencook, pastor of the United Methodist Church, Altoona, Iowa.

The Senate pledged allegiance to the flag.

The Journal of Wednesday, March 10, 1971, was approved.

PRESENTATION OF VISITORS

Senator Graham rose on a point of personal privilege and presented to the Senate the Honorable Elmer F. Lange, former member of the Senate and House of Representatives from Sac County. Senator Lange served as president pro tempore of the Senate during the second session of the Sixty-third General Assembly.

The Chair announced that the following visitors were present in the Senate gallery:

Thirty-five students from West Burlington High School, Burlington, Iowa, accompanied by their instructors, Mrs. Hensley and Donald Hopkins.

PETITIONS

The following petitions were presented and placed on file:

By Senator Kennedy, from twenty-seven residents of Dubuque County recommending legislation to shift the financing of education, welfare, and state institutions from property taxes to some other tax.

By Senator Smith, from thirteen residents of Osceola County opposing legislation that repeals the county Soldiers Relief Commission and places its duties with the County Board of Social Welfare.

ADOPTION OF CONCURRENT RESOLUTIONS

House Concurrent Resolution 24

Senator Milligan called up the following resolution and moved its adoption:

HOUSE CONCURRENT RESOLUTION 24

By Kreamer

Whereas, the Drake University basketball team has tied for the Missouri Valley basketball championship, and won the right to participate in the conference playoffs to be held in Peoria, Illinois, Saturday, March 13, 1971, for an opportunity to compete in the NCAA Midwest Regional Tournament in Wichita, Kansas; and

Whereas, The Drake University basketball team has brought many honors to themselves and their school through consistently displaying the highest qualities of sportsmanship, teamwork and spirit, and has been worthy ambassadors of goodwill for which the state of Iowa is proud, therefore,

Be It Resolved by the House of Representatives, the Senate Concurring, That the Sixty-fourth General Assembly, First Regular Session, commends Drake University and its basketball team for its outstanding season;

Be It Further Resolved, That the Sixty-fourth General Assembly, First Regular Session, wishes to extend its full support and backing to the Drake University basketball team in its upcoming playoff game, and

Be It Further Resolved, That a copy of this resolution be sent to Coach Maurice John and the Drake University basketball team.

The motion prevailed and the resolution was adopted.

Senate Concurrent Resolution 26

Senator Shawver asked and received unanimous consent to take up for consideration the following resolution and moved its adoption:

SENATE CONCURRENT RESOLUTION 26

By Shawver, Kyhl and Lamborn

Whereas, Dr. Norman Borlaug was born and raised on a farm in Howard County, Iowa, and was graduated from the high school in Cresco, Iowa. Doctor Borlaug's parents are now living in Cresco, Iowa, and his two sisters are also residents of this state; and

Whereas, the recent awarding of the Nobel Peace Prize to this native son for his phenomenal achievements in the field of agriculture and his contributions to the problem of feeding of this growing world have brought international acclaim to the State of Iowa, and

Whereas, his rich life is a reflection of the fundamental virtues, heritages and traditions which characterize this great state and which have been reflected in the lives of so many other famous native sons; *Now Therefore*,

Be It Resolved by the Senate, the House Concurring: That a most cordial invitation is hereby tendered to Doctor Borlaug to address a joint convention of the Sixty-fourth General Assembly at his convenience; and

Be It Further Resolved: That a copy of this resolution be sent to Dr. Norman Borlaug.

The motion prevailed and the resolution was adopted.

ADOPTION OF CONFERENCE COMMITTEE REPORT

House File 121

Senator Keith called up the Report of Conference Committee on House File 121, a bill for an act to provide limitations on the property tax levy for the general fund budget of school districts, county boards of education, and joint boards of education and to make an appropriation to the department of public instruction for allocation to school districts, filed March 10, 1971, and found on pages 495-499, inclusive, of the Senate Journal.

President Jepsen took the chair at 10:42 a.m.

President pro tempore Kyhl took the chair at 10:45 a.m.

Senator Keith moved the adoption of the conference committee report.

Roll call was requested.

Senator Schaben moved to suspend the rules in order to continue the debate after Senator Keith's motion to adopt the conference committee report had been called for by the President of the Senate.

On the question "Shall the motion to suspend the rules be adopted?" (H.F. 121) the vote was:

Ayes, 12:

Coleman	Glenn	Miller	Tapscott
Doderer	Hill	Neu	Van Gilst
Gaudineer	Kennedy	Palmer	Walsh

Nays, 34:

Anderson	Erskine	Milligan	Robinson
Arbuckle	Gilley	Mowry	Schaben
Balloun	Graham	Nicholson	Shaff
Bass	Griffin	Ollenburger	Shawver
Briles	Keith	Potgeter	Smith
Brownlee	Kyhl	Potter	Stephens
Carlson	Lamborn	Rhodes	Thordsen
Conklin	Laverty	Riley	Van Drie
Davis	Messerly		

Absent or not voting, 3:

Curran	DeKoster	Rabedeaux
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The motion lost.

On the question "Shall the conference committee report be adopted?" the vote was:

Ayes, 30:

Anderson	Erskine	Lavery	Rhodes
Balloun	Gaudineer	Messerly	Shaff
Bass	Gilley	Mowry	Shawver
Briles	Glenn	Nicholson	Smith
Brownlee	Griffin	Ollenburg	Stephens
Carlson	Keith	Potgeter	Van Drie
Curran	Kyhl	Potter	Van Gilst
Davis	Lamborn		

Nays, 16:

Arbuckle	Hill	Neu	Schaben
Coleman	Kennedy	Palmer	Tapscott
Conklin	Miller	Riley	Thordsen
Doderer	Milligan	Robinson	Walsh

Absent or not voting, 3:

DeKoster	Graham	Rabedeaux
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The motion prevailed and the conference committee report and the recommendations and amendments contained therein were adopted.

Senator Keith moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 121) the vote was:

Rule 24 was invoked.

Ayes, 31:

Anderson	Davis	Lamborn	Schaben
Arbuckle	Erskine	Lavery	Shaff
Balloun	Gilley	Mowry	Shawver
Bass	Glenn	Nicholson	Smith
Briles	Graham	Ollenburg	Stephens
Brownlee	Griffin	Potgeter	Van Drie
Carlson	Keith	Potter	Van Gilst
Curran	Kyhl	Rhodes	

Nays, 15:

Coleman	Hill	Neu	Tapscott
Conklin	Kennedy	Palmer	Thordsen
Doderer	Miller	Riley	Walsh
Gaudineer	Milligan	Robinson	

Absent or not voting, 3:

DeKoster	Messerly	Rabedeaux
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The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senator Keith moved that the vote by which **House File 121** passed the Senate be reconsidered and the motion to reconsider be laid on the table.

Roll call was requested.

On the question "Shall the motion to reconsider be laid on the table?" (H.F. 121) the vote was:

Ayes, 28:

Anderson	Davis	Lamborn	Potter
Balloun	Erskine	Lavery	Rhodes
Bass	Gilley	Messerly	Shaff
Briles	Graham	Mowry	Shawver
Brownlee	Griffin	Nicholson	Smith
Carlson	Keith	Ollenburg	Stephens
Curran	Kyhl	Potgeter	Van Drie

Nays, 18:

Coleman	Hill	Palmer	Tapscott
Conklin	Kennedy	Riley	Thordsen
Doderer	Miller	Robinson	Van Gilst
Gaudineer	Milligan	Schaben	Walsh
Glenn	Neu		

Absent or not voting, 3:

Arbuckle	DeKoster	Rabedaux
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The motion prevailed.

HOUSE AMENDMENTS CONSIDERED

Senate File 103

Senator Gaudineer called up for consideration Senate File 103, a bill for an act relating to excuse of jurors, amended by the House, and moved that the Senate concur in the following amendments:

- 1 Amend Senate File 103 as follows:
- 2 1. By striking all of line 13 and inserting in lieu
- 3 thereof the following: "*a succeeding petit jury panel*
- 4 *within the same jury list.*"
- 5 2. By adding the following new section:
- 6 Sec. 2. Section six hundred seven point two (607.2),
- 7 subsection two (2), Code 1971, is amended as follows:
- 8 2. Practicing attorneys, physicians, licensed
- 9 embalmers, registered nurses, chiropractors, osteopaths,
- 10 veterinarians, registered pharmacists,
- 11 dentists, and clergymen, *including Christian Science*
- 12 *practitioners and readers.*

The motion prevailed and the Senate concurred in the House amendments.

Senator Gaudineer moved that the bill as amended by the House and concurred in by the Senate be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 103) the vote was:

Ayes, 41:

Anderson	Erschine	Laverty	Rhodes
Arbuckle	Gaudineer	Messerly	Riley
Balloun	Gilley	Miller	Robinson
Bass	Glenn	Milligan	Schaben
Briles	Graham	Mowry	Shaff
Carlson	Griffin	Neu	Shawver
Coleman	Hill	Nicholson	Tapscott
Conklin	Kennedy	Ollenburg	Thordsen
Curran	Kyhl	Potgeter	Van Drie
Davis	Lamborn	Potter	Van Gilst
Doderer			

Nays, none.

Absent or not voting, 8:

Brownlee	Keith	Rabedaux	Stephens
DeKoster	Palmer	Smith	Walsh

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

President Jepsen took the chair at 11:51 a.m.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Rhodes, from the joint committee on enrolled bills, submitted the following report and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate Files 8, 41, 65, 83, 105, 118, 146, 147, 148, 157 and 171.

JOHN C. RHODES
Chairman, Senate Committee
ELIZABETH R. MILLER
Chairman, House Committee

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate the following bills: Senate Files 8, 41, 65, 83, 105, 118, 146, 147, 148, 157 and 171.

COMMUNICATIONS

The following communications were presented:

OFFICE OF THE GOVERNOR

State Capitol
Des Moines, Iowa 50319

March 11, 1971

The Honorable Roger W. Jepsen
Lieutenant Governor of Iowa
State Capitol
Local

Dear Governor Jepsen:

It is my pleasure to submit to the Senate for their consideration the name of Maurice Van Nostrand of Des Moines, Polk County, Iowa, for appointment as a member of the Iowa State Commerce Commission under the provisions of section 474.2, of the 1971 Code of Iowa, for the regular six-year term beginning July 1, 1971, and ending June 30, 1977.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Jepsen:

It is my pleasure to submit to the Senate for their consideration the name of Dr. Merwin D. Dougal of Ames, Story County, Iowa, for appointment as a member of the Natural Resources Council under the provisions of section 455A.4, 1971 Code of Iowa, for the regular six-year term beginning July 1, 1971, and ending June 30, 1977.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Jepsen:

It is my pleasure to submit to the Senate for their consideration the name of Leslie C. Klink of Elkader, Clayton County, Iowa, for appointment as a member of the Natural Resources Council under the provisions of section 455A.4, 1971 Code of Iowa, for the regular six-year term beginning July 1, 1971, and ending June 30, 1977.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Jepsen:

It is my pleasure to submit to the Senate for their consideration the name of Jules M. Busker of Sioux City, Woodbury County, Iowa, for appointment as a member of the Iowa State Highway Commission under the provisions of section 307.2, 1971 Code of Iowa, for the regular four-year term beginning July 1, 1971, and ending June 30, 1975.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Jepsen:

It is my pleasure to submit to the Senate for their consideration the name

of Jerry L. Addy of Des Moines, Polk County, Iowa, for appointment as Labor Commissioner under the provisions of section 91.2, 1971 Code of Iowa, for a regular two-year term beginning July 1, 1971, and ending June 30, 1973.

Sincerely,
ROBERT D. RAY
Governor

SUPPLEMENTAL REPORT OF COMMITTEE ON CREDENTIALS

Senator Coleman submitted the following report and moved its adoption:

MR. PRESIDENT: We, your committee on credentials, respectfully report that we find the following named person duly elected to and entitled to a seat in the Senate of the Sixty-fourth General Assembly as shown by the duplicate copy of certificate of election on file in the office of the Secretary of State:

CERTIFICATION SECRETARY OF STATE Des Moines

March 11, 1971

To The Honorable Secretary of the Senate:

I, MELVIN D. SYNHORST, Secretary of State of the State of Iowa, do hereby certify that the State Canvassing Board has declared that at a Special Election held on March 8, 1971, William Gross was duly elected to the office of State Senator for the Eleventh Senatorial District, to fill a vacancy in a four-year term which began on January 2, 1969.

(Seal)

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Secretary of State at the Capitol, in Des Moines, this eleventh day of March, A.D. 1971.

MELVIN D. SYNHORST Secretary of State
LUCAS J. DeKOSTER, Chairman
C. JOSEPH COLEMAN
LEIGH R. CURRAN
JAMES W. GRIFFIN, SR.
BASS VAN GILST

The report was adopted and the newly elected Senator was escorted to the rostrum where he was duly sworn and subscribed his name to the oath of office.

On motion of Senator Lamborn, the Senate recessed until 1:30 p.m.

AFTERNOON SESSION

The Senate reconvened, President pro tempore Kyhl presiding.

SPECIAL ORDER CONTINUED

UNFINISHED BUSINESS

Senate File 188

The Senate resumed consideration of Senate File 188, a bill for an

act to define criminal trespass and to prescribe the penalty for such trespass, and the amendment offered by Senator Mowry.

Senator Mowry offered the following amendment to the amendment and moved its adoption:

- 1 Amend the Mowry amendment, filed March 1, 1971, to Senate
- 2 File 188 by striking from page 2, line 25, the following words:
- 3 "nuisance therein, or uses," and inserting in lieu thereof the
- 4 following: "disturbance therein, or".

The amendment was adopted.

Senator Gaudineer offered the following amendment to the amendment and called for a division of the amendment into four divisions:

Division 1

- 1 Amend the Mowry amendment to Senate File 188, filed
- 2 March 1, 1971, as follows:
- 3 1. Page 1, line 3, by inserting after the word,
- 4 "to" the word "substantially".

Division 2

- 5 2. Page 2, line 8, by inserting after such line the
- 6 following new subsection and by re-lettering the remaining
- 7 subsection in conformity herewith:
- 8 "g. Nothing in this Act shall be deemed to prohibit
- 9 or restrict the right of lawful picketing by a labor or-
- 10 ganization".

Division 3

- 11 3. Page 2, line 12, by striking the words, "or by
- 12 both such fine and imprisonment".

Division 4

- 13 4. Page 2, line 25, by striking the words, "causes
- 14 any nuisance therein, or uses" and by inserting in lieu
- 15 thereof the words, "substantially interferes with the
- 16 orderly and reasonable use thereof by any other person
- 17 who may lawfully use such building, or".

Senator Gaudineer moved the adoption of division 1 of the amendment to the amendment.

Division was called for.

Division 1 of the amendment to the amendment lost.

Senator Gaudineer moved the adoption of division 2 of the amendment to the amendment and requested a roll call.

On the question "Shall division 2 of the amendment to the amendment be adopted?" (S.F. 188) the vote was:

Ayes, 24:

Balloun	Erskine	Milligan	Robinson
Carlson	Gaudineer	Neu	Schaben
Coleman	Glenn	Palmer	Shawver
Conklin	Gross	Potter	Tapscott
Davis	Kennedy	Rabedaux	Thordsen
Doderer	Miller	Riley	Van Gilst

Nays, 21:

Anderson	Graham	Lamborn	Potgeter
Arbuckle	Griffin	Lavery	Rhodes
Bass	Hill	Mowry	Smith
Brownlee	Keith	Nicholson	Stephens
Curran	Kyhl	Ollenburg	Van Drie
Gilley			

Voting present, 1:

Shaff

Absent or not voting, 4:

Briles	DeKoster	Messerly	Walsh
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Division 2 of the amendment to the amendment was adopted.

Senator Gaudineer asked and received unanimous consent to withdraw divisions 3 and 4 of the amendment to the amendment.

Senator Graham offered the following amendment to the amendment:

- 1 Amend the Mowry amendment, filed March 1, 1971, to
- 2 Senate File 188, page 3, by adding the following new
- 3 section after line 4:
- 4 Sec. 4. Anyone going on the land of another with
- 5 a gun shall first obtain written permission from the
- 6 owner or person having control of such land, or his
- 7 agent. Such written permission shall include the
- 8 dates on which entry to the land is planned.

Senator Kennedy raised a point of order on the amendment to the amendment for the reason that the same subject matter had already been considered.

The Chair ruled the point not well taken and the amendment to the amendment in order.

Senator Graham moved the adoption of his amendment to the amendment and requested a roll call.

On the question "Shall the amendment to the amendment be adopted?" (S.F. 188) the vote was:

Ayes, 18:

Anderson	Graham	Lavery	Shaff
Arbuckle	Hill	Potgeter	Smith
Balloun	Keith	Rabedeaux	Stephens
Bass	Kyhl	Schaben	Van Gilst
Carlson	Lamborn		

Nays, 27:

Brownlee	Doderer	Gross	Neu
Coleman	Erskine	Kennedy	Nicholson
Conklin	Gaudineer	Miller	Ollenburg
Curran	Gilley	Milligan	Palmer
Davis	Glenn	Mowry	Potter

Rhodes	Robinson	Tapscott	Van Drie
Riley	Shawver	Thordsen	

Absent or not voting, 5:

Briles	Griffin	Messerly	Walsh
DeKoster			

The amendment to the amendment lost.

Senator Glenn offered the following amendment to the amendment and moved its adoption:

- 1 Amend the Mowry amendment to Senate File 188, page 2,
- 2 line 25, as follows:
- 3 1. By inserting after the word "any", the words,
- 4 "disruption and".

Roll call was requested.

On the question "Shall the amendment to the amendment be adopted?" (S.F. 188) the vote was:

Rule 24 was invoked.

Ayes, 12:

Coleman	Glenn	Miller	Robinson
Doderer	Gross	Milligan	Schaben
Gaudineer	Kennedy	Palmer	Tapscott

Nays, 32:

Anderson	Gilley	Mowry	Riley
Arbuckle	Graham	Neu	Shaif
Bass	Hill	Nicholson	Shawver
Brownlee	Keith	Ollenburg	Smith
Conklin	Kyhl	Potgeter	Stephens
Curran	Lamborn	Potter	Thordsen
Davis	Laverty	Rabedeaux	Van Drie
Erskine	Messerly	Rhodes	Van Gilst

Absent or not voting, 6:

Balloun	Carlson	Griffin	Walsh
Briles	DeKoster		

The amendment to the amendment lost.

Senator Mowry moved the adoption of his amendment as amended and requested a roll call.

On the question "Shall the amendment as amended be adopted?" (S.F. 188) the vote was:

Rule 24 was invoked.

Ayes, 37:

Anderson	Conklin	Graham	Lamborn
Arbuckle	Curran	Hill	Laverty
Bass	Davis	Keith	Messerly
Brownlee	Erskine	Kennedy	Miller
Coleman	Gilley	Kyhl	Milligan

Mowry
Neu
Nicholson
Ollenburg
Potgeter

Potter
Rhodes
Riley
Robinson

Schaben
Shaff
Shawver
Smith

Stephens
Thordsen
Van Drie
Van Gilst

Nays, 8:

Balloun
Doderer

Gaudineer
Glenn

Gross
Palmer

Rabedeaux
Tapscott

Absent or not voting, 5:

Briles
Carlson

DeKoster

Griffin

Walsh

The amendment as amended was adopted.

On motion of Senator Lamborn, the Senate recessed until the fall of the gavel.

The Senate reconvened, President pro tempore Kyhl presiding.

MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has adopted the conference committee report and the amendments contained therein and passed:

House File 121, a bill for an act to provide limitations on the property tax levy for the general fund budget to school districts.

WILLIAM R. KENDRICK, Chief Clerk

INTRODUCTION OF BILLS

Senate File 386, by committee on commerce, a bill for an act relating to assignment of group life insurance.

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

Senate File 387, by committee on human and industrial relations, a bill for an act relating to collective bargaining in public employment, providing penalties for violations, and making an appropriation therefor.

Read first time and referred to committee on **appropriations** (under Rule 37).

Senate File 388, by Senator Riley, a bill for an act to establish full property rights between husband and wife.

Read first time and **passed on file**.

Senate File 389, by committee on cities and towns, a bill for an act relating to the place of payment of public bonds.

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

Senate File 390, by Senator Riley, a bill for an act relating to interest and penalties on Iowa income tax.

Read first time and **passed on file**.

Senate File 391, by committee on conservation and recreation, a bill for an act relating to the boarding and inspection of vessels and providing a penalty.

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

Senate File 392, by committee on agriculture, a bill for an act relating to the eradication of hog cholera and the control and eradication of the swine diseases.

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

Senate File 393, by Senator Potter, a bill for an act relating to the use of sewer rental funds.

Read first time and **passed on file**.

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

The Senate reconvened, President pro tempore Kyhl presiding.

UNFINISHED BUSINESS

Senate File 188

The Senate resumed consideration of Senate File 188.

Senator Mowry moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 188) the vote was:

Rule 24 was invoked.

Ayes, 38:

Anderson	Gilley	Mowry	Robinson
Arbuckle	Graham	Neu	Schaben
Bass	Hill	Nicholson	Shaff
Brownlee	Keith	Ollenburg	Shawver
Carlson	Kennedy	Potgeter	Smith
Coleman	Kyhl	Potter	Stephens
Conklin	Lamborn	Rabedaux	Thordsen
Curran	Messerly	Rhodes	Van Drie
Davis	Miller	Riley	Van Gilst
Erskine	Milligan		

Nays, 4:

Balloun	Glenn	Gross	Tapscott
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Absent or not voting, 8:

Briles	Doderer	Griffin	Palmer
DeKoster	Gaudineer	Laverty	Walsh

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

Senator Mowry moved that the vote by which **Senate File 188** passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

ANNOUNCEMENT OF INVESTIGATING COMMITTEES ON GOVERNOR'S APPOINTMENTS

President Jepsen, in accordance with section 2.32, Code 1971, announced the appointment of the following Senators to investigating committees:

As a member of the Iowa State Highway Commission:

Robert R. Rigler of New Hampton, Chickasaw County, Iowa, for the regular four-year term ending June 30, 1975.

Senator Shawver, Chairman
Senator Kyhl
Senator Stephens
Senator Hill
Senator Curran

As a member of the Iowa State Highway Commission:

Harry F. Reed of Winterset, Madison County, Iowa, for the regular four-year term ending June 30, 1975.

Senator Rhodes, Chairman
Senator Walsh
Senator Keith
Senator Gaudineer
Senator Davis

As a member of the Iowa State Highway Commission:

Jules M. Busker of Sioux City, Woodbury County, Iowa, for the regular four-year term ending June 30, 1975.

Senator Erskine, Chairman
Senator DeKoster
Senator Graham
Senator Gross
Senator Smith

As a member of the Natural Resources Council:

Dr. Merwin D. Dougal of Ames, Story County, Iowa, for the regular six-year term ending June 30, 1977.

Senator Van Drie, Chairman
Senator Potgeter
Senator Brownlee
Senator Coleman
Senator Neu

As a member of the Natural Resources Council:

Leslie C. Klink of Elkader, Clayton County, Iowa, for the regular six-year term ending June 30, 1977.

Senator Gilley, Chairman
Senator Potter
Senator Shawver
Senator Kennedy
Senator Lamborn

As Commissioner of Insurance for the State of Iowa:

William H. Huff III of Des Moines, Polk County, Iowa, for the regular four-year term ending June 30, 1975.

Senator Carlson, Chairman
Senator Anderson
Senator Griffin
Senator Tapscott
Senator Briles

As Commissioner of Public Safety for the State of Iowa:

Michael M. Sellers of Des Moines, Polk County, Iowa, for the unexpired term ending June 30, 1971, and for the regular four-year term ending June 30, 1975.

Senator Laverty, Chairman
Senator Thordsen
Senator Arbuckle
Senator Palmer
Senator Balloun

As a member of the Iowa State Commerce Commission:

Maurice Van Nostrand of Des Moines, Polk County, Iowa, for the regular six-year term ending June 30, 1977.

Senator Mowry, Chairman
Senator Bass
Senator Briles
Senator Schaben
Senator Neu

As Labor Commissioner:

Jerry L. Addy of Des Moines, Polk County, Iowa, for the regular two-year term ending June 30, 1973.

Senator Milligan, Chairman
Senator Davis
Senator Balloun
Senator Van Gilst
Senator Griffin

BILLS ASSIGNED TO COMMITTEE

President Jepsen announced the assignment of the following bills to committee:

- S. F. 378 State government
- S. F. 379 Commerce
- S. F. 380 Schools
- S. F. 381 Judiciary
- S. F. 382 Commerce

S. F. 383 Human and industrial relations

S. F. 384 Law enforcement

S. F. 385 Conservation and recreation

H. F. 66 Schools

H. F. 211 County government

ANNOUNCEMENT BY PRESIDENT OF THE SENATE

President Jepsen announced the following committee assignments:

SENATOR MILLIGAN

Appropriations

SENATOR GROSS

Cities and towns

Social services

Environmental preservation

Transportation

ANNOUNCEMENT OF APPROPRIATIONS SUBCOMMITTEE APPOINTMENT

Senator Messerly announced the following appointment to the social services subcommittee of the committee on appropriations:

Senator Milligan

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which House File 230 passed the Senate.

W. R. RABEDEAUX

ADDENDUM AND SUPPLEMENT TO BUDGET MESSAGE BY THE HONORABLE ROBERT D. RAY GOVERNOR OF IOWA

Delivered to the Sixty-fourth General Assembly, First Session

March 11, 1971

TO THE MEMBERS OF THE SIXTY-FOURTH GENERAL ASSEMBLY:

On January 27, 1971, in accordance with chapter 8 of the Iowa Code, I submitted to the Sixty-fourth General Assembly a Budget Message and included therewith a "Budget in Brief" with explanatory documents and charts.

Since then you have received a detailed Budget Report. Now, pursuant to the same chapter of the Iowa Code, I submit herewith an addendum and supplement to the Governor's Budget as heretofore presented and for the reasons that follow.

In recent months much has been said about the state's financial condition.

Budgets for government are prepared on the basis of expected income and needed expenditures. On the state level, the legislature appropriates money that provides the funds for our budget. During this biennium we are spending less than the General Assembly appropriated. However, our income has not been as great as anticipated.

When in 1969 and 1970, you appropriated money for the budget of this biennium, you did so on estimated revenue. Your projections, as were true of mine, were based upon the best fiscal data you could obtain from the

experts who work in the field of government finance. The validity of that information was recognized at the time as legislators from both parties in both Houses voted the appropriations.

The best an estimate can be is a projection based on past experience, evaluation of current conditions and expansion of adjusted trends into the future.

While in the process of developing our original budget for the 1971-73 biennium, it became apparent that the economic conditions which had plagued the nation earlier had caught up with Iowa. In December, however, it appeared that the down-turn was still only a temporary setback and that there were reasons to expect a recovery from declining hog prices, several major strikes and a distressing level of unemployment. Unfortunately, the economy did not respond as quickly as the experts had anticipated.

As we prepared our original budget for the next biennium we took into consideration, based on information at that time, that the economic decline would result in a loss of anticipated state revenue of approximately \$12 million. We faced the problem of preventing a deficit when we made our original budget. Now, I am advised that state revenues may be down by as much as another \$13 million. Recognizing that we must not have a deficit, I again face squarely another round of belt tightening.

I have insisted that we adjust any changes to deal with this situation using the most realistic figures that have been presented to me by experts in the field of government financing including the State Comptroller, the Legislative Fiscal Director, the State Director of Revenue, the State Treasurer and others.

There is one very basic difference between Iowa state government financing procedures and those of the federal government. We cannot incur a deficit. State government is operating in the black now and by following the proposals I submit today we will remain in the black.

The recommendations I am presenting to you contain no magic solutions—for as anyone who has ever been faced with the prospect of spending within definite limits knows, there are priorities which must be set and sacrifices which must be made.

As an aside, I want to make mention of the fact that historically—because of various demands—there has been a legislative tendency to exceed, or “break” a Governor’s budget. I am sure it is obvious to all of you that this cannot happen in the next biennium, for the funds are simply not available.

I call upon you to work within the framework of the budget which you now have at hand.

This is a budget which recognizes the heavy pressures which confront the taxpayers of our state. At the same time, this budget makes provisions to strengthen our support for cities and towns and education at all levels. It provides additional consideration for our elderly and our disadvantaged; it recognizes the need to cope with the problems of our environment, our rural and urban development and extends greater resources for the fight against crime, improved health care for our citizens, and for the many other services of a government which exists to serve the people of this state.

REVISION OF REVENUE BASE SIXTY-FOURTH BIENNIUM

The loss of revenue for the current fiscal year has not only made changes necessary in this year, but indicates to those responsible for estimating revenues that reductions will be necessary for the forthcoming biennium.

Nearly all of the losses in revenues have been in the sales and use tax collections, and in personal income tax receipts. To reflect the current changes in the reduction in revenues, the Comptroller has cut \$13.2 million from the estimated or projected receipts of sales and income taxes for the fiscal year ending June 30, 1972, and another \$15.5 million from the projected receipts of sales and income taxes for the fiscal year ending June 30, 1973.

By making these adjustments in revenue estimates, the Comptroller has assumed that the state's economy will not return to the previous high level, **plus** growth, but rather he has computed or projected the growth on the current lower base. This is, of course, the most conservative approach, and one which we believe is proper at this time.

One final word as to the rate of growth projected by the Comptroller. Basically, the growth anticipated in the personal income tax is 8 percent annually, and the sales tax approximately 3 percent per year. Based on all the years of record, this is a relatively modest projection.

I now submit to you the amendments, changes and refinements to my original budget which include no additional general taxes.

MONTHLY SALES TAX REMITTANCES

1. Presently, Iowa law requires retailers who take in more than \$500 per month in sales tax, to remit to the state those funds on a monthly basis. Others remit on a quarterly basis. I am recommending that all who collect more than \$50 per month remit their collections on a monthly basis. Surrounding states require monthly remittances at the \$25 or \$20 level. This will result in an immediate \$8.8 million to help prevent any deficit.

ADDITIONAL REVERSIONS TO GENERAL FUND

2. By further curtailing state expenditures, it is estimated that an additional \$1.5 million can be saved.

CIGARETTE TAX

3. The action of the General Assembly in already passing the cigarette tax bill will result in an additional \$2.2 million not included in my original budget.

REVENUE FROM LIQUOR RETAILERS

4. In 1963, when Iowa's liquor-by-the-drink law was enacted, sales of mixed drinks were taxed 10 percent. In 1967, this procedure was revised. A 10 percent tax was replaced with a 15 percent surcharge on the liquor paid by the retailer at the time of purchase from the state stores and the usual 3 percent sales tax was paid by the consumer of mixed drinks.

At the time of this change it was believed that the revenue to the state would be the same. This has not been the case. During the past two years—under the old plan—the state would have received approximately \$1.5 million more annually. I am recommending that the surcharge be at 20 percent. It would be equivalent to one cent per mixed drink, adding back to state revenue in the approximate amount of \$1.5 million per year.

REVISION OF STATE EMPLOYEE PAY SCHEDULES

5. My original budget provides for the implementation of the Jacobs Plan for state employees. Such upgrading and improvement is necessary and therefore I continue to recommend that the legislature provide funds essential for this plan.

It will be possible, however, to provide for "earned merit pay increases" following the implementation of the Jacobs Plan without the necessity of

the extra \$3.4 million called for in my original budget. Until funds are more readily available this amount can be used to prevent a state deficit.

REGENTS BUDGET

6. My original budget granted percentage salary increases for the Board of Regents personnel that exceeded those for many of our other state employees. It is my belief adjustments can be made so that increase will more closely correspond to the state averages for other agencies. This will reduce spending by \$6 million.

It is imperative that we maintain the educational system of Iowa at a high level. This change, I am convinced, will not reduce that commitment.

REFINEMENT OF SCHOOL AID PLAN

7. Further analysis of the school aid program I presented to you as a part of my budget message has revealed the possibility of refinement of the distribution formula. I recommend no change in the program as it applies to the 1971-72 school year. In the 1972-73 school year, however, the effect of the phasing-in process of the foundation program has an unnecessarily magnanimous impact on a few schools in our state in that it makes possible sharp drops in the local millage rate.

I am recommending that changes be made which would limit the millage reduction in any school district to 10 percent per year. This will add, I believe, equity to the program, will only affect 57 school districts, and will enable the state to reduce its share of school costs by \$6 million in the upcoming biennium. At the end of the four-year period which was outlined to you in the budget message, the millage levy in these 57 districts will be precisely the same as I previously stated.

PASSAGE OF REVENUE PLAN

8. To finance the revenue plan I submitted to you in January—a plan that will effectively stabilize burdensome property taxes it is necessary to shift a portion of the tax load to a growth tax based on one's ability to pay. The plan calls for the full rate of income tax instead of the present three-fourths rate.

By speedy passage of this revenue plan, the withholding rates can be immediately adjusted for the convenience of the tax payers; this will also help alleviate the money squeeze.

Should the Legislature not promptly enact this measure it will be necessary to defer payment of some of the state's obligations.

CAPITALS

9. We have already determined that we can defer some construction, thereby avoiding this expense of \$5.6 million during the remainder of this biennium. In this revision of my budget, we provide for the reappropriation of these funds, but also for the reduction of total capitals of \$6 million in the first year and \$2 million in the second year of the 1971-73 biennium.

These items of deferment can be reconsidered when the revenue outlook brightens.

My recommendations today require action on your part—the sooner the better. You will then be able to turn to other important work in this session with a clear resolve.

When first apprised of our declining income situation, I ordered a new round of belt tightening in state government. This was done. Now, in effect, I am calling for cinching the belt additional notches. This is not appealing—but it is imperative.

The recommendations as outlined in this message, and your action, will enable us to assure our citizens that Iowa government remains in the black for this biennium and the biennium ahead.

Our efforts to cope with the immediate problems which resulted in the down turn of expected revenues must not be permitted to turn our heads from the paramount task of this legislative session. That task is to stop spiraling property taxes and get into a reasonable school finance plan—not only for this year or the next, but in the years to come.

REPORTS OF COMMITTEE

Senator Shaff submitted the following reports:

MR. PRESIDENT: Your committee on ways and means, to which was referred **House File 346**, a bill for an act relating to refunding of motor fuel tax, begs leave to report it has had the same under consideration and recommends the same **do pass**.

ROGER J. SHAFF, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on ways and means, to which was referred **Senate File 361**, a bill for an act relating to the taxation of private and professional libraries, begs leave to report it has had the same under consideration and recommends the same **do pass**.

ROGER J. SHAFF, Chairman

Ordered passed on file.

AMENDMENTS FILED

- 1 Amend Senate File 161 as follows:
- 2 1. Page 3, by adding the following new subsection
- 3 after line 7:
- 4 "k. Air pollution control devices installed by
- 5 manufacturer of any automobile of a model year of
- 6 1968 or later."
- 7 2. Page 3, line 14, by inserting before the word
- 8 "as" the words "and that the air pollution control
- 9 devices are operating properly."
- 10 3. Page 3, line 34, by striking the period after
- 11 the word "condition" and inserting the words "and
- 12 that the air pollution control devices are operating
- 13 properly."

MINNETTE DODERER

- 1 Amend the committee on commerce amendment to
- 2 Senate File 250, filed March 8, 1971, line 6, by
- 3 inserting after the word, "thereof" the words, ". A
- 4 person shall have a reasonable time to have a non-
- 5 functional odometer repaired."

LEE H. GAUDINEER, JR.

- 1 Amend Senate File 296 as follows:
- 2 1. Page 7, line 6, by inserting after the word "Act"
- 3 the words " , except as otherwise provided in this Act".

4 2. Page 7, line 18, by inserting after the period
5 the words "The first purchaser shall be entitled to a
6 commission of five percent of the amount of assessments
7 collected, not to exceed, five hundred dollars per year,
8 as compensation for collecting and remitting the assess-
9 ments. The first purchaser shall compute, withhold, and
10 report the amount of his commission at the time of remit-
11 ting the assessments to the board.

EARL G. BASS

1 Amend Senate File 360 as follows:

2 1. Page 2, line 26, by striking the words
3 "*penitentiary or*".

4 2. Page 2, line 30, by striking the word "*five*"
5 and inserting in lieu thereof the word "*two*".

6 3. Page 3, line 17, by striking the words
7 "*penitentiary or*".

8 4. Page 3, line 21, by striking the word "*five*"
9 and inserting in lieu thereof the word "*two*".

HAROLD A. THORDSEN

1 Amend House File 230 as follows:

2 1. Page 2, by striking lines 1 through 32, inclusive, and
3 renumbering the remaining sections.

4 2. Page 3, line 2, by inserting after the word "*more*" the
5 word "*contiguous*".

6 3. Page 3, line 11, by inserting after the word "*more*" the
7 word "*contiguous*".

JAMES A. POTGETER
W. R. RABEDEAUX

On motion of Senator Lamborn, the Senate adjourned until 9:00
a.m., Friday, March 12, 1971.

JOURNAL OF THE SENATE

SIXTY-FIRST DAY

SENATE CHAMBER
DES MOINES, IOWA, FRIDAY, MARCH 12, 1971

The Senate met in regular session, President pro tempore Kyhl presiding.

Prayer was offered by the Reverend Ronald Swanson, pastor of the Trinity Lutheran Church, Boxholm, Iowa.

The Senate pledged allegiance to the flag.

The Journal of Thursday, March 11, 1971, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Griffin for the day on request of Senator Lamborn; Senator Walsh for the day on request of Senator Lamborn; Senator Ollenburg for the day on request of Senator Lamborn.

PETITION

The following petition was presented and placed on file:

By Senator Balloun, from one hundred forty-five residents of Tama County recommending legislation to shift the costs of financing education, welfare, and state institutions from property taxes to some other form of tax.

MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 179, a bill for an act relating to the expenditure and appropriations of state funds.

WILLIAM R. KENDRICK, Chief Clerk

HOUSE AMENDMENT TO SENATE FILE 179

- 1 Amend Senate File 179, as amended and passed by the
- 2 Senate and reprinted, as follows:
- 3 1. Section 1, page 2A, by inserting after line 15
- 4 the following:
- 5 (a) Chapter one (1), section 1, subsection
- 6 11.....\$125,000.00

- 7 (b) Chapter one (1), section 1, subsection
 8 32.....\$ 4,000.00
 9 2. By changing the subsequent paragraph
 10 designations in subsection 2.
 11 3. Page 2A, line 22, by striking the figures
 12 "\$1,442,529.38" and inserting in lieu thereof the figures
 13 "\$1,571,529.38".

CONSIDERATION OF BILLS

Senate File 209

On motion of Senator Van Drie, Senate File 209, a bill for an act relating to dissolution of credit unions, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Van Drie moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 209) the vote was:

Ayes, 38:

Arbuckle	Gilley	Miller	Riley
Balloun	Glenn	Mowry	Robinson
Bass	Graham	Neu	Schaben
Briles	Gross	Nicholson	Shaff
Brownlee	Keith	Palmer	Shawver
Coleman	Kennedy	Potgeter	Smith
Curran	Kyhl	Potter	Stephens
Davis	Lamborn	Rabedeaux	Van Drie
Erskine	Laverty	Rhodes	Van Gilst
Gaudineer	Messerly		

Nays, none.

Absent or not voting, 12:

Anderson	DeKoster	Hill	Tapscott
Carlson	Doderer	Milligan	Thordsen
Conklin	Griffin	Ollenburg	Walsh

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

Senate File 210

On motion of Senator Van Drie, Senate File 210, a bill for an act relating to the conversion of credit union charters, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Van Drie moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 210) the vote was:

Ayes, 34:

Arbuckle	Glenn	Mowry	Riley
Balloun	Graham	Neu	Robinson
Bass	Gross	Nicholson	Schaben
Briles	Keith	Palmer	Shaff
Brownlee	Kennedy	Potgeter	Shawver
Coleman	Kyhl	Potter	Stephens
Erschine	Lamborn	Rabedeaux	Van Drie
Gaudineer	Messerly	Rhodes	Van Gilst
Gilley	Miller		

Nays, none.

Absent or not voting, 16:

Anderson	Davis	Hill	Smith
Carlson	DeKoster	Laverty	Tapscott
Conklin	Doderer	Milligan	Thordsen
Curran	Griffin	Ollenburg	Walsh

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

Senate File 256

On motion of Senator Rhodes, Senate File 256, a bill for an act authorizing cities and towns to acquire land by lease for park purposes, and to finance the acquisition or improvement of the leased land by issuing general obligation bonds, was taken up and considered.

Senator Potter offered the following amendment filed by Senators Potter and Coleman and moved its adoption:

- 1 Amend Senate File 256, page 2, by striking lines 23 through
- 2 27 and inserting in lieu thereof the following:
- 3 Sec. 3. This Act, being deemed of immediate importance,
- 4 shall take effect and be in force from and after its publi-
- 5 cation in The Marion Sentinel, a newspaper published in
- 6 Marion, Iowa, and in the Fort Dodge Messenger and Chronicle,
- 7 a newspaper published in Fort Dodge, Iowa.

The amendment was adopted.

Senator Rhodes moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 256) the vote was:

Ayes, 37:

Arbuckle	Gilley	Laverty	Rhodes
Balloun	Glenn	Miller	Riley
Bass	Graham	Mowry	Robinson
Briles	Gross	Neu	Schaben
Brownlee	Hill	Nicholson	Shaff
Coleman	Keith	Palmer	Shawver
Conklin	Kennedy	Potgeter	Smith
Curran	Kyhl	Potter	Van Drie
Erschine	Lamborn	Rabedeaux	Van Gilst
Gaudineer			

Nays, none.

Absent or not voting, 13:

Anderson	Doderer	Milligan	Tapscott
Carlson	Griffin	Ollenburg	Thordsen
Davis	Messerly	Stephens	Walsh
DeKoster			

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

Senate File 257

On motion of Senator Erskine, Senate File 257, a bill for an act relating to fish which may be taken with licensed commercial fishing gear, was taken up and considered.

Senator Erskine moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 257) the vote was:

Ayes, 35:

Arbuckle	Gilley	Miller	Robinson
Balloun	Glenn	Neu	Schaben
Bass	Graham	Nicholson	Shaff
Briles	Gross	Palmer	Shawver
Brownlee	Hill	Potgeter	Smith
Conklin	Keith	Potter	Stephens
Curran	Kennedy	Rabedeaux	Van Drie
Davis	Kyhl	Rhodes	Van Gilst
Erskine	Lamborn	Riley	

Nays, none.

Absent or not voting, 15:

Anderson	Doderer	Messerly	Tapscott
Carlson	Gaudineer	Milligan	Thordsen
Coleman	Griffin	Mowry	Walsh
DeKoster	Laverty	Ollenburg	

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

Senate File 225

On motion of Senator Gaudineer, Senate File 225, a bill for an act relating to the definition of a nonresident for the purpose of making service of process, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Gaudineer moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 225) the vote was:

Ayes, 36:

Arbuckle	Gilley	Laverty	Riley
Balloun	Glenn	Miller	Robinson
Bass	Graham	Neu	Schaben
Briles	Gross	Nicholson	Shaff
Brownlee	Hill	Palmer	Shawver
Conklin	Keith	Potgeter	Smith
Curran	Kennedy	Potter	Stephens
Erskine	Kyhl	Rabedeaux	Van Drie
Gaudineer	Lamborn	Rhodes	Van Gilst

Nays, none.

Absent or not voting, 14:

Anderson	DeKoster	Milligan	Tapscott
Carlson	Doderer	Mowry	Thordsen
Coleman	Griffin	Ollenburg	Walsh
Davis	Messerly		

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

House File 25

On motion of Senator Van Drie, House File 25, a bill for an act relating to a description of land remaining after condemnation or purchase in lieu of condemnation, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Van Drie offered the following amendment filed by Senator Griffin and moved its adoption:

- 1 Amend House File 25 as follows:
- 2 1. Page 1, by striking from line 7 the words
- 3 "takes land", and inserting the words "[takes land]
- 4 *takes title to land in fee simple*".

The amendment was adopted.

Senator Van Drie moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 25) the vote was:

Ayes, 37:

Arbuckle	Glenn	Messerly	Rhodes
Balloun	Graham	Miller	Riley
Briles	Gross	Mowry	Robinson
Brownlee	Hill	Neu	Schaben
Coleman	Keith	Nicholson	Shawver
Conklin	Kennedy	Palmer	Smith
Curran	Kyhl	Potgeter	Stephens
Erskine	Lamborn	Potter	Van Drie
Gaudineer	Laverty	Rabedeaux	Van Gilst
Gilley			

Nays, none.

Absent or not voting, 13:

Anderson
Bass
Carlson
Davis

DeKoster
Doderer
Griffin

Milligan
Ollenburger
Shaff

Tapscott
Thordson
Walsh

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

SENATE FILE WITHDRAWN

Senator Briles asked and received unanimous consent that **Senate File 22** be withdrawn from further consideration of the Senate.

CONSIDERATION OF BILLS

Senate File 155

On motion of Senator Arbuckle, Senate File 155, a bill for an act relating to findings of the commission of hospitalization, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Stephens withdrew the following amendment filed by him on February 25, 1971:

- 1 Amend Senate File 155, page 2, line 12, by striking the word
- 2 "issue" and inserting in lieu thereof the following: "[issue]
- 3 *be issued*".

SENATE FILE DEFERRED

Senate Lamborn asked and received unanimous consent that further action on **Senate File 155** be deferred and that the bill be placed on the calendar under **unfinished business**.

CONSIDERATION OF BILLS

Senate File 277

On motion of Senator Mowry, Senate File 277, a bill for an act to legalize and validate the procedures wherein the West Marshall Community School District in the counties of Marshall and Story entered into contract for the sale of certain real estate, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Mowry moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 277) the vote was:

Ayes, 40:

Arbuckle	Erskine	Lamborn	Rabedaux
Balloun	Gaudineer	Laverty	Rhodes
Bass	Gilley	Messerly	Riley
Briles	Glenn	Milligan	Robinson
Brownlee	Graham	Mowry	Shaff
Carlson	Gross	Neu	Shawver
Coleman	Hill	Nicholson	Smith
Conklin	Keith	Palmer	Tapscott
Curran	Kennedy	Potgeter	Van Drie
Davis	Kyhl	Potter	Van Gilst

Nays, 1:

Miller

Absent or not voting, 9:

Anderson	Griffin	Schaben	Thordsen
DeKoster	Ollenburg	Stephens	Walsh
Doderer			

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

House File 82

On motion of Senator Arbuckle, House File 82, a bill for an act providing a penalty for the unlawful use of temporary and instructional driving permits, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Arbuckle moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 82) the vote was:

Ayes, 40:

Arbuckle	Gaudineer	Laverty	Rhodes
Balloun	Gilley	Messerly	Riley
Bass	Glenn	Milligan	Schaben
Briles	Graham	Mowry	Shaff
Brownlee	Gross	Neu	Shawver
Carlson	Hill	Nicholson	Smith
Coleman	Keith	Palmer	Stephens
Conklin	Kennedy	Potgeter	Tapscott
Curran	Kyhl	Potter	Van Drie
Erskine	Lamborn	Rabedaux	Van Gilst

Nays, none.

Absent or not voting, 10:

Anderson	Doderer	Ollenburg	Thordsen
Davis	Griffin	Robinson	Walsh
DeKoster	Miller		

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

Senate File 183

On motion of Senator Balloun, Senate File 183, a bill for an act relating to disposal of unneeded documents, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Balloun moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 183) the vote was:

Ayes, 39:

Arbuckle	Gilley	Miller	Riley
Balloun	Glenn	Milligan	Robinson
Bass	Graham	Mowry	Schaben
Brownlee	Gross	Neu	Shawver
Carlson	Hill	Nicholson	Smith
Coleman	Keith	Palmer	Stephens
Conklin	Kyhl	Potgeter	Tapscott
Curran	Lamborn	Potter	Van Drie
Erskine	Laverty	Rabedaux	Van Gilst
Gaudineer	Messerly	Rhodes	

Nays, none.

Absent or not voting, 11:

Anderson	DeKoster	Kennedy	Thordsen
Briles	Doderer	Ollenburg	Walsh
Davis	Griffin	Shaff	

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

Senate File 312

On motion of Senator Riley, Senate File 312, a bill for an act relating to the organization of corporations, was taken up and considered.

Senator Riley moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 312) the vote was:

Ayes, 40:

Arbuckle	Gaudineer	Messerly	Rhodes
Balloun	Gilley	Miller	Riley
Bass	Glenn	Milligan	Robinson
Briles	Graham	Mowry	Schaben
Carlson	Gross	Neu	Shawver
Coleman	Hill	Nicholson	Smith
Conklin	Keith	Palmer	Stephens
Curran	Kyhl	Potgeter	Tapscott
Davis	Lamborn	Potter	Van Drie
Erskine	Laverty	Rabedaux	Van Gilst

Nays, none.

Absent or not voting, 10:

Anderson	Doderer	Ollenburg	Thordsen
Brownlee	Griffin	Shaff	Walsh
DeKoster	Kennedy		

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

House File 231

On motion of Senator Arbuckle, House File 231, a bill for an act relating to incentive awards for state employees, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Arbuckle moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 231) the vote was:

Ayes, 38:

Arbuckle	Gaudineer	Milligan	Riley
Balloun	Glenn	Mowry	Robinson
Briles	Graham	Neu	Schaben
Brownlee	Gross	Nicholson	Shawver
Carlson	Hill	Palmer	Smith
Coleman	Keith	Potgeter	Stephens
Conklin	Kyhl	Potter	Tapscott
Curran	Lamborn	Rabedeaux	Van Drie
Davis	Laverty	Rhodes	Van Gilst
Erskine	Miller		

Nays, none.

Absent or not voting, 12:

Anderson	Doderer	Kennedy	Shaff
Bass	Gilley	Messerly	Thordsen
DeKoster	Griffin	Ollenburg	Walsh

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

SENATE FILE WITHDRAWN

Senator Van Drie asked and received unanimous consent that **Senate File 164** be withdrawn from further consideration of the Senate.

CONSIDERATION OF BILLS

Senate File 149

On motion of Senator Graham, Senate File 149, a bill for an act relating to the imposition of a general criminal penalty for violations of the fish and game conservation laws, with report of commit-

tee recommending passage, was taken up for further consideration, and the report of the committee adopted.

Senator Graham moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 149) the vote was:

Ayes, 39:

Arbuckle	Gaudineer	Laverty	Riley
Balloun	Gilley	Miller	Schaben
Briles	Glenn	Milligan	Shaff
Brownlee	Graham	Mowry	Shawver
Carlson	Gross	Neu	Smith
Coleman	Hill	Nicholson	Stephens
Conklin	Keith	Palmer	Tapscott
Curran	Kennedy	Potgeter	Van Drie
Davis	Kyhl	Potter	Van Gilst
Erskine	Lamborn	Rabedeaux	

Nays, none.

Absent or not voting, 11:

Anderson	Doderer	Ollenburg	Thordsen
Bass	Griffin	Rhodes	Walsh
DeKoster	Messerly	Robinson	

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

Senate File 263

On motion of Senator Keith, Senate File 263, a bill for an act to legalize and validate the proceedings of the Board of Directors of Iowa Lakes Community College of the Counties of Emmet, Dickinson, Clay, Palo Alto, and Kossuth, Iowa, (Merged Area III) and the Estherville Community School District of the Counties of Emmett and Dickinson, Estherville, Iowa, in regard to the transfer of buildings, real estate, equipment, books and the repayment of operational costs necessary in the transfer of the existing Estherville Junior College operated by the Estherville Community School District to the Iowa Lakes Community College (Merged Area III) and to authorize and direct the Board of Directors of the Iowa Lakes Community College (Merged Area III) to execute and deliver to the Estherville Community School District a warranty deed for the real estate involved and to authorize and direct said Boards of Directors to execute any and all other instruments necessary to complete said transition agreements, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Keith offered the following amendment and moved its adoption:

- 1 Amend Senate File 263, page 5, by striking lines 17 through
- 2 21, inclusive, and inserting in lieu thereof the following:
- 3 Sec. 2. This Act, being deemed of immediate importance,
- 4 shall take effect and be in force from and after its publi-
- 5 cation in the Emmetsburg Reporter, a newspaper published in
- 6 Emmetsburg, Iowa, and the Estherville Daily News, a newspaper
- 7 published in Estherville, Iowa.

The amendment was adopted.

Senator Keith moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 263) the vote was:

Ayes, 40:

Arbuckle	Erschine	Lamborn	Potter
Balloun	Gaudineer	Laverty	Rabedeaux
Bass	Gilley	Messerly	Riley
Briles	Glenn	Miller	Schaben
Brownlee	Graham	Milligan	Shawver
Carlson	Gross	Mowry	Smith
Coleman	Hill	Neu	Stephens
Conklin	Keith	Nicholson	Tapscott
Curran	Kennedy	Palmer	Van Drie
Davis	Kyhl	Potgeter	Van Gilst

Nays, none.

Absent or not voting, 10:

Anderson	Griffin	Robinson	Thordsen
DeKoster	Ollenburg	Shaff	Walsh
Doderer	Rhodes		

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

Senate File 269

On motion of Senator Miller, Senate File 269, a bill for an act to provide that expenditures of funds by the county board of supervisors to replace property acquired by another governmental body need not be submitted to the voters, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Miller moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 269) the vote was:

Ayes, 39:

Arbuckle	Coleman	Gaudineer	Hill
Bass	Conklin	Gilley	Kennedy
Briles	Curran	Glenn	Kyhl
Brownlee	Davis	Graham	Lamborn
Carlson	Erschine	Gross	Laverty

Messerly	Nicholson	Rhodes	Stephens
Miller	Palmer	Riley	Tapscott
Milligan	Potgeter	Robinson	Van Drie
Mowry	Potter	Schaben	Van Gilst
Neu	Rabedeaux	Shawver	

Nays, none.

Absent or not voting, 11:

Anderson	Doderer	Ollenburg	Thordsen
Balloun	Griffin	Shaff	Walsh
DeKoster	Keith	Smith	

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

SENATE FILE DEFERRED

Senator Erskine asked and received unanimous consent that further action on Senate **File 332** be deferred and that the bill be placed on the calendar under **unfinished business**.

CONSIDERATION OF BILLS

House File 140

On motion of Senator Miller, House File 140, a bill for an act relating to assignment of real estate mortgages by marginal entry, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Miller offered the following amendment filed by the committee on county government and moved its adoption:

- 1 Amend House File 140, page 2, by striking lines three
- 2 (3) through seven (7), inclusive.

The amendment was adopted.

Senator Miller moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 140) the vote was:

Ayes, 41:

Arbuckle	Gilley	Messerly	Riley
Balloun	Glenn	Miller	Robinson
Briles	Graham	Milligan	Schaben
Brownlee	Gross	Mowry	Shaff
Carlson	Hill	Neu	Shawver
Coleman	Keith	Nicholson	Smith
Conklin	Kennedy	Potgeter	Stephens
Curran	Kyhl	Potter	Tapscott
Davis	Lamborn	Rabedeaux	Van Drie
Erskine	Laverty	Rhodes	Van Gilst
Gaudineer			

Nays, none.

Absent or not voting, 9:

Anderson	Doderer	Ollenburg	Thordsen
Bass	Griffin	Palmer	Walsh
DeKoster			

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

Senate File 80

On motion of Senator Milligan, Senate File 80, a bill for an act relating to the establishment of a municipal tax relief fund, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Milligan offered the following amendment and moved its adoption:

- 1 Amend Senate File 80, page 2, line 19, by adding after
- 2 the word "shall", the words, "notify the comptroller
- 3 who shall draw warrants to".

The amendment was adopted.

Senator Shaff moved that Senate File 80 be referred to the committee on ways and means.

Senator Shaff withdrew his motion.

Senator Lamborn asked unanimous consent that further action on **Senate File 80** be deferred and that the bill be placed on the calendar under **unfinished business**.

Objection was raised.

Senator Lamborn moved that further action on **Senate File 80** be deferred and that the bill be placed on the calendar under **unfinished business**.

Roll call was requested.

On the question "Shall the motion to defer Senate File 80 be adopted?" (S.F. 80) the vote was:

Ayes, 30:

Arbuckle	Gilley	Milligan	Rhodes
Balloun	Graham	Mowry	Riley
Bass	Hill	Neu	Shaff
Briles	Keith	Nicholson	Smith
Brownlee	Kyhl	Potgeter	Stephens
Carlson	Lamborn	Potter	Van Drie
Conklin	Lavery	Rabedeaux	Van Gilst
Erskine	Messerly		

Nays, 9:

Coleman	Gross	Palmer	Schaben
Gaudineer	Miller	Robinson	Tapscott
Glenn			

Absent or not voting, 11:

Anderson	DeKoster	Kennedy	Thordsen
Curran	Doderer	Ollenburg	Walsh
Davis	Griffin	Shawver	

The motion prevailed and **Senate File 80** was deferred and placed on the calendar under **unfinished business**.

Senate File 249

On motion of Senator Van Drie, Senate File 249, a bill for an act relating to federal share insurance for credit unions, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Van Drie moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 249) the vote was:

Ayes, 39:

Arbuckle	Erschine	Messenger	Riley
Balloun	Gaudineer	Miller	Robinson
Bass	Gilley	Mowry	Schaben
Briles	Glenn	Neu	Shaff
Brownlee	Graham	Nicholson	Smith
Carlson	Gross	Palmer	Stephens
Coleman	Hill	Potgeter	Tapscott
Conklin	Kyhl	Potter	Van Drie
Curran	Lamborn	Rabedaux	Van Gilst
Davis	Laverty	Rhodes	

Nays, none.

Voting present, 1:

Milligan

Absent or not voting, 10:

Anderson	Griffin	Ollenburg	Thordsen
DeKoster	Keith	Shawver	Walsh
Doderer	Kennedy		

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

Senate File 250

On motion of Senator Brownlee, Senate File 250, a bill for an act relating to the changing and regulation of mileage measurements contained on motor vehicle odometers and providing penalties for violating the act, with report of committee recommending amend-

ment and passage, was taken up, considered, and the report of the committee adopted.

Senator Brownlee offered the following amendment filed by the committee on commerce:

1 Amend Senate File 250 as follows:

2 1. Page 1, line 24, by inserting after the word "shall" the words
3 "with the intent to defraud".

4 2. Page 2, lines 1, 2 and 3, by striking the words "with the
5 intent to cause the odometer of the motor vehicle to reflect a
6 lower mileage than the true mileage thereof".

7 3. Page 2, line 23, by inserting after the word "vehicle" the
8 words "of a model year subsequent to the model year 1968".

Senator Gaudineer withdrew the following amendment to the amendment:

1 Amend the committee on commerce amendment to
2 Senate File 250, filed March 8, 1971, line 6, by
3 inserting after the word, "thereof" the words, ". A
4 person shall have a reasonable time to have a non-
5 functional odometer repaired."

On motion of Senator Brownlee, the committee amendment was adopted.

Senator Brownlee moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 250) the vote was:

Ayes, 37:

Arbuckle	Gaudineer	Milligan	Robinson
Balloun	Gilley	Mowry	Schaben
Bass	Glenn	Neu	Shaff
Briles	Graham	Nicholson	Shawver
Brownlee	Gross	Palmer	Smith
Carlson	Hill	Potgeter	Stephens
Conklin	Kyhl	Potter	Tapscott
Curran	Lamborn	Rhodes	Van Drie
Davis	Messerly	Riley	Van Gilst
Erskine			

Nays, 1:

Coleman

Absent or not voting, 12:

Anderson	Griffin	Laverty	Rabedaux
DeKoster	Keith	Miller	Thordsen
Doderer	Kennedy	Ollenburg	Walsh

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

MESSAGE FROM THE HOUSE

The following message was received from the House :

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File 178, a bill for an act relating to a requirement that persons accused of having committed crimes together stand trial together.

WILLIAM R. KENDRICK, Chief Clerk

INTRODUCTION OF BILLS

Senate Joint Resolution 6, by Senators Doderer and Gaudineer, a joint resolution to establish a constitutional revision commission to study the need for a constitutional convention and to recommend possible revision of the Constitution and to make an appropriation therefor.

Read first time and **passed on file.**

Senate File 394, by Senators Doderer, Tapscott, Glenn, Kennedy, Miller and Gaudineer, a bill for an act allowing a lawfully married student to attend school and to participate in extracurricular activities.

Read first time and **passed on file.**

Senate File 395, by Senators Glenn, Coleman, Tapscott, Van Gilst, Palmer, Gaudineer, Kennedy and Miller, a bill for an act providing for the creation of a small claims court.

Read first time and **passed on file.**

Senate File 396, by Senator Schaben, a bill for an act related to the revocation penalty for drag racing.

Read first time and **passed on file.**

Senate File 397, by committee on cities and towns, a bill for an act relating to home rule for cities; establishing the City Code of Iowa which provides for powers and duties of cities including the power to impose penalties by ordinance, city development, organization of city government, city elections, city legislation, city finance including the power to issue bonds, city utilities, and administrative agencies of cities; coordinating the Code of Iowa with the City Code of Iowa; repealing incompatible chapters in Title fifteen (15) and reenacting provisions from Title fifteen (15) which belong in other parts of the Code of Iowa; removing inconsistent references, incorrect provisions, limited grants of power, and restrictions based upon population; and providing for a state housing code and penalties for violation thereof, to be enforced in cooperation with city officials.

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

Senate File 398, by Senators Gaudineer, Miller, Tapscott and Palmer, a bill for an act to establish a municipal tax relief fund and to make an appropriation for street purposes for cities and towns.

Read first time and **passed on file.**

Senate File 399, by Senator Shaff (Alt), a bill for an act to license and regulate water conditioning contractors and to establish a water conditioning examining board and providing penalties for violations.

Read first time and **passed on file.**

Senate File 400, by Senator Lamborn, a bill for an act relating to nonnegligent damages caused by the highway patrol.

Read first time and **passed on file.**

HOUSE MESSAGE CONSIDERED

House File 178, a bill for an act relating to a requirement that persons accused of having committed crimes together stand trial together, unless justice requires otherwise.

Read first time and **passed on file.**

BILLS ASSIGNED TO COMMITTEE

President Jepsen announced the assignment of the following bills to committee:

S.J.R. 6 Constitutional amendments and reapportionment

S. F. 388 Judiciary

S. F. 390 Ways and means

S. F. 393 Cities and towns

S. F. 394 Schools

S. F. 395 Judiciary

S. F. 396 Law enforcement

S. F. 398 Cities and towns

S. F. 399 State government

S. F. 400 Judiciary

H. F. 178 Judiciary

BILLS SENT TO THE GOVERNOR

Senator Rhodes, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 12th day of March, 1971, sent to the Governor for his approval: Senate Files 8, 41, 65, 83, 105, 118, 146, 147, 148, 157 and 171.

JOHN C. RHODES, Chairman

Passed on file.

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on March 11, 1971, the Governor approved and transmitted to the Secretary of State the following bill:

H. F. 206—Relating to fees collected by the county recorder for hunting and fishing duplicate licenses.

EXPLANATION OF VOTE

I was called from the Senate chamber on March 12, 1971, for a conference in the Governor's office and was unable to vote on Senate Files 209, 210, 256, 257, 225 and House File 25. Had I been present, I would have voted "aye" on all bills.

GEORGE F. MILLIGAN

AMENDMENT FILED

- 1 Amend Senate File 155 as follows:
- 2 1. Page 2, line 16, by striking the words "shall order"
- 3 and inserting in lieu thereof the words "may order upon
- 4 hearing pursuant to sections 229.2, 229.3, 229.4 and 229.5".

GENE W. GLENN

LEE H. GAUDINEER, JR.

On the motion of Senator Lamborn and pursuant to Senate Concurrent Resolution 4 duly adopted, the Senate adjourned until 10:00 a.m., Monday, March 22, 1971.

JOURNAL OF THE SENATE

SEVENTY-FIRST DAY

SENATE CHAMBER

DES MOINES, IOWA, MONDAY, MARCH 22, 1971

The Senate met in regular session, President Jepsen presiding.

Prayer was offered by the Reverend Robert Taylor, pastor of the First Presbyterian Church, Maynard, Iowa.

The Senate pledged allegiance to the flag.

The Journal of Friday, March 12, 1971, was approved.

PRESENTATION OF VISITORS

The Chair announced that the following visitors were present in the Senate gallery:

Twenty-five students from Boy Scout Troop 169, Ames, Iowa, accompanied by their scoutmaster, Walter Diedrich.

PETITIONS

The following petitions were presented and placed on file:

By Senator Shawver, from one hundred seventy-seven residents of Chickasaw County opposing legislation that would allow duplicate utility services within the city limits of annexed areas and would allow special tax treatment of rural distribution property.

By Senator Shawver, from eighteen residents of Chickasaw County opposing the repeal of the Iowa Meat and Poultry Inspection Act.

By Senator Smith, from twenty-four residents of Dickinson County opposing the repeal of the Iowa Meat and Poultry Inspection Act.

By Senator Lamborn, from eighty-three residents of Delaware County favoring legislation requiring negotiations between public employees and their employers.

By Senator Lamborn, from sixty-five residents of Delaware County opposing legislation that would allow duplicate utility services within the city limits of annexed areas and would allow special tax treatment of rural distribution property.

By Senator Messerly, from fourteen residents of Black Hawk County favoring a two percent increase in sales tax.

By Senator Shaff, from sixty-one residents of Clinton County opposing the repeal of the Iowa Meat and Poultry Inspection Act.

By Senator Balloun, from fourteen residents of Benton County opposing legislation prohibiting widows of veterans from living at the Iowa Soldiers Home at Marshalltown, Iowa.

By Senator Stephens, from sixty-eight residents of Jefferson County recommending legislation to shift the cost of financing education, welfare, and state institutions from property taxes to some other form of taxation.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has taken the following action on the Senate amendments to House File 12, a bill for an act relating to motor vehicle fees collected by county treasurers, in which the concurrence of the House was asked:

1. The House has concurred in Senate amendments 1, 2, 3, 4 and 7.
2. The House has refused to concur in Senate amendments 5 and 6.

Also: That the House has taken the following action on the Senate amendments to House File 119, a bill for an act relating to election precincts, in which the concurrence of the House was asked:

1. The House has concurred in Senate amendments 2, 3, 4, 9, 10 and 11.
2. The House has refused to concur in Senate amendments 1, 5, 6, 8 and 12.
3. The House has amended and concurred in as amended Senate amendment 7.
4. The House has amended the Senate amendment by adding thereto a new amendment, number 13.

WILLIAM R. KENDRICK Chief Clerk

HOUSE AMENDMENT TO SENATE AMENDMENT TO HOUSE FILE 119

- 1 Amend Senate amendment to House File 119, as amended,
- 2 passed and reprinted, as follows:
- 3 1. By striking all of amendment 7 (lines 16
- 4 through 20, inclusive) and inserting in lieu thereof
- 5 the following:
- 6 7. Page 3B, by striking lines 42-55.
- 7 2. By adding thereto the following amendment:
- 8 13. Page 2A, by striking lines 4 through 7 and
- 9 inserting in lieu thereof the following:
- 10 "The board of supervisors may divide a township, or
- 11 part thereof, into two or more precincts, or change
- 12 or abolish such division. *The board of supervisors*
- 13 *may also combine two or more contiguous townships into*

- 14 *one election precinct, subject to the provisions of*
15 *this section. An order establishing precincts shall*
16 *define their boundaries."*

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Rhodes, from the joint committee on enrolled bills, submitted the following report and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate File 103.

JOHN C. RHODES
Chairman, Senate Committee
ELIZABETH R. MILLER
Chairman, House Committee

Report adopted.

BILL SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate the following bill: Senate File 103.

BILL SENT TO THE GOVERNOR

Senator Rhodes, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 22nd day of March, 1971, sent to the Governor for his approval: Senate File 103.

JOHN C. RHODES, Chairman

Passed on file.

REPORT OF INVESTIGATING COMMITTEE

Senator Shawver submitted the following report and moved its adoption:

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Robert R. Rigler of New Hampton, Iowa, for appointment as a member of the Iowa State Highway Commission under the provisions of section 307.2, 1971 Code of Iowa, for the regular four-year term beginning July 1, 1971, and ending June 30, 1975, begs leave to report it has made investigation and recommends that the appointment be confirmed.

GEORGE L. SHAWVER, Chairman
VERNON H. KYHL
RICHARD L. STEPHENS
EUGENE M. HILL
LEIGH R. CURRAN

The motion prevailed and the report was adopted.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 48:

Anderson	Erskine	Laverty	Rhodes
Arbuckle	Gaudineer	Messerly	Robinson
Balloun	Gilley	Miller	Schaben
Bass	Glenn	Milligan	Shaff
Briles	Graham	Mowry	Shawver
Brownlee	Griffin	Neu	Smith
Carlson	Gross	Nicholson	Stephens
Coleman	Hill	Ollenburg	Tapscott
Conklin	Keith	Palmer	Thordsen
Curran	Kennedy	Potgeter	Van Drie
DeKoster	Kyhl	Potter	Van Gilst
Doderer	Lamborn	Rabedeaux	Walsh

Nays, none.

Absent or not voting, 2:

Davis Riley

President Jepsen declared the appointment of Robert R. Rigler as a member of the Iowa State Highway Commission confirmed for the regular four-year term ending June 30, 1975.

SUPPLEMENTAL REPORT OF THE COMMITTEE ON MILEAGE

Senator Nicholson submitted the following report and moved its adoption:

MR. PRESIDENT: Your committee appointed to determine the mileage for the members of the Senate submits the following report:

Gross, G. William	404 miles
EDWARD E. NICHOLSON, Chairman	
ROGER J. SHAFF	
MINNETTE DODERER	

The motion prevailed and the report was adopted.

SENATE FILE DEFERRED

Senator Lamborn asked and received unanimous consent that further action on **Senate File 53** be deferred and that the bill retain its place on the calendar under **unfinished business**.

UNFINISHED BUSINESS

House File 194

On motion of Senator Gilley, House File 194, a bill for an act relating to county contingent funds, was taken up for further consideration.

HOUSE FILE DEFERRED

Senator Gilley asked and received unanimous consent that fur-

ther action on **House File 194** be deferred and that the bill retain its place on the calendar under **unfinished business**.

SENATE FILES DEFERRED

Senator Lamborn asked and received unanimous consent that further action on **Senate File 155** be deferred and that the bill retain its place on the calendar under **unfinished business**.

Senator Lamborn asked and received unanimous consent that further action on **Senate File 332** be deferred and that the bill retain its place on the calendar under **unfinished business**.

Senator Lamborn asked and received unanimous consent that further action on **Senate File 80** be deferred and that the bill retain its place on the calendar under **unfinished business**.

CONSIDERATION OF BILLS

Senate File 349

On motion of Senator Ollenburg, Senate File 349, a bill for an act relating to the penalty and interest for the sales tax, was taken up and considered.

Senator Ollenburg moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 349) the vote was:

Ayes, 47:

Anderson	Erskine	Lavery	Robinson
Arbuckle	Gaudineer	Miller	Schaben
Balloun	Gilley	Milligan	Shaff
Bass	Glenn	Mowry	Shawver
Briles	Graham	Neu	Smith
Brownlee	Griffin	Nicholson	Stephens
Carlson	Gross	Ollenburg	Tapscott
Coleman	Hill	Palmer	Thordsen
Conklin	Keith	Potgeter	Van Drie
Curran	Kennedy	Potter	Van Gilst
DeKoster	Kyhl	Rhodes	Walsh
Doderer	Lamborn	Riley	

Nays, none.

Absent or not voting, 3:

Davis	Messerly	Rabedeaux
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 346

On motion of Senator Potter, House File 346, a bill for an act relating to refunding of motor fuel tax, with report of committee

recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Potter moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 346) the vote was:

Ayes, 47:

Anderson	Erschine	Laverty	Robinson
Arbuckle	Gaudineer	Miller	Schaben
Balloun	Gilley	Milligan	Shaff
Bass	Glenn	Mowry	Shawver
Briles	Graham	Neu	Smith
Brownlee	Griffin	Nicholson	Stephens
Carlson	Gross	Ollenburg	Tapscott
Coleman	Hill	Palmer	Thordsen
Conklin	Keith	Potgeter	Van Drie
Curran	Kennedy	Potter	Van Gilst
DeKoster	Kyhl	Rhodes	Walsh
Doderer	Lamborn	Riley	

Nays, none.

Absent or not voting, 3:

Davis	Messerly	Rabedaux
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

HOUSE AMENDMENT CONSIDERED

Senate File 179

Senator Riley called up for consideration Senate File 179, a bill for an act relating to the expenditure and appropriation of state funds, amended by the House, and moved that the Senate concur in the following amendment:

- 1 Amend Senate File 179, as amended and passed by the
- 2 Senate and reprinted, as follows:
- 3 1. Section 1, page 2A, by inserting after line 15
- 4 the following:
- 5 (a) Chapter one (1), section one (1), subsection eleven
- 6 (11).....\$125,000.00
- 7 (b) Chapter one (1), section one (1), subsection thirty-two
- 8 (32).....\$ 4,000.00
- 9 2. By changing the subsequent paragraph
- 10 designations in subsection two (2).
- 11 3. Page 2A, line 22, by striking the figures
- 12 "\$1,442,529.38" and inserting in lieu thereof the figures
- 13 "\$1,571,529.38".

The motion prevailed and the Senate concurred in the House amendment.

Senator Riley moved that the bill as amended by the House and concurred in by the Senate be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 179)

Ayes, 46:

Anderson	Gaudineer	Miller	Robinson
Arbuckle	Gilley	Milligan	Schaben
Balloun	Glenn	Mowry	Shaff
Bass	Graham	Neu	Shawver
Briles	Griffin	Nicholson	Smith
Brownlee	Gross	Ollenburg	Stephens
Carlson	Hill	Palmer	Tapscott
Coleman	Keith	Potgeter	Thordsen
Conklin	Kennedy	Potter	Van Drie
Curran	Kyhl	Rhodes	Van Gilst
DeKoster	Lamborn	Riley	Walsh
Erskine	Laverty		

Nays, 1:

Doderer

Absent or not voting, 3:

Davis	Messerly	Rabedeaux
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILLS

Senate File 243

On motion of Senator Briles, Senate File 243, a bill for an act relating to deposit and investment of public funds, was taken up and considered.

SUBSTITUTION

Senator Briles asked and received unanimous consent that **House File 334** be substituted for **Senate File 243**.

House File 334

On motion of Senator Briles, House File 334, a bill for an act relating to deposit and investment of public funds, was taken up for consideration.

Senator Ollenburg offered the following amendment and called for a division of the amendment, sections 1 through 7 to be considered as division 1, and sections 8 and 9, as division 2:

Division 1

- 1 Amend House File 334 as follows:
- 2 1. Page 2, line 22, by inserting after the letter "b"

3 the words "*except that investment in common stocks shall*
4 *not be permitted*".

5 2. Page 3, line 18, by inserting after the letter "b"
6 the words "*except that investment in common stocks shall*
7 *not be permitted*".

8 3. Page 4, line 5, by inserting after the letter "b" the
9 words "*except that investment in common stocks shall not be*
10 *permitted*".

11 4. Page 4, line 19, by inserting after the letter "b" the
12 words "*except that investment in common stocks shall not*
13 *be permitted*".

14 5. Page 4, line 32, by inserting after the letter "b" the
15 words "*except that investment in common stocks shall not be*
16 *permitted*".

17 6. Page 5, line 15, by adding after the word "Code" the
18 words "*except that investment in common stocks shall not*
19 *be permitted*".

20 7. Page 5, line 34, by adding after the word "Code" the
21 words "*except that investment in common stocks shall not*
22 *be permitted*".

Division 2

23 8. Page 6, line 12, by adding after the word "Code" the
24 words "*except that investment in common stocks shall not*
25 *be permitted*".

Page 2

1 9. Page 6, line 31, by inserting after the letter "b" the
2 words "*except that investment in common stocks shall not*
3 *be permitted*".

Senator Ollenburg moved the adoption of division 1 of the amend-
ment.

Division was called for.

Division 1 of the amendment was adopted.

Senator Ollenburg moved the adoption of division 2 of the amend-
ment.

Roll call was requested.

On the question "Shall division 2 of the amendment be adopted?"
(H.F. 334) the vote was:

Ayes, 2:

Coleman Stephens

Nays, 45:

Anderson	Conklin	Glenn	Kyhl
Arbuckle	Curran	Graham	Lamborn
Balloun	DeKoster	Griffin	Laverty
Bass	Doderer	Gross	Messerly
Briles	Erskine	Hill	Miller
Brownlee	Gaudineer	Keith	Mowry
Carlson	Gilley	Kennedy	Neu

Nicholson	Rhodes	Shaff	Thordsen
Ollenburg	Riley	Shawver	Van Drie
Palmer	Robinson	Smith	Van Gilst
Potgeter	Schaben	Tapscott	Walsh
Potter			

Absent or not voting, 3:

Davis	Milligan	Rabedeaux
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Division 2 of the amendment lost.

Senator Briles moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 334) the vote was:

Ayes, 45:

Anderson	Gaudineer	Lavery	Riley
Arbuckle	Gilley	Messerly	Robinson
Bass	Glenn	Miller	Schaben
Briles	Graham	Mowry	Shaff
Brownlee	Griffin	Neu	Shawver
Carlson	Gross	Nicholson	Smith
Coleman	Hill	Ollenburg	Stephens
Conklin	Keith	Palmer	Tapscott
Curran	Kennedy	Potgeter	Thordsen
DeKoster	Kyhl	Potter	Van Drie
Doderer	Lamborn	Rhodes	Van Gilst
Erskine			

Nays, none.

Voting present, 2:

Milligan	Walsh
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Absent or not voting, 3:

Balloun	Davis	Rabedeaux
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

SENATE FILE WITHDRAWN

Senator Briles asked and received unanimous consent that **Senate File 243** be withdrawn from further consideration of the Senate.

CONSIDERATION OF BILLS

Senate File 122

On motion of Senator Brownlee, Senate File 122, a bill for an act relating to academic and administrative buildings and facilities and utilities services for such buildings and facilities and the financing by the state board of regents, with report of committee on appropriations recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Neu offered the following amendment filed by him and moved its adoption :

- 1 Amend Senate File 122, page 3, by striking lines
- 2 6 through 10, inclusive, and inserting in lieu thereof
- 3 the following:
- 4 Sec. 3. This Act, being deemed of immediate
- 5 importance, shall take effect and be in force from and
- 6 after its publication in The Record, a newspaper
- 7 published in Cedar Falls, Iowa and in The Cedar Rapids
- 8 Gazette, a newspaper published in Cedar Rapids, Iowa.

The amendment was adopted.

Senator Coleman offered the following amendment :

- 1 Amend Senate File 122, page 2, line 14, by striking
- 2 the word "[equipment]" and inserting in lieu thereof the
- 3 word "equipment".

On motion of Senator Lamborn, the Senate recessed until 1:15 p.m.

AFTERNOON SESSION

The Senate reconvened, President pro tempore Kyhl presiding.

Senator Van Drie requested a roll call to ascertain whether or not a quorum was present.

Roll call revealed a quorum present.

CONSIDERATION OF BILLS

Senate File 122

The Senate resumed consideration of Senate File 122 and the Coleman amendment.

Senator Coleman moved the adoption of his amendment and requested a roll call.

On the question "Shall the amendment be adopted?" (S.F. 122) the vote was :

Ayes, 16:

Anderson	Conklin	Messerly	Schaben
Arbuckle	Gilley	Miller	Stephens
Bass	Graham	Ollenburg	Thordsen
Coleman	Keith	Rhodes	Van Gilst

Nays, 27:

Balloun	Gaudineer	Lavery	Riley
Brownlee	Glenn	Mowry	Robinson
Carlson	Gross	Neu	Shawver
Curran	Hill	Nicholson	Smith
DeKoster	Kennedy	Palmer	Tapscott
Doderer	Kyhl	Potgeter	Van Drie
Erskine	Lamborn	Rabedaux	

Absent or not voting, 7:

Briles	Griffin	Potter	Walsh
Davis	Milligan	Shaff	

The amendment lost.

Senator Brownlee moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On question "Shall the bill pass?" (S.F. 122) the vote was:

Ayes, 31:

Balloun	Glenn	Mowry	Robinson
Brownlee	Gross	Neu	Shaff
Carlson	Keith	Nicholson	Shawver
Curran	Kennedy	Ollenburg	Smith
DeKoster	Kyhl	Palmer	Tapscott
Doderer	Lamborn	Potgeter	Thordsen
Erskine	Lavery	Rhodes	Van Drie
Gaudineer	Messerly	Riley	

Nays, 12:

Anderson	Coleman	Graham	Schaben
Arbuckle	Conklin	Hill	Stephens
Bass	Gilley	Miller	Van Gilst

Absent or not voting, 7:

Briles	Griffin	Potter	Walsh
Davis	Milligan	Rabedaux	

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

Senator Brownlee asked and received unanimous consent that **Senate File 122** be **immediately messaged to the House**, which request was complied with.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has concurred in Senate amendment to and re-passed the following bill in which the concurrence of the House was asked:

House File 15, a bill for an act relating to eligibility of welfare recipients.

Also: That the House has concurred in Senate amendment to and re-passed the following bill in which the concurrence of the House was asked:

House File 25, a bill for an act relating to a description of land remaining after condemnation or purchase in lieu of condemnation.

Also: That the House has concurred in Senate amendment to and re-passed the following bill in which the concurrence of the House was asked:

House File 141, a bill for an act relating to disclosure of information learned during the preparation of tax returns.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 170, a bill for an act relating to the enucleating of eyes by funeral directors.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 40, a bill for an act relating to the notification of mobile home owners of tax assessments.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 159, a bill for an act relating to water safety regulations.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 160, a bill for an act to allow black bass to be bought, sold, bartered, or offered for sale.

WILLIAM R. KENDRICK, Chief Clerk

INTRODUCTION OF BILLS

Senate File 401, by Senators Kyhl, Arbuckle, Neu, Palmer and Potgeter (Priebe, Drake, Bergman, Rex, Freeman, Patton, Welden, Millen, Nielsen, Knoblauch, Skinner, Christensen, Rodgers, Mendenhall, Wirtz, Stromer, Schroeder, Siglin and Edelen), a bill for an act to authorize counties operating county public hospitals to issue revenue bonds.

Read first time and **passed on file**.

Senate File 402, by committee on law enforcement, a bill for an act relating to benefits under the peace officers' retirement system.

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

Senate File 403, by Senators Coleman and Kyhl, a bill for an act relating to in-transit vehicles.

Read first time and **passed on file**.

Senate File 404, by Senators Tapscott, Potgeter, Smith, Gaudineer, Van Gilst, DeKoster, Walsh, Briles, Schaben, Robinson, Arbuckle, Griffin, Gilley, Coleman, Palmer, Kennedy, Shawver, Erskine, Balloun, Rhodes, Miller, Nicholson and Graham (Kreamer, Andersen, Fischer of Grundy, Bennett, Doyle, Kinley, Fisher of Greene, Ellsworth, Anania, Jesse, Dunton, Drake, Franklin, Christensen, Freeman, Radl, Middleswart, Tieden, Scott, Knoblauch, Willits, Mayberry, Kruse, Roorda, Stromer, Rodgers, Patton, Priebe, Schroeder, Alt, Kennedy, Rex, Skinner and Blouin), a bill for an act to make an appropriation to the executive council for the college of osteopathic medicine and surgery, Polk County, Iowa.

Read first time and **passed on file**.

Senate File 405, by Senator Graham, a bill for an act relating to justifiable defense of person or property, and providing for indemnification or reimbursement by the state.

Read first time and **passed on file**.

Senate File 406, by Senators Doderer, Tapscott, Coleman, Glenn, Kennedy, Miller and Gaudineer, a bill for an act relating to civil rights and providing penalties.

Read first time and **passed on file**.

Senate File 407, by Senators Milligan, Davis, Lamborn, Walsh, Palmer and Tapscott (Alt, Ellsworth, Creamer, Drake, Franklin and Blouin), a bill for an act to provide tuition grants, based upon financial need, to full-time resident post baccalaureate students attending accredited private institutions of higher education in Iowa.

Read first time and **passed on file**.

Senate File 408, by Senators Palmer, Gaudineer, Potter, Tapscott, DeKoster, Griffin and Potgeter, a bill for an act relating to the sale of insurance.

Read first time and **passed on file**.

Senate File 409, by Senator Potter, a bill for an act relating to security measures for customers of self-service laundry and dry cleaning establishments, and providing penalties for violations.

Read first time and **passed on file**.

Senate File 410, by Senators Potter and Keith, a bill for an act relating to the taxation of real estate transfers and the penalty for failure to comply.

Read first time and **passed on file**.

HOUSE MESSAGE CONSIDERED

House File 170, a bill for an act relating to the enucleating of eyes by funeral directors or embalmers.

Read first time and **passed on file**.

SENATE CONCURRENT RESOLUTION 27

By Griffin

Whereas, there is an increasing demand upon state and local government for essential public services; and

Whereas, no in-depth study has been made in the State of Iowa, determining the advisability of enacting a pari-mutuel system of betting, or the

increased revenue which may be derived to the state from a pari-mutuel system of betting; and

Whereas, in all states where pari-mutuel betting is permitted, an added benefit is the establishment of a new industry of thoroughbred breeding and sales, *Now Therefore*,

Be It Resolved by the Senate, the House Concurring, That there be established an advisory committee for the study of the advantages of a pari-mutuel system of betting. The committee shall consist of nine members, one to be appointed by the Lieutenant Governor from the membership of the Senate, one to be appointed by the Speaker of the House from the membership of the House, and seven members appointed by the Governor. The member appointed by the Lieutenant Governor shall be chairman of the committee. Each member of the committee shall receive a per diem and expenses within the limits prescribed by section two point ten (2.10) of the Code; and

Be It Further Resolved, That the committee shall report to the Governor and General Assembly no later than January 31, 1972, and include within its report its recommendations relating to the advisability of the enactment of a pari-mutuel system of betting, the control and regulation thereof, estimates of tax revenues to the State of Iowa under the pari-mutuel system of betting, and all other matters relating to the advantages of a system of pari-mutuel betting in Iowa.

SENATE CONCURRENT RESOLUTION 28

By Committee on Commerce

Whereas, the structure of the banking system in Iowa is changing rapidly as a result of the acquisition of many banks by bank holding companies; and

Whereas, citizens of Iowa have expressed concern about both the advantages and disadvantages of such acquisitions; and

Whereas, constructive legislation in this area will necessarily be technical in nature in order to insure that Iowa can derive the benefits from such consolidations but will not be subjected to abuses therefrom, *Now Therefore*,

Be It Resolved by the Senate, the House Concurring, That the Legislative Council shall establish an interim study committee to study and determine whether a need exists for legislation in regulating the operations and acquisitions of bank holding companies and improving the functioning of Iowa's financial institutions; to report its findings and recommendations to the next legislative session; and to prepare a bill to remedy any need found to exist.

REASSIGNMENT OF BILL

President Jepsen announced the reassignment of **Senate File 380** from committee on **schools** to committee on **higher education**.

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on March 16, 1971, the Governor approved and transmitted to the Secretary of State the following bills:

- S. F. 8—Relating to the acquisition of bridges.
S. F. 41—Relating to the authorization of assistant county attorneys and salaries therefor.
S. F. 65—Relating to taxation on mobile homes.
S. F. 83—Relating to the auditing committee of a credit union.
S. F. 105—Making the embezzlement of secured interests in collateral a crime and providing a penalty therefor.
S. F. 118—Relating to savings and loan associations.
S. F. 146—Relating to the disposal of certain used state motor vehicles.
S. F. 147—Relating to the use of trotlines.
S. F. 148—Relating to the state park and institutional road system.
S. F. 157—Relating to conflicts of interest of officers and directors of insurance companies.
S. F. 171—Making an appropriation from the primary road fund and road use tax fund to the state highway commission to pay for deficiencies in funds appropriated for field operations and to pay for certain special assessments against property owned by the state.

BILLS ASSIGNED TO COMMITTEE

President Jepsen announced the assignment of the following bills to committee:

- S.C.R. 28 State government
S. F. 401 County government
S. F. 403 Transportation
S. F. 404 Appropriations
S. F. 405 Judiciary
S. F. 406 Judiciary
S. F. 407 Higher education
S. F. 408 Commerce
S. F. 409 Commerce
S. F. 410 Ways and means
H. F. 170 Social services
H. F. 197 Ways and means

REPORT OF COMMITTEE

Senator Thordsen submitted the following report:

MR. PRESIDENT: Your committee on law enforcement, to which was referred **House File 195**, a bill for an act to define an alcoholic beverage as it relates to the operation of a motor vehicle by an operator under the influence of an alcoholic beverage, begs leave to report it has had the same under consideration and recommends the same **do pass**.

HAROLD A. THORDSEN, Chairman

Ordered passed on file.

AMENDMENTS FILED

1 Amend Senate File 223 as follows:

2 1. Page 1, by adding after line 20 the following
3 section:

4 "Sec. 2. Section seven hundred twenty-seven A point
5 seven (727A.7), Code 1971, is amended as follows:

6 727A.7 WRITTEN REPORT FILED. Every person con-
7 ducting a boxing or wrestling match in this state shall,
8 within twenty-four hours after such match, furnish to the
9 commissioner a written report, duly verified, showing the
10 number of tickets sold for such boxing or wrestling match,
11 and the amount of gross proceeds thereof, and such other
12 matters as the commissioner may prescribe; and shall also
13 within the said time pay to the treasurer of state a tax
14 of [five] *ten* percent of its total gross receipts, after
15 deducting any federal admission tax, from the sale of
16 tickets of admission to such boxing or wrestling match."

17 2. Page 1, line 1, by adding after the word
18 "licenses" the words "and the tax on the sale of tickets
19 of admission".

JAMES E. BRILES

1 Amend Senate File 238 as follows:

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

4 "Section 1. Section three hundred twenty-one E point
5 eleven (321E.11), unnumbered paragraph two (2), Code
6 1971, is amended as follows:

7 Except as provided in section 321.457, no movement
8 of over-dimension vehicles shall be permitted on Satur-
9 day, Sunday, holidays, [or] days preceding and following
10 holidays, or special events [when] *unless the person*
11 *requesting a permit can show that* abnormally high
12 traffic volumes [can] *should not be expected or that an*
13 *emergency situation exists*. Such restrictions shall not
14 be applicable to urban transit systems as defined in
15 section 386C.1.

16 2. Page 1, lines 1 and 2, by striking everything
17 after the word "to" and inserting in lieu thereof the
18 following:

19 "the movement of over-dimension vehicles."

CHARLES F. BALLOUN

1 Amend Senate File 268 as follows:

2 1. Page 4, by adding the following new section after line
3 23 and renumbering the remaining section:

4 "Sec. 8. If the denial of the privilege to drive is based
5 entirely on charges of driving under the influence of liquor
6 or a narcotic drug, the person to whom the privilege is denied
7 may petition the court for reinstatement on the grounds that
8 all consumption of liquor or use of drugs had ceased for a
9 period of at least 15 months. If the court finds that such
10 use and consumption has ceased, the court may order a provi-
11 sional reinstatement of such license upon the fulfillment of

12 all other requirements for an operator's license under chapter
13 three hundred twenty-one (321) of the Code. Such provisional
14 reinstatement shall be subject to the conditions of section
15 three hundred twenty-one point one hundred eighty-one (321.181)."
16 2. Page 4, line 24, by striking the word and figure "nine (9)"
17 and inserting in lieu thereof the word and figure "eight (8)".

LUCAS J. DeKOSTER

1 Amend Senate File 290 as follows:
2 Page 1, by striking lines 17 and 18 and inserting in
3 lieu thereof the following:
4 *"A fee of three dollars must accompany each request*
5 *for a search of census records. If the request for a*
6 *search of the census records is for the purpose of*
7 *determining genealogy, the curator shall charge to the*
8 *person requesting the search the actual cost of performing*
9 *the search if the cost is greater than the three dollar*
10 *fee accompanying the request. All fees collected".*

MINNETTE DODERER

EDWARD E. NICHOLSON

1 Amend Senate File 292 as follows:
2 Page 3, following line 12, insert the following new
3 section:
4 "Sec. 5. The provisions of this act shall not apply
5 to any processor, distributor, corporation, or firm engaged
6 in the seed and nursery business or dairy business."

JAMES E. BRILES

1 Amend Senate File 392 as follows:
2 1. Page 4, line 33, by striking the words "into
3 Iowa from any other state".
4 2. Page 4, line 35, by striking the word "sixty"
5 and inserting in lieu thereof the word "thirty".
6 3. Page 5, by striking all after the period in
7 line 4 and all of line 5.

RICHARD L. STEPHENS

1 Amend House File 194, as amended by the House, by inserting in
2 line 9 after the word "transferred" the words ", with the approval
3 of the state comptroller,".

CHARLES F. BALLOUN

On motion of Senator Lamborn, the Senate adjourned until
9:00 a.m., Tuesday, March 23, 1971.

JOURNAL OF THE SENATE

SEVENTY-SECOND DAY

SENATE CHAMBER

DES MOINES, IOWA, TUESDAY, MARCH 23, 1971

The Senate met in regular session, President pro tempore Kyhl presiding.

Prayer was offered by Sidney Schuler, pastor of the Church of Christ, Irwin, Iowa.

The Senate pledged allegiance to the flag.

The Journal of Monday, March 22, 1971, was approved.

PRESENTATION OF VISITORS

The Chair announced that the following visitors were present in the Senate gallery:

Thirty-seven eighth-grade students from Panama-Portsmouth Saint Mary's School, Portsmouth, Iowa, accompanied by their instructor, Mrs. Petty Foxhoven.

Ten students from Burlington High School, Burlington, Iowa, accompanied by their instructor, Dick Wagner.

Twenty students from the government class of Menlo High School, Menlo, Iowa, accompanied by their instructor, Mr. Ober.

One hundred fifteen eighth-grade students from Winterset Junior High School, Winterset, Iowa, accompanied by their principal, Mr. Bassett, and instructors, Mr. Wilson and Mr. Scholton.

Twenty fifth-grade students from Samuelson Elementary School, Des Moines, Iowa, accompanied by their instructor, Avon Crawford.

Fifteen students from Iowa State University, Ames, Iowa.

PETITIONS

The following petitions were presented and placed on file:

By Senator Nicholson, from two hundred twenty-eight residents of Scott County recommending legislation to shift the costs of financing education, welfare, and state institutions from property taxes to some other form of taxation.

By Senator Potter, from forty-seven residents of Delaware County opposing House File 197, allowing duplicate utility services within the city limits of annexed areas, and permitting special tax treatment of rural distribution property.

By Senator Shawver, from one hundred thirty-one residents of Bremer County urging legislation for educational television in 1971 for northeast Iowa.

By Senator Smith, from twelve residents of Osceola County opposing legislation that would prohibit widows of veterans from living at the Iowa Soldiers Home, and opposing legislation that repeals the Soldiers Relief Commission and places the duties with the county board of social welfare.

By Senator Rhodes, from three hundred twenty-nine residents of Dallas County favoring Senate File 270, an election reform bill, abolishing the unit rule for election of presidential electors in Iowa.

By Senator Bass, from one hundred eighteen students from the government class of Radcliffe High School, Hardin County favoring Senate File 270, an election reform bill, abolishing the unit rule for election of presidential electors in Iowa.

By Senator Arbuckle, from thirty-nine residents of Boone County opposing all forms of legalized gambling and the sale of liquor on Sunday.

By Senator Potter, from seventy-four residents of Linn County requesting immediate legislative action to implement the recommendations of the interim tax study committee.

By Senator Arbuckle, from forty-nine residents of Boone County in opposition to House Joint Resolution 8, proposing an amendment to the Constitution of the State of Iowa repealing the prohibition against lotteries.

By Senator Hill, from fifteen residents of Jasper County opposing Senate File 125, relating to a renal disease program.

By the following Senators, opposing the repeal of the Iowa Meat and Poultry Inspection law:

Senator Conklin, from twenty-four residents of Black Hawk County.

Senator Stephens, from twenty-nine residents of Washington County.

Senator Griffin, from nineteen residents of Pottawattamie County.

Senator Potter, from one hundred five residents of Buchanan County.

INTRODUCTION OF BILLS

Senate File 411, by Senators Tapscott, Coleman, Kennedy, Glenn, Gaudineer and Miller, a bill for an act relating to the appointment of deputy state comptrollers.

Read first time and **passed on file**.

Senate File 412, by Senators Tapscott, Robinson, Glenn, Doderer, Coleman, Kennedy, Palmer, Miller and Gaudineer, a bill for an act relating to the Iowa labor relations board and unfair labor practices and providing penalties.

Read first time and **passed on file**.

Senate File 413, by committee on higher education, a bill for an act relating to the period of time for which a merged area may levy a tax for certain purposes.

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

HOUSE AMENDMENT TO SENATE AMENDMENT CONSIDERED

House File 119

Senator Potgeter called up for consideration House File 119, a bill for an act relating to election precincts, amended by the Senate, and further amended by the House, and moved that the Senate recede from its amendments 1, 5, 6, 8 and 12 found on page 552 of the House Journal.

On the question "Shall the Senate recede from amendments 1, 5, 6, 8, and 12?" (H.F. 119) the vote was:

Ayes, 25:

Anderson	DeKoster	Kyhl	Potgeter
Arbuckle	Erskine	Lamborn	Potter
Balloun	Gilley	Laverty	Shaff
Bass	Graham	Messerly	Shawver
Briles	Griffin	Mowry	Smith
Brownlee	Hill	Ollenburg	Stephens
Curran			

Nays, 23:

Carlson	Glenn	Nicholson	Tapscott
Coleman	Gross	Palmer	Thordsen
Conklin	Kennedy	Rhodes	Van Drie
Davis	Miller	Riley	Van Gilst
Doderer	Milligan	Robinson	Walsh
Gaudineer	Neu	Schaben	

Absent or not voting, 2:

Keith

Rabedaux

The motion prevailed and the Senate receded from amendments 1, 5, 6, 8 and 12.

Senator Potgeter moved that the Senate concur in the following House amendments to Senate amendments:

1 Amend Senate amendment to House File 119, as amended,
2 passed and reprinted, as follows:

3 1. By striking all of amendment 7 (lines 16
4 through 20, inclusive) and inserting in lieu thereof
5 the following:

6 7. Page 3B, by striking lines 42-55.

7 2. By adding thereto the following amendment:

8 13. Page 2A, by striking lines 4 through 7 and
9 inserting in lieu thereof the following:

10 "The board of supervisors may divide a township, or
11 part thereof, into two or more precincts, or change
12 or abolish such division. *The board of supervisors*
13 *may also combine two or more contiguous townships into*
14 *one election precinct, subject to the provisions of*
15 *this section.* An order establishing precincts shall
16 define their boundaries."

The motion prevailed, and the Senate concurred in the House amendments to the Senate amendments.

Senator Potgeter moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 119) the vote was:

Ayes, 36:

Anderson	Gilley	Messerly	Riley
Arbuckle	Graham	Milligan	Shaff
Balloun	Gross	Mowry	Shawver
Briles	Hill	Neu	Smith
Brownlee	Keith	Nicholson	Stephens
Curran	Kennedy	Ollenburg	Thordsen
Davis	Kyhl	Potgeter	Van Drie
Doderer	Lamborn	Potter	Van Gilst
Gaudineer	Laverty	Rhodes	Walsh

Nays, 9:

Bass	Conklin	Miller	Robinson
Carlson	Glenn	Palmer	Schaben
Coleman			

Absent or not voting, 5:

DeKoster	Griffin	Rabedaux	Tapscott
Erskine			

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

UNFINISHED BUSINESS

House File 194

On motion of Senator Gilley, House File 194, a bill for an act relating to county contingent funds, was taken up for further consideration.

Senator Balloun offered the following amendment filed by him and moved its adoption:

- 1 Amend House File 194, as amended by the House, by inserting in
- 2 line 9 after the word "transferred" the words ", with the approval
- 3 of the state comptroller,".

The Chair called for a division.

The amendment lost.

Senator Gilley moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 194) the vote was:

Ayes, 31:

Arbuckle	Glenn	Milligan	Riley
Briles	Graham	Mowry	Robinson
Carlson	Griffin	Neu	Schaben
DeKoster	Gross	Ollenburg	Shawver
Doderer	Keith	Palmer	Thordsen
Erskine	Kennedy	Potgeter	Van Gilst
Gaudineer	Kyhl	Potter	Walsh
Gilley	Laverty	Rhodes	

Nays, 15:

Anderson	Conklin	Lamborn	Smith
Balloun	Curran	Miller	Stephens
Bass	Davis	Nicholson	Van Drie
Coleman	Hill	Shaff	

Absent or not voting, 4:

Brownlee	Messerly	Rabedaux	Tapscott
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

SENATE FILE WITHDRAWN

Senator Briles asked and received unanimous consent that **Senate File 245** be withdrawn from further consideration of the Senate.

UNFINISHED BUSINESS DEFERRED

Senator Lamborn asked and received unanimous consent that further action on **Senate File 53** be deferred and that the bill retain its place on the calendar under **unfinished business**.

Senator Lamborn asked and received unanimous consent that further action on **Senate File 155** be deferred and that the bill retain its place on the calendar under **unfinished business**.

Senator Lamborn asked and received unanimous consent that further action on **Senate File 332** be deferred and that the bill retain its place on the calendar under **unfinished business**.

Senator Lamborn asked and received unanimous consent that further action on **Senate File 80** be deferred and that the bill retain its place on the calendar under **unfinished business**.

CONSIDERATION OF BILLS

House File 31

On motion of Senator Van Drie, House File 31, a bill for an act relating to the condemnation of existing utility facilities by cities and towns, was taken up, considered, and the report of the committee adopted.

Senator Van Drie moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 31) the vote was:

Ayes, 45:

Anderson	Erschine	Messerly	Riley
Arbuckle	Gaudineer	Miller	Robinson
Balloun	Gilley	Milligan	Schaben
Bass	Glenn	Mowry	Shaff
Briles	Griffin	Neu	Shawver
Brownlee	Gross	Nicholson	Smith
Carlson	Hill	Ollenburg	Stephens
Coleman	Kennedy	Palmer	Thordsen
Conklin	Kyhl	Potgeter	Van Drie
Curran	Lamborn	Potter	Van Gilst
DeKoster	Laverty	Rhodes	Walsh
Doderer			

Nays, none.

Absent or not voting, 5:

Davis	Keith	Rabedaux	Tapscott
Graham			

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

SENATE FILE WITHDRAWN

Senator Briles asked and received unanimous consent that **Senate File 9** be withdrawn from further consideration of the Senate.

HOUSE JOINT RESOLUTION DEFERRED

Senator Lamborn asked and received unanimous consent that further action on **House Joint Resolution 7** be deferred and that the bill retain its place on the calendar.

ADOPTION OF SENATE CONCURRENT RESOLUTIONS

Senate Concurrent Resolution 10

On motion of Senator Neu, the following resolution, with report of the commerce committee recommending passage, was taken up, considered, and the report of the committee adopted.

SENATE CONCURRENT RESOLUTION 10

By Neu, Hill, Curran, Smith,
Thordsen and Kennedy

Whereas, the state commerce commission regulates activities which are rapidly changing due to inventions, new techniques, and innovations; and

Whereas, the state commerce commission is directed to administer statutory controls of intrastate commerce, some of which were enacted ninety-eight years ago; and

Whereas, the Governor's Economy Committee recognized the necessity to provide the state commerce commission with up-to-date functions for the modern activities it controls, *Now Therefore*,

Be It Resolved by the Senate, the House Concurring, That the legislative council create a study committee to study the functions of the state commerce commission and make recommendations to update present Code provisions which relate to the state commerce commission functions. The study committee membership shall include members of the appropriate standing committees, persons knowledgeable in areas regulated by the commission, and citizens representing the interests of the consumer; and

Be It Further Resolved, That the study committee shall make periodic reports to the legislative council and shall submit a final report, including necessary bill drafts to implement the recommendations, to the legislative council. Copies of the report approved by the legislative council shall be submitted to members of the General Assembly meeting in the year 1972.

Senator Lamborn offered the following amendment by Senators Lamborn and Gaudineer:

- 1 Amend Senate Concurrent Resolution 10, found on page 178 of
- 2 the Senate Journal, as follows:
- 3 1. Line 11, by striking the word "That" and inserting
- 4 in lieu thereof the words, "It is recommended that".
- 5 2. Line 20, by inserting after the word "That" the
- 6 words, " , if established,".

Senator Glenn moved that further action on the resolution be deferred.

Senator Glenn asked and received unanimous consent to withdraw his motion.

On motion of Senator Lamborn, the amendment was adopted.

Senator Neu moved the adoption of the resolution, as amended, and requested a roll call.

On the question "Shall the resolution be adopted?" (S.C.R. 10) the vote was:

Ayes, 40:

Anderson	Erskine	Lamborn	Riley
Arbuckle	Gaudineer	Laverty	Robinson
Bass	Gilley	Miller	Schaben
Briles	Graham	Milligan	Shaff
Brownlee	Griffin	Mowry	Smith
Carlson	Gross	Neu	Stephens
Coleman	Hill	Nicholson	Tapscott
Curran	Keith	Palmer	Thordsen
Davis	Kennedy	Potgeter	Van Drie
Doderer	Kyhl	Rhodes	Van Gilst

Nays, 5:

Balloun	Glenn	Messerly	Ollenburg
Conklin			

Absent or not voting, 5:

DeKoster	Rabedaux	Shawver	Walsh
Potter			

The motion prevailed and the resolution, as amended, was adopted.

Senate Concurrent Resolution 18

On motion of Senator Hill, the following resolution was taken up for consideration:

SENATE CONCURRENT RESOLUTION 18 By Committee on Higher Education

Whereas, the state housing code remains virtually unchanged since its adoption in 1919, and

Whereas, citizens of Iowa have expressed concern about the effectiveness of the state housing code, and

Whereas, a need may exist to update and revise the state housing code, and

Whereas, it is in the best interests of the State of Iowa to have a sound well enforced state housing code, *Now Therefore*,

Be It Resolved by the Senate, the House Concurring, That the legislative council shall establish an interim study committee to study and determine whether a need exists to update and revise, by departmental rules and regulations if desirable, the state housing code on residential rental property, to recommend ways of improving code enforcement, to report its findings and recommendations to the next legislative session and prepare a bill to remedy any need found to exist.

Senator Lamborn offered the following amendment by Senators Lamborn and Gaudineer and moved its adoption:

- 1 .. Amend Senate Concurrent Resolution 18, found on page 358 of
- 2 the Senate Journal, as follows:
- 3 1. Line 9, by striking the word "That" and inserting
- 4 in lieu thereof the words, "It is recommended that".
- 5 2. Line 10, by striking the word "shall".

Division was called for.

The amendment was adopted.

Senator Hill moved the adoption of the resolution, as amended.

Division was called for.

The motion prevailed and the resolution, as amended, was adopted.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which House File 194 passed the Senate.

MINNETTE DODERER

On motion of Senator Balloun, the Senate recessed until 1:30 p.m.

AFTERNOON SESSION

The Senate reconvened, President pro tempore Kyhl presiding.

CONSIDERATION OF BILLS

Senate File 76

On motion of Senator Ollenburg, Senate File 76, a bill for an act relating to temporary registration of snowmobiles, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Ollenburg moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 76) the vote was:

Ayes, 35:

Anderson	Curran	Kennedy	Potter
Arbuckle	DeKoster	Kyhl	Rabedaux
Balloun	Erskine	Lamborn	Riley
Bass	Gaudineer	Laverty	Robinson
Briles	Gilley	Mowry	Shawver
Brownlee	Glenn	Neu	Smith
Carlson	Griffin	Nicholson	Stephens
Coleman	Gross	Ollenburg	Van Drie
Conklin	Hill	Potgeter	

Nays, none.

Absent or not voting, 15:

Davis	Messerly	Rhodes	Thordsen
Doderer	Miller	Schaben	Van Gilst
Graham	Milligan	Shaff	Walsh
Keith	Palmer	Tapscott	

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

Senate File 109

On motion of Senator Riley, Senate File 109, a bill for an act relating to minimum limits for compliance with the motor vehicle financial responsibility law, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

SENATE FILE DEFERRED

Senator Riley asked and received unanimous consent that further action on **Senate File 109** be deferred and that the bill be placed on the calendar under **unfinished business**.

CONSIDERATION OF BILLS

Senate File 79

On motion of Senator Miller, Senate File 79, a bill for an act relating to hunting-safety education and providing a penalty, with report of committee without recommendation, was taken up, considered, and the report of the committee adopted.

Senator Miller offered the following amendment and moved its adoption:

- 1 Amend Senate File 79, page 2, line 15, by striking the
- 2 word "shall" and inserting the word "May".

The amendment was adopted.

Senator Balloun offered the following amendment filed by him and moved its adoption:

- 1 Amend Senate File 79, page 2, by striking lines 15 through
- 2 21, inclusive, and renumbering the remaining sections.

Roll call was requested.

On the question "Shall the amendment be adopted?" (S.F. 79) the vote was:

Ayes, 36:

Anderson	Brownlee	Conklin	DeKoster
Balloun	Carlson	Curran	Doderer
Bass	Coleman	Davis	Gilley

Glenn	Kyhl	Nicholson	Shawver
Graham	Lamborn	Ollenburg	Smith
Griffin	Messerly	Potgeter	Stephens
Gross	Milligan	Potter	Tapscott
Hill	Mowry	Riley	Thordsen
Keith	Neu	Rabedeaux	Van Drie

Nays, 9:

Briles	Kennedy	Palmer	Van Gilst
Erskine	Miller	Schaben	Walsh
Gaudineer			

Absent or not voting, 5:

Arbuckle	Rhodes	Robinson	Shaff
Lavery			

The amendment was adopted.

(Senate File 79 pending.)

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 26, inviting Dr. Norman Borlaug to address a joint convention of the Sixty-fourth General Assembly.

Also: That the House has concurred in Senate amendment to and re-passed the following bill in which the concurrence of the House was asked:

House File 140, a bill for an act relating to assignment of real estate mortgages by marginal entry.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 216, a bill for an act relating to administrative and maintenance facilities for county conservation boards.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 274, a bill for an act relating to military leaves of absence for civil employees.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 317, a bill for an act relating to supervision of local budget preparation.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 376, a bill for an act relating to the economic development activities by cities.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 381, a bill for an act relating to commercial feed inspection fees.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 382, a bill for an act relating to labeling of foreign meats.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 399, a bill for an act relating to exemptions from the merit system and providing for work test appointments.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 156, a bill for an act relating to the renewal of automobile insurance.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 170, a bill for an act relating to the appointment and tenure of the commissioner of public safety.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 204, a bill for an act relating to board of supervisor approval of the salaries for probation officers and their staff.

WILLIAM R. KENDRICK, Chief Clerk

HOUSE AMENDMENT TO SENATE FILE 170

- 1 Amend Senate File 170, page 3, by adding after line 2
- 2 the following new section:
- 3 Sec. 3. This Act, being deemed of immediate importance,
- 4 shall take effect and be in force from and after its
- 5 publication in The Clinton Herald, a newspaper published
- 6 in Clinton, Iowa, and in The West Des Moines Express, a
- 7 newspaper published in West Des Moines, Iowa.

HOUSE AMENDMENT TO SENATE FILE 204

- 1 Amend Senate File 204, as amended and passed by the
- 2 Senate, as follows:
- 3 1. By striking all after the enacting clause and
- 4 inserting in lieu thereof the following:
- 5 Section 1. Section two hundred thirty-one point
- 6 eight (231.8), unnumbered paragraph four (4), Code 1971,
- 7 is amended as follows:
- 8 "Such secretarial and clerical help as may be needed
- 9 in the administration of any probation office may be
- 10 appointed by the judge or judges of the juvenile court who
- 11 may fix their salaries, *subject to the approval of the*
- 12 *board of supervisors*, at not more than forty percent of
- 13 the salary of a district court judge."
- 14 2. Amend the title by striking all of line 2 and
- 15 inserting in lieu thereof the following: "for the staff
- 16 of probation offices."

INTRODUCTION OF BILLS

Senate File 414, by Senators Tapscott, Glenn, Kennedy, Palmer, Miller and Gaudineer, a bill for an act relating to the establishment of wage rates for public works projects and providing penalties for violations.

Read first time and **passed on file**.

Senate File 415, by Senators Tapscott, Coleman, Doderer, Glenn, Miller and Robinson, a bill for an act relating to sales tax refund.

Read first time and **passed on file**.

Senate File 416, by Senator Potter, a bill for an act relating to persons eligible for appointment to county conservation boards.

Read first time and **passed on file**.

HOUSE MESSAGES CONSIDERED

House File 216, a bill for an act relating to administrative and maintenance facilities for county conservation boards.

Read first time and **passed on file**.

House File 274, a bill for an act relating to military leave of absence for civil employees.

Read first time and **passed on file**.

House File 317, a bill for an act relating to supervision of local budget preparation.

Read first time and **passed on file**.

House File 376, a bill for an act relating to the economic development activities by cities.

Read first time and **passed on file**.

House File 381, a bill for an act relating to commercial feed inspection fee.

Read first time and **passed on file**.

House File 382, a bill for an act relating to labeling of foreign meats.

Read first time and **passed on file**.

House File 399, a bill for an act relating to exemptions from the merit system and providing for work test appointments.

Read first time and **passed on file**.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which the Balloun amendment of March 9, 1971, to Senate File 79 was adopted by the Senate.

JOHN E. TAPSCOTT

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on March 23, 1971, the Governor approved and transmitted to the Secretary of State the following bill:

S. F. 103—Relating to excuse of jurors.

ASSIGNMENT OF BILLS

President Jepsen announced the assignment of the following bills to committee:

S. F. 411 State government

S. F. 412 Human and industrial relations

S. F. 414 Human and industrial relations

S. F. 415 Ways and means

S. F. 416 Conservation and recreation

H. F. 274 State government

H. F. 317 Schools

H. F. 376 Iowa development

H. F. 381 Agriculture

H. F. 382 Agriculture

H. F. 399 State government

REPORT OF COMMITTEE

Senator Conklin submitted the following report:

MR. PRESIDENT: Your committee on schools, to which was referred **Senate File 208**, a bill for an act to authorize purchase of tax-sheltered annuities for employees of the state educational radio and television facility board, begs leave to report it has had the same under consideration and recommends the same **do pass**.

W. CHARLENE CONKLIN, Chairman

Ordered passed on file.

AMENDMENTS FILED

- 1 Amend the temporary rules of the Senate, Rule 25,
- 2 page 11, line 8, by adding the following sentence: "In the
- 3 event that a motion to reconsider is pending at the end of
- 4 the first session, 64th General Assembly, or the General
- 5 Assembly adjourns sine die, and the motion has not been
- 6 voted upon by the Senate, it shall be determined to have
- 7 failed.

COMMITTEE ON RULES

CLIFTON C. LAMBORN, Chairman

- 1 Amend Senate File 109 as follows:
- 2 1. Page 2, line 8, by striking the words "twenty-
- 3 five" and inserting in lieu thereof the word "fifteen".
- 4 2. Page 2, line 11, by striking the word "fifty"
- 5 and inserting in lieu thereof the word "thirty".
- 6 3. Page 2, line 34, by striking the words "twenty-
- 7 five" and inserting in lieu thereof the word "fifteen".
- 8 4. Page 3, line 2, by striking the word "fifty" and
- 9 inserting in lieu thereof the word "thirty".
- 10 5. Page 3, line 14, by striking the words "twenty-
- 11 five" and inserting in lieu thereof the word "fifteen".
- 12 6. Page 3, line 18, by striking the words "twenty-
- 13 five" and inserting in lieu thereof the word "fifteen".
- 14 7. Page 3, line 20, by striking the word "fifty" and
- 15 inserting in lieu thereof the word "thirty".
- 16 8. Page 4, line 4, by striking the words "Twenty-
- 17 five" and inserting in lieu thereof the word "Fifteen".
- 18 9. Page 4, line 7, by striking the word "fifty" and
- 19 inserting in lieu thereof the word "thirty".
- 20 10. Page 4, line 16, by striking the word "sixty"
- 21 and inserting in lieu thereof the word "forty".
- 22 11. Page 4, line 19, by striking the word "sixty"
- 23 and inserting in lieu thereof the word "forty".

JAMES E. BRILES

- 1 Amend Senate File 155, page 2, line 16, by striking
- 2 the words "shall order", and inserting in lieu thereof
- 3 "[shall order] *may order upon hearing pursuant to sections*
- 4 *229.2, 229.3, 229.4 and 229.5*".

GENE W. GLENN

LEE H. GAUDINEER, JR.

- 1 Amend Senate File 292 as follows:
- 2 Page 3, following line 12 insert the following new
- 3 section:
- 4 "Sec. 5. This Act shall not apply to any processor,
- 5 distributor, firm or corporation which is a religious
- 6 and benevolent nonprofit corporation."

BASS VAN GILST

- 1 Amend House Joint Resolution 7 as follows:
- 2 1. By striking pages 2 and 3 and inserting in
- 3 lieu thereof the following:
- 4 "Section 1. The following amendment to the

5 Constitution of the State of Iowa is hereby proposed:

6 Section two (2) of Article four (IV) of the
7 Constitution of the State of Iowa is hereby repealed
8 and the following adopted in lieu thereof:

9 'Section 2. The Governor elected at the general
10 election in the year 1974 shall be elected by the
11 qualified electors at the time and place of voting
12 for members of the General Assembly. The Governor
13 shall hold his office four years from the time of
14 his installation and until his successor is elected
15 and qualified.'

16 Section three (3) of Article four (IV) of the
17 Constitution of the State of Iowa is hereby repealed
18 and the following adopted in lieu thereof:

19 'Section 3. There shall be a Lieutenant Governor
20 who shall hold his office four years and be elected
21 at the same time and be of the same political
22 affiliation as the Governor. In voting, the electors
23 shall designate for whom they vote for Governor and
24 Lieutenant Governor by casting one vote for both
25 offices on a ballot which shall place the Governor

Page 2

1 and Lieutenant Governor together on the ballot so
2 that one vote shall be cast for both and said vote
3 shall thereafter be counted as a vote for each. The
4 returns of every election for Governor and Lieutenant
5 Governor shall be sealed and transmitted to the seat
6 of government of the State, directed to the Speaker
7 of the House of Representatives who shall open and
8 publish them in the presence of both Houses of the
9 General Assembly.'

10 Section four (4) of Article four (IV) of the
11 Constitution of the State of Iowa, except amendment
12 I of the Amendments of 1952, is hereby repealed and
13 the following adopted in lieu thereof:

14 'Section 4. The persons having the highest number
15 of votes for Governor and Lieutenant Governor shall
16 be duly elected. If the number of votes cast for
17 Governor and Lieutenant Governor of one political
18 affiliation shall be equal to the number of votes
19 cast for Governor and Lieutenant Governor of a second
20 political affiliation, and should the number of votes
21 so cast in both instances be the highest number of
22 votes for the two offices, a tie vote shall exist
23 and the General Assembly shall by joint vote forthwith
24 proceed to elect two of the persons Governor and
25 Lieutenant Governor. The Governor and Lieutenant

Page 3

1 Governor so elected shall be of the same political
2 affiliation.'

3 Section five (5) of Article four (IV) of the Con-
4 stitution of the State of Iowa is hereby repealed
5 and the following adopted in lieu thereof:

6 'Section 5. Contested elections for Governor,
7 and Lieutenant Governor, shall be determined by the
8 General Assembly in such manner as may be prescribed

9 by law.'

10 Section fifteen (15) of Article four (IV) of the
11 Constitution of the State of Iowa is hereby repealed
12 and the following adopted in lieu thereof:

13 'Section 15. The official term of the Governor,
14 and Lieutenant Governor, shall commence on the sec-
15 ond Monday of January next after their election, and
16 continue for four years, and until their successors
17 are elected and qualified. The Lieutenant Governor,
18 while acting as Governor, shall receive the same pay
19 as provided for Governor; and while presiding in the
20 Senate, shall receive as compensation therefor, the
21 same mileage and double the per diem pay provided
22 for a Senator, and none other.'

23 Sec. 2. The foregoing proposed amendment to the
24 Constitution of the State of Iowa is hereby referred
25 to the general assembly to be chosen at the next gen-

Page 4

1 eral election for members of the general assembly
2 and the secretary of state is directed to cause the
3 same to be published for three consecutive months
4 previous to the date of said election as provided
5 by law."

6 2. Page 1, lines 2 and 3, by striking the words
7 "terms of office of elected state officials" and in-
8 serting in lieu thereof the words "election of the
9 governor and lieutenant governor".

LEE H. GAUDINEER, JR.
JOHN E. TAPSCOTT

0 Amend House Joint Resolution 7 as follows:

1 1. By striking page 2 and 3 and inserting in lieu
2 thereof the following:

3 "Section 1. The following amendment to the Constitu-
4 tion of the State of Iowa is hereby proposed:

5 Section twenty-two (22) of Article four (IV) and sec-
6 tion twelve (12) of Article five (V) of the Constitution
7 of the State of Iowa are hereby repealed and the follow-
8 ing adopted in lieu thereof:

9 "The Governor shall have the power to appoint a Sec-
10 retary of State, Treasurer of State, and Attorney General
11 who shall serve at the pleasure of the Governor and shall
12 perform such duties as may be prescribed by law. Ap-
13 pointments shall be made with the consent of two-thirds
14 of the Senate.'

15 Article three (III) of the Constitution of the State
16 of Iowa is hereby amended by adding thereto the following
17 new section:

18 'An Auditor of State shall be appointed by and shall
19 serve at the pleasure of the General Assembly. The
20 auditor shall conduct post audits and perform such other
21 duties as may be prescribed by law and shall report to
22 the General Assembly and the Governor.'

23 Sec. 2. The foregoing proposed amendment to the Con-

24 stitution of the State of Iowa is hereby referred to the
25 general assembly to be chosen at the next general election

Page 2

- 1 for members of the general assembly and the secretary of
- 2 state is directed to cause the same to be published for
- 3 three consecutive months previous to the date of said
- 4 election as provided by law."
- 5 2. Page 1, lines 2 and 3, by striking the words
- 6 "terms of office of elected" and inserting in lieu
- 7 thereof the words "appointment of".

LEE H. GAUDINEER, JR.
JOHN E. TAPSCOTT

- 1 Amend House File 71 as follows:
- 2 1. Page 2, line 28, by adding after the word
- 3 "annual" the words ", ragweed (*Ambrosia Trifida*, L.)".
- 4 2. Page 1, line 1, by striking the words "a noxious
- 5 weed" and inserting in lieu thereof the words "and
- 6 ragweed noxious weeds".

MINNETTE F. DODERER
REINHOLD O. CARLSON

- 1 Amend House File 194 as follows:
- 2 1. Lines 5 and 6 by striking the words "On December
- 3 thirty-first following the effective date of this
- 4 Act, if", and inserting the word "If".
- 5 2. By striking all after the period in line 11,
- 6 and all of lines 12 through 20, inclusive, and
- 7 inserting a quotation mark.

MINNETTE F. DODERER
JAMES E. BRILES
CHARLES P. MILLER

On motion of Senator Lamborn, the Senate adjourned until 9:00
a.m., Wednesday, March 24, 1971.

JOURNAL OF THE SENATE

SEVENTY-THIRD DAY

SENATE CHAMBER

DES MOINES, IOWA, WEDNESDAY, MARCH 24, 1971

The Senate met in regular session, President pro tempore Kyhl presiding.

Prayer was offered by Father Kress, pastor of the Saint Mary's Church, Manchester, Iowa.

The Senate pledged allegiance to the flag.

The Journal of Tuesday, March 23, 1971, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Doderer for the day on request of Senator Gaudineer; Senator Palmer for the day on request of Senator Gaudineer.

PRESENTATION OF VISITORS

The Chair announced that the following visitors were present in the Senate gallery:

Forty students from Armstrong High School, Armstrong, Iowa, accompanied by their instructors, Mr. Fisher, Mr. Carstens and Mr. Cecil.

Ninety students from Central Decatur Community High School, Leon, Iowa, accompanied by their instructor, J. D. Pease.

Thirty-one students from Panora-Linden Community School, Panora, Iowa, accompanied by their instructors, Mrs. Mary Jane Carson and Hal Rassow.

Seventy-five students from Southeast Warren Community School, Liberty Center, Iowa, accompanied by their instructors, Mrs. Fehrer and Mr. Burrell.

Sixty students from East High School, Des Moines, Iowa, accompanied by their instructor, Mr. Hermann.

Five students from Mitchell School, Ames, Iowa, accompanied by their instructor, Mrs. Ruth Mahon.

Twenty-one students from Northwest Webster High School, Barnum, Iowa, accompanied by their instructor, Mr. Sales.

PETITIONS

The following petitions were presented and placed on file:

By Senator DeKoster, from seven residents of Sioux and Lyon Counties opposing male barbering in beauty shops.

By Senator Shawver, from fifty-three residents of Bremer County opposing legislation that would allow duplicate utility services within the city limits of annexed areas and special tax treatment of rural distribution property.

By Senator Shawver, from eight residents of Bremer County opposing the proposed State Building Code.

By Senator Messerly, from two thousand eight hundred nine residents of Black Hawk County opposing a property tax increase for 1971.

By Senator Keith, from thirty-seven residents of Emmet County favoring legislation to shift the funding of school costs from property tax to sales or income tax.

INTRODUCTION OF BILLS

Senate File 417, by committee on judiciary (committee on judiciary), a bill for an act relating to judicial redistricting.

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

Senate File 418, by Senator Gaudineer, a bill for an act relating to benefits for veterans in state employment.

Read first time and **passed on file**.

Senate File 419, by Senators Brownlee, Riley, Smith, Tapscott, Davis and Palmer (Den Herder, Skinner, Ellsworth and Wirtz), a bill for an act establishing the Iowa health services commission, requiring a certificate of need for new health care facilities or services, and providing penalties for certain violations.

Read first time and **passed on file**.

AMENDMENT OF TEMPORARY RULES OF THE SENATE

The Senate resumed consideration of division 2 of the amendment to the Temporary Rules of the Senate filed January 25, 1971, by the committee on rules, considered and deferred on March 3, 1971:

Division 2

- 9 3. Rule 28, by adding the following sentence:
10 "Privately sponsored bills requested prior to the fore-
11 going deadlines, delivered by legislative service bureau
12 after the deadline, shall be introduced within one week
13 after delivery to the member".

Senator Lamborn asked and received unanimous consent to withdraw division 2 of the amendment.

Senator Lamborn offered the following amendment by the committee on rules and moved its adoption :

- 1 Amend the temporary rules of the Senate, Rule 25,
2 page 11, line 8, by adding the following sentence: "In the
3 event that a motion to reconsider is pending at the end of
4 the first session, 64th General Assembly, or the General
5 Assembly adjourns sine die, and the motion has not been
6 voted upon by the Senate, it shall be determined to have
7 failed.

The amendment was adopted.

Senator Gaudineer offered the following amendment by Senators Gaudineer, Schaben and Coleman and moved its adoption :

- 1 Amend the Temporary Rules of the Senate, filed January 19,
2 1971, as follows:
3 Amend Rule 19, line 1, by striking the word "Fifteen" and
4 inserting in lieu thereof the word "Ten".

The amendment was adopted.

Senator Anderson offered the following amendment filed by him and moved its adoption :

- 1 Amend the Senate Temporary Rules, Rule 25, by striking in
2 lines 1 and 2 the following: "Other than the vote on the con-
3 firmation of a gubernatorial appointment".

The amendment was adopted.

Senator Schaben offered the following amendment filed by him and moved its adoption :

- 1 Amend the Temporary Rules of the Senate, filed January 19,
2 1971, as follows:
3 1. Amend Rule 38, page 19, line 11, by striking the
4 words "to sponsor a committee bill or".
5 2. Further amend Rule 38, page 19, by adding the
6 following new section:
7 "7. The affirmative vote of two-thirds of the members
8 of a committee is needed to sponsor a committee bill."

The amendment lost.

Senator Van Drie offered the following amendment and moved its adoption :

- 1 Amend the temporary rules of the Senate as reprinted
- 2 January 23, 1970, Rule 15, by adding the following
- 3 sentence after the period in line 12:
- 4 "A motion to strike all after the enacting clause
- 5 shall have precedence over all other amendments."

Division was called for.

The amendment lost.

Senator Glenn withdrew the following amendment filed by him on January 19, 1971:

- 1 Amend the Temporary Standing Rules of the Senate,
- 2 Senate Rules Governing Lobbyists, as follows:
- 3 1. By adding the following Rule:
- 4 "Each individual engaging in lobbying activities and who
- 5 registers as hereinbefore required shall file with the Secre-
- 6 tary of the Senate on or before the fifteenth day of each
- 7 month during any year in which so engaged, a statement setting
- 8 forth all fees expended for lobbying activities, expenses
- 9 provided, and the names of recipients thereof."

Senator Gaudineer offered the following amendment filed by him:

- 1 Amend the Temporary Rules of the Senate, filed
- 2 January 19, 1971, as follows:
- 3 "Amend Rule 37, line 6, by inserting after the word,
- 4 "committee", the following:
- 5 "or appropriately within its jurisdiction".

Senator Gaudineer offered the following amendment to the amendment and moved its adoption:

- 1 Amend the Gaudineer amendment filed March 3, 1971, to Rule 37
- 2 as follows:
- 3 1. Line 4, by striking the word, "committee" and by
- 4 inserting in lieu thereof the word, "it".
- 5 2. Line 5, by inserting before the word "or" a
- 6 comma ",".

Division was called for.

The amendment to the amendment was adopted.

Senator Gaudineer moved the adoption of the amendment as amended.

The amendment as amended lost.

Senator Lamborn offered the following amendment by Senators Lamborn and Coleman:

- 1 Amend the temporary standing rules of the Senate, Rule 44,
- 2 line 4, by inserting after the period the following new
- 3 sentence: "A person or group accompanied by a Senator may be ad-
- 4 during recess." mitted

Senator Balloun offered the following amendment to the amendment and moved its adoption :

- 1 Amend the Lamborn-Coleman amendment to the temporary standing
- 2 rules of the Senate, Rule 44, by inserting in line 3 after the
- 3 word "Senator" the words "or persons going directly to committee
- 4 meetings".

The amendment to the amendment was adopted.

On motion of Senator Lamborn, the amendment as amended was adopted.

Senator Potgeter offered the following amendment and moved its adoption :

- 1 Amend the temporary rules of the Senate filed January 19,
- 2 1971, as follows:
- 3 Amend Rule 44, line 2, by inserting after the word "session"
- 4 the words "and until final adjournment of the day".

Roll call was requested.

On the question "Shall the amendment be adopted?" (Senate Rule 44) the vote was :

Ayes, 18 :

Arbuckle	Glenn	Nicholson	Robinson
Brownlee	Kennedy	Potgeter	Stephens
Coleman	Lamborn	Rabedaux	Van Drie
Davis	Miller	Riley	Van Gilst
Gaudineer	Neu		

Nays, 29 :

Anderson	Erskine	Kyhl	Schaben
Balloun	Gilley	Messerly	Shaff
Bass	Graham	Milligan	Shawver
Briles	Griffin	Mowry	Smith
Carlson	Gross	Ollenburg	Tapscott
Conklin	Hill	Potter	Thordsen
Curran	Keith	Rhodes	Walsh
DeKoster			

Absent or not voting, 3 :

Doderer	Laverty	Palmer
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The amendment lost.

President Jepsen took the chair at 11:04 a.m.

On motion of Senator Lamborn, the Senate recessed until 1:15 p.m.

AFTERNOON SESSION

The Senate reconvened, President pro tempore Kyhl presiding.

COMMUNICIATION

The following communication was presented:

OFFICE OF THE GOVERNOR
State Capitol
Des Moines, Iowa 50319

March 22, 1971

The Honorable Roger W. Jepsen
Lieutenant Governor of Iowa
State Capitol
Local

Dear Governor Jepsen:

It is my pleasure to submit to the Senate for their consideration the name of Robert C. Landess of West Des Moines, Polk County, Iowa, for appointment as Industrial Commissioner for the State of Iowa under the provisions of section 86.1, 1971 Code of Iowa, for the unexpired portion of the regular term ending June 30, 1973.

Sincerely,

ROBERT D. RAY
Governor

CONSIDERATION OF BILLS

Senator Balloun asked and received unanimous consent to take up out of order **Senate File 180**.

Senate File 180

On motion of Senator Griffin, Senate File 180, a bill for an act relating to attorney's fees, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

SENATE FILE DEFERRED

Senator Griffin asked and received unanimous consent that further action on **Senate File 180** be deferred and that the bill be placed on the calendar under **unfinished business**.

SENATE FILE WITHDRAWN

Senator Shaff asked and received unanimous consent that **Senate File 145** be withdrawn from further consideration of the Senate.

ADOPTION OF REPORTS OF SENATE COMMITTEE ON ETHICS

Senator Neu called up the following report of the committee on ethics relating to the Senate Code of Ethics and moved adoption of the amendments contained therein:

MR. PRESIDENT: Your Senate committee on ethics begs leave to report that it recommends the Senate code of ethics which appears in the "Rules of Procedure, Iowa—1969" be adopted with the following changes:

1. Senate Code of Ethics, Rule 4, line 2, by striking the words "state agency" and inserting in lieu thereof the words "governmental agency or board".

2. Senate Code of Ethics, Rule 4, line 4, by striking the words "state agency" and inserting in lieu thereof the words "governmental agency or board".

3. Senate Code of Ethics, Rule 4, line 6, by striking the words "state agency" and inserting in lieu thereof the words "governmental agency or board".

The motion prevailed and the amendments were adopted.

Senator Neu moved the adoption of the committee report, which motion prevailed.

On motion of Senator Neu, the Senate Code of Ethics, as amended, was adopted.

Senator Neu called up the following report of the committee on ethics relating to the Senate Rules Governing Lobbyists and moved adoption of the amendment contained therein:

MR. PRESIDENT: Your Senate committee on ethics begs leave to report that it recommends the Senate Rules Governing Lobbyists as appear in the "Rules of Procedure, Iowa—1969" be adopted with the following change:

1. Senate Rules Governing Lobbyists, Rule 3, line 2, by striking the words "while in session." and inserting in lieu thereof the words "from the daily time of convening to adjournment."

Division was called for.

The motion prevailed and the amendment was adopted.

Senator Glenn offered the following amendment to the committee report:

- 1 Amend the Senate committee on ethics report relative to
- 2 the Senate Rules Governing Lobbyists appearing on page 351
- 3 of the Senate Journal as follows:
- 4 1. By adding the following new Rule to Senate Rules
- 5 Governing Lobbyists: "Each individual engaging in lobbying
- 6 activities and who registers as hereinbefore required shall
- 7 file with the Secretary of the Senate on or before the
- 8 fifteenth day of each month during any year in which so
- 9 engaged, a statement setting forth all fees received for
- 10 lobbying activities, expenses incurred in connection there-
- 11 with, and the names of recipients thereof, which record

12 shall be a public record."

13 2. By renumbering the Senate Rules Governing Lobbyists

14 in accordance herewith.

Senator Glenn moved the adoption of his amendment and requested a roll call.

On the question "Shall the amendment be adopted?" the vote was:

Rule 24 was invoked.

Ayes, 13:

Coleman	Glenn	Kennedy	Schaben
Conklin	Gross	Miller	Tapscott
Gaudineer	Hill	Robinson	Van Gilst
Gilley			

Nays, 34:

Anderson	DeKoster	Milligan	Riley
Arbuckle	Erskine	Mowry	Shaff
Balloun	Graham	Neu	Shawver
Bass	Griffin	Nicholson	Smith
Briles	Keith	Potgeter	Stephens
Brownlee	Kyhl	Potter	Thordsen
Carlson	Lamborn	Rhodes	Van Drie
Curran	Lavery	Rabedeaux	Walsh
Davis	Messerly		

Absent or not voting, 3:

Doderer	Ollenburg	Palmer
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The amendment lost.

President Jepsen took the chair at 2:20 p.m.

Senator Neu moved the adoption of the committee report, which motion prevailed.

On motion of Senator Neu, the Senate Rules Governing Lobbyists, as amended, were adopted.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Rhodes, from the joint committee on enrolled bills, submitted the following report and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: House Files 82, 121, 231 and 346.

JOHN C. RHODES
Chairman, Senate Committee
ELIZABETH R. MILLER
Chairman, House Committee

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate the following bills: House Files 82, 121, 231 and 346.

SENATE INSISTS

House File 12

Senator Messerly called up for consideration House File 12, a bill for an act relating to motor vehicle fees collected by county treasurers, and to the amount of such fees retained by the county, and to the filing of instruments pertaining to motor vehicles, amended by the Senate, and moved that the Senate insist on its amendments 5 and 6 found on page 551 of the House Journal.

The motion prevailed and the Senate insisted on amendments 5 and 6.

CONFERENCE COMMITTEE APPOINTED

President Jepsen announced the appointment of the following conference committee on House File 12, on the part of the Senate: Senators Messerly, chairman; Thordsen, Stephens and Coleman.

HOUSE AMENDMENT CONSIDERED

Senate File 170

Senator Potgeter called up for consideration Senate File 170, a bill for an act relating to the appointment and tenure of the commissioner of public safety, amended by the House, and moved that the Senate concur in the following House amendment:

- 1 Amend Senate File 170, page 3, by adding after line 2
- 2 the following new section:
- 3 Sec. 3. This Act, being deemed of immediate importance,
- 4 shall take effect and be in force from and after its
- 5 publication in The Clinton Herald, a newspaper published
- 6 in Clinton, Iowa, and in The West Des Moines Express, a
- 7 newspaper published in West Des Moines, Iowa.

The motion prevailed and the Senate concurred in the House amendment.

Senator Potgeter moved that the bill as amended by the House and concurred in by the Senate be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 170) the vote was:

Ayes, 43:

Anderson	Erskine	Laverty	Riley
Arbuckle	Gaudineer	Messery	Schaben
Balloun	Gilley	Miller	Shaff
Bass	Glenn	Milligan	Shawver
Brownlee	Graham	Mowry	Stephens
Carlson	Griffin	Neu	Tapscott
Coleman	Gross	Nicholson	Thordsen
Conklin	Hill	Potgeter	Van Drie
Curran	Kennedy	Potter	Van Gilst
Davis	Kyhl	Rabedeaux	Walsh
DeKoster	Lamborn	Rhodes	

Nays, none.

Absent or not voting, 7:

Briles	Keith	Palmer	Smith
Doderer	Ollenburg	Robinson	

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

MOTION TO RECONSIDER

House File 230

Senator Rabedeaux called up the following motion to reconsider and moved its adoption:

MR. PRESIDENT: I move to reconsider the vote by which House File 230 passed the Senate.

The motion prevailed.

Senator Rabedeaux moved to reconsider the vote by which House File 230 went to its last reading, which motion prevailed.

On motion of Senator Rabedeaux, House File 230, a bill for an act relating to election precincts, was taken up for reconsideration.

Senator Rabedeaux moved to reconsider the vote by which the Potgeter-Rabedeaux amendment filed March 9, 1971, was adopted by the Senate, which motion prevailed.

Senator Rabedeaux asked and received unanimous consent to withdraw the Potgeter-Rabedeaux amendment filed March 9, 1971, and found on page 474 of the Senate Journal.

Senator Rabedeaux offered the following amendment filed by Senators Potgeter and Rabedeaux on March 11, 1971, and moved its adoption:

- 1 Amend House File 230 as follows:
- 2 1. Page 2, by striking lines 1 through 32, inclusive, and
- 3 renumbering the remaining sections.
- 4 2. Page 3, line 2, by inserting after the word "more" the

5 word "*contiguous*".

6 3. Page 3, line 11, by inserting after the word "more" the

7 word "*contiguous*".

The amendment was adopted.

Senator Rabedaux moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 230) the vote was:

Ayes, 46:

Anderson	Gaudineer	Messerly	Robinson
Arbuckle	Gilley	Miller	Schaben
Balloun	Glenn	Milligan	Shaff
Bass	Graham	Mowry	Shawver
Briles	Griffin	Neu	Smith
Brownlee	Gross	Nicholson	Stephens
Carlson	Hill	Potgeter	Tapscott
Coleman	Keith	Potter	Thordsen
Curran	Kennedy	Rabedaux	Van Drie
Davis	Kyhl	Rhodes	Van Gilst
DeKoster	Lamborn	Riley	Walsh
Erskine	Laverty		

Nays, 1:

Conklin

Absent or not voting, 3:

Doderer	Ollenburg	Palmer
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF JOINT RESOLUTION

House Joint Resolution 7

On motion of Senator Griffin, House Joint Resolution 7, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the terms of office of elected state officials, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Tapscott offered the following amendment filed by Senators Gaudineer and Tapscott:

0 Amend House Joint Resolution 7 as follows:

1 1. By striking page 2 and 3 and inserting in lieu
2 thereof the following:

3 "Section 1. The following amendment to the Constitu-
4 tion of the State of Iowa is hereby proposed:

5 Section twenty-two (22) of Article four (IV) and sec-
6 tion twelve (12) of Article five (V) of the Constitution
7 of the State of Iowa are hereby repealed and the follow-
8 ing adopted in lieu thereof:

9 'The Governor shall have the power to appoint a Sec-
10 retary of State, Treasurer of State, and Attorney General
11 who shall serve at the pleasure of the Governor and shall
12 perform such duties as may be prescribed by law. Ap-
13 pointments shall be made with the consent of two-thirds
14 of the Senate.'

15 Article three (III) of the Constitution of the State
16 of Iowa is hereby amended by adding thereto the following
17 new section:

18 'An Auditor of State shall be appointed by and shall
19 serve at the pleasure of the General Assembly. The
20 auditor shall conduct post audits and perform such other
21 duties as may be prescribed by law and shall report to
22 the General Assembly and the Governor.'

23 Sec. 2. The foregoing proposed amendment to the Con-
24 stitution of the State of Iowa is hereby referred to the
25 general assembly to be chosen at the next general election

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1 for members of the general assembly and the secretary of
2 state is directed to cause the same to be published for
3 three consecutive months previous to the date of said
4 election as provided by law."

5 2. Page 1, lines 2 and 3, by striking the words
6 "terms of office of elected" and inserting in lieu
7 thereof the words "appointment of".

(House Joint Resolution 7 pending.)

ANNOUNCEMENT OF INVESTIGATING COMMITTEE ON GOVERNOR'S APPOINTMENT

President Jepsen, in accordance with section 2.32, Code 1971, announced the appointment of the following Senators to investigate the qualifications of Robert C. Landess of West Des Moines, Polk County, Iowa, for appointment as Industrial Commissioner for the State of Iowa for the unexpired portion of the regular term ending June 30, 1973:

Senator Milligan, Chairman
Senator Miller
Senator Griffin
Senator Walsh
Senator Potgeter

INTRODUCTION OF BILLS

Senate File 420, by Senators Coleman, Tapscott, Palmer and Gaudineer, a bill for an act relating to the reorganization of the executive functions of state government by the creation of a department of executive services; placing within the department a division of general services and several existing state agencies, and delegating certain executive duties in connection with the reorganization.

Read first time and **passed on file**.

Senate File 421, by Senators Robinson, Kennedy, Palmer, Miller, Glenn, Tapscott, Hill, Coleman and Gaudineer (Bennett and Ellsworth), a bill for an act relating to membership in labor unions.

Read first time and **passed on file**.

Senate File 422, by Senators Robinson, Glenn, Kennedy, Miller, Coleman and Gaudineer, a bill for an act relating to certain injunctions issued in labor disputes.

Read first time and **passed on file**.

Senate File 423, by Senators Robinson, Palmer, Gaudineer, Tapscott, Doderer and Glenn (Gluba), a bill for an act relating to the establishment of uniform procedures for the payment of wages by employers and for settling disputes and providing penalties for violations.

Read first time and **passed on file**.

REPORT OF COMMITTEE

Senator Walsh submitted the following report:

MR. PRESIDENT: Your committee on transportation, to which was referred **Senate File 329**, a bill for an act relating to the operation of aircraft, begs leave to report it has had the same under consideration and recommends the same **do pass**.

JOHN M. WALSH, Chairman

Ordered passed on file.

AMENDMENTS FILED

- 1 Amend Senate File 85 as follows:
- 2 1. Page 30, by inserting after line 13 the following
- 3 new subsection:
- 4 " 'Board' means the board of certification."
- 5 2. Page 30, line 17, by striking the word "deputy"
- 6 and inserting in lieu thereof the word "executive".
- 7 3. Page 31, line 15, by striking the word "commis-
- 8 sion" and inserting in lieu thereof the words "board
- 9 submitted through the commission".
- 10 4. Page 31, by inserting after line 15 the following
- 11 new sections:
- 12 1. "The commission shall appoint a board of certi-
- 13 fication consisting of the following five members:
- 14 1. One member who is a waterworks operator hold-
- 15 ing a valid certificate of the highest classification
- 16 issued by the department.
- 17 2. One member who is a waste waterworks operator
- 18 holding a valid certificate of the highest classification

19 issued by the department.

20 3. One member employed by the department who is
21 qualified in water and waste waterworks operation.

22 4. One member who is a university or college faculty
23 member and whose major field is related to water supply
24 or waste water collection and treatment.

25 5. One member who is an employee of a municipality

Page 2

1 required to employ a certified operator and who holds
2 a position of city manager, city engineer, director of
3 public works, or an equivalent position.

4 The members of the board shall be appointed for three-
5 year terms. Any vacancy shall be filled by appointment

6 for the unexpired term."
7 2. "The initial board of certification shall have
8 five members, three of whom shall be the appointed
9 members of the board of certification abolished by this
10 Act, whose terms do not expire on the thirtieth of June,
11 1971. These three members shall continue to serve their
12 unexpired terms. The remaining two members shall be
13 appointed for three-year terms."

14 3. "The initial board of certification shall organize
15 and elect a chairman from its membership. Thereafter, a
16 chairman shall be elected at the last meeting of the
17 fiscal year which shall be the annual meeting of the
18 board. The member of the board employed by the depart-
19 ment shall serve as secretary and maintain its records.
20 Additional meetings may be held at the call of the chair-
21 man. Three members shall constitute a quorum. The
22 members of the board shall serve without compensation,
23 except for actual and necessary expenses incurred while
24 discharging their official duties."

25 5. Page 32, by striking lines 7 to 21, inclusive,

Page 3

1 and inserting in lieu thereof the following:

2 "Sec. 57. 1. A certificate in appropriate classi-
3 fication shall be issued without examination to any
4 operator who, prior to the effective date of this Act,
5 held a valid certificate attained by examination and
6 issued by the commissioner of public health.

7 2. A certificate of proper classification shall be
8 issued without examination to any operator who, prior
9 to the effective date of this Act, held a valid
10 certificate to operate a particular treatment plant or
11 water distribution system. The certificate so issued
12 shall be valid only for that particular treatment plant
13 or system and shall remain in effect indefinitely unless
14 revoked by the executive director as provided in section
15 fifty-six (56) of this Act."

16 6. Page 32, line 23, by striking the word "commis-
17 sion" and inserting in lieu thereof the words "board
18 submitted through the commission".

19 7. Page 32, line 32, by inserting after the word
20 "Act" the words "and to pay the expenses of the board".

- 21 8. Page 32, line 35, by inserting after the word
22 "commission" the words ", with the advice of the board,".
23 9. By renumbering the sections, subsections and
24 internal references to sections and subsections to
25 conform to this amendment.

TOM RILEY

- 1 Amend the Briles amendment, filed March 23, 1971, to
2 Senate File 109 as follows:
3 1. Line 3, by striking the word "*fifteen*" and inserting the
4 word "*twenty*".
5 2. Line 5, by striking the word "*thirty*" and inserting the
6 word "*forty*".
7 3. Line 7, by striking the word "*fifteen*" and inserting the
8 word "*twenty*".
9 4. Line 9, by striking the word "*thirty*" and inserting the
10 word "*forty*".
11 5. Line 11, by striking the word "*fifteen*" and inserting the
12 word "*twenty*".
13 6. Line 13, by striking the word "*fifteen*" and inserting the
14 word "*twenty*".
15 7. Line 15, by striking the word "*thirty*" and inserting the
16 word "*forty*".
17 8. Line 17, by striking the word "*Fifteen*" and inserting the
18 word "*Twenty*".
19 9. Line 19, by striking the word "*thirty*" and inserting the
20 word "*forty*".
21 10. Line 21, by striking the word "*forty*" and inserting the
22 word "*fifty*".
23 11. Line 23, by striking the word "*forty*" and inserting the
24 word "*fifty*".

TOM RILEY

- 1 Amend Senate File 260 as follows:
2 1. Page 2, line 10, by inserting after the word "owners",
3 the words "and tenants".
4 2. Page 3, line 10, by inserting after the word "owners",
5 the words "and tenants".
6 3. Page 3, line 18, by inserting after the word "landowners",
7 the words "and tenants".

JAMES E. BRILES

- 1 Amend the Briles amendment filed March 22, 1971, to
2 Senate File 292 by inserting in line 6 after the word "the"
3 the word "feed,".

JAMES A. POTGETER

- 1 Amend Senate File 305, page 3, line 7, by inserting
2 after the period (.), the following:
3 "The department of social services shall furnish
4 the board with all necessary clerical, secretarial, and
5 administrative help as well as necessary office equipment
6 and space. The board shall be within such department
7 for administrative purposes and be provided for in such
8 department's budget."

LEE H. GAUDINEER, JR.

1 Amend Senate File 392 as follows:

2 1. Page 4, by striking all of lines 1 through 8 and
3 inserting in lieu thereof the following:

4 "4. Every seller, dealer and market operator shall keep
5 a record of origin of swine moved by or".

6 2. Page 4, by striking in lines 15 and 16 the words
7 "individual identification,".

8 3. Page 4, by striking all of lines 21 and 22 and
9 inserting in lieu thereof the word "certification."

10 4. Page 4, by striking all of lines 23 through 26.

QUENTIN V. ANDERSON

1 Amend House Joint Resolution 7, page 3, line 18, by

2 striking the word "amendment" and inserting in lieu thereof
3 the word "amendments".

JOHN L. MOWRY

1 Amend the Gaudineer-Tapscott amendment to House Joint Resolu-
2 tion 7,
3 filed March 23, 1971, and found on pages 572, 573, and 574
4 of the Senate Journal, as follows:

5 1. Page 1, line 2, by striking the words and figures
6 "pages 2 and 3" and by inserting in lieu thereof the words
7 and figures, "page 2 and line 1 on page 3".

8 2. Page 3, by striking lines 23 through 25, inclusive.

9 3. Page 4, by striking lines 1 through 5, inclusive.

LEE H. GAUDINEER, JR.

On motion of Senator Lamborn, the Senate adjourned until 9:00
a.m., Thursday, March 25, 1971.

JOURNAL OF THE SENATE

SEVENTY-FOURTH DAY

SENATE CHAMBER

DES MOINES, IOWA, THURSDAY, MARCH 25, 1971

The Senate met in regular session, President pro tempore Kyhl presiding.

Prayer was offered by the Reverend Landis Olson, pastor of the Morningside Lutheran Church, Sioux City, Iowa.

The Senate pledged allegiance to the flag.

The Journal of Wednesday, March 24, 1971, was approved.

PRESENTATION OF VISITORS

Senator Glenn rose on a point of personal privilege and presented to the Senate the Honorable Jack B. Mineks, former member of the Senate from Wapello County.

The Chair announced that the following visitors were present in the Senate gallery :

Twenty-five eighth-grade students from Creston Junior High School, Creston, Iowa, accompanied by their instructor, Wayne Babberl.

Forty-seven students from Marquette High School, Bellevue, Iowa, accompanied by Sister Mary Vincent Smith and Father Phillip Schmitt.

Thirty-four students from the government class of Anita High School, Anita, Iowa, accompanied by their instructor, Noel Wingate.

One hundred thirty students from Urbandale Junior High School, accompanied by their instructors, Mrs. Oler, Mrs. Wilke, Mrs. Bell, Mr. Schmidt and Mr. Hatch.

Twelve students from the Adult Education class of Julia B. Meyer Center, Des Moines, Iowa, accompanied by their instructor, Mrs. Pitz.

Forty-four students from the senior government class of the Newell-Providence Community School, Newell, Iowa, accompanied by their instructor, Mr. Campbell, and Mr. Archer.

Seven students from Louisa-Muscatine High School, Letts, Iowa, accompanied by their instructor, Francis Carroll.

PETITIONS

The following petitions were presented and placed on file:

By Senator Curran, from forty-three residents of Cerro Gordo County opposing legalized gambling in Iowa.

By Senator Messerly, from seventy-three residents of Black Hawk County opposing any increase in state income taxes.

ADOPTION OF PERMANENT RULES OF THE SENATE

Senator Lamborn moved that the Temporary Rules of the Senate as amended be adopted as the Permanent Rules of the Senate for the Sixty-fourth General Assembly.

On the question "Shall Temporary Rules, as amended, be adopted as the Permanent Rules of the Senate?" the vote was:

Ayes, 43:

Anderson	Gaudineer	Laverty	Schaben
Arbuckle	Gilley	Messerly	Shaff
Balloun	Glenn	Miller	Shawver
Bass	Graham	Neu	Smith
Briles	Griffin	Nicholson	Stephens
Brownlee	Gross	Ollenburg	Tapscott
Carlson	Hill	Potter	Thordsen
Coleman	Keith	Rabedaux	Van Drie
Curran	Kennedy	Rhodes	Van Gilst
Doderer	Kyhl	Riley	Walsh
Erskine	Lamborn	Robinson	

Nays, 1:

Mowry

Absent or not voting, 6:

Conklin	DeKoster	Palmer	Potgeter
Davis	Milligan		

The motion prevailed, and the Temporary Rules of the Senate, as amended, became the Permanent Rules of the Senate for the Sixty-fourth General Assembly.

SPECIAL ORDER

Senator Lamborn asked and received unanimous consent that **Senate File 417** be made a special order of business for Tuesday, March 30, 1971, at 9:30 a.m.

HOUSE AMENDMENT CONSIDERED

Senate File 204

Senator Nicholson called up for consideration Senate File 204, a bill for an act relating to board of supervisor approval of the salaries for probation officers and their staff, amended by the House, and moved that the Senate concur in the following House amendment:

- 1 Amend Senate File 204, as amended and passed by the
- 2 Senate, as follows:
- 3 1. By striking all after the enacting clause and
- 4 inserting in lieu thereof the following:
- 5 Section 1. Section two hundred thirty-one point
- 6 eight (231.8), unnumbered paragraph four (4), Code 1971,
- 7 is amended as follows:
- 8 "Such secretarial and clerical help as may be needed
- 9 in the administration of any probation office may be
- 10 appointed by the judge or judges of the juvenile court who
- 11 may fix their salaries, *subject to the approval of the*
- 12 *board of supervisors*, at not more than forty percent of
- 13 the salary of a district court judge."
- 14 2. Amend the title by striking all of line 2 and
- 15 inserting in lieu thereof the following: "for the staff
- 16 of probation offices."

The motion prevailed and the Senate concurred in the House amendment.

Senator Nicholson moved that the bill as amended by the House and concurred by the Senate be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 204) the vote was:

Ayes, 41:

Anderson	Glenn	Mowry	Schaben
Balloun	Graham	Neu	Shaff
Bass	Gross	Nicholson	Shawver
Briles	Keith	Ollenburg	Smith
Brownlee	Kennedy	Palmer	Stephens
Carlson	Kyhl	Potgeter	Tapscott
Coleman	Lamborn	Potter	Thordsen
Curran	Lavery	Rabedaux	Van Drie
Erskine	Messerly	Rhodes	Van Gilst
Gaudineer	Miller	Riley	Walsh
Gilley			

Nays, 2:

Arbuckle	Doderer
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Absent or not voting, 7:

Conklin	DeKoster	Hill	Robinson
Davis	Griffin	Milligan	

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

SENATE FILE DEFERRED

Senator Lamborn asked and received unanimous consent that further action on **Senate File 53** be deferred and that the bill retain its place on the calendar under **unfinished business**.

UNFINISHED BUSINESS

Senate File 155

On motion of Senator Arbuckle, Senate File 155, a bill for an act relating to findings of the commission of hospitalization, was taken up for further consideration.

SENATE FILES DEFERRED

Senator Messerly asked and received unanimous consent that further action on **Senate File 155** be deferred and that the bill retain its place on the calendar under **unfinished business**.

Senator Lamborn asked and received unanimous consent that further action on **Senate File 332** be deferred and that the bill retain its place on the calendar under **unfinished business**.

Senator Lamborn asked and received unanimous consent that further action on **Senate File 80** be deferred and that the bill retain its place on the calendar under **unfinished business**.

UNFINISHED BUSINESS

Senate File 79

On motion of Senator Miller, Senate File 79, a bill for an act relating to hunting-safety education and providing a penalty, was taken up for further consideration.

Senator Tapscott called up the following motion to reconsider filed by him on March 23, 1971, and moved its adoption:

MR. PRESIDENT: I move to reconsider the vote by which the Balloun amendment of March 9, 1971, to Senate File 79 was adopted by the Senate.

The motion to reconsider lost.

Senator Miller moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 79) the vote was:

Ayes, 32:

Arbuckle
Bass
Carlson
Coleman
Conklin

Davis
DeKoster
Doderer
Erskine
Gaudineer

Glenn
Graham
Griffin
Gross
Kennedy

Kyhl
Lamborn
Messerly
Miller
Mowry

Neu
Palmer
Rabedeaux

Riley
Robinson
Schaben

Shawver
Stephens
Tapscott

Thordsen
Van Gilst
Walsh

Nays, 15:

Anderson
Balloun
Brownlee
Gilley

Hill
Keith
Laverty
Milligan

Nicholson
Ollenburg
Potgeter
Potter

Rhodes
Smith
Van Drie

Absent or not voting, 3:

Briles

Curran

Shaff

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

House Joint Resolution 7

The Senate resumed consideration of House Joint Resolution 7, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the terms of the office of elected state officials, and the Gaudineer-Tapscott amendment filed March 23, 1971, and found on pages 574 and 575 of the Senate Journal.

Senator Gaudineer offered the following amendment to the amendment and moved its adoption:

- 1 Amend the Gaudineer-Tapscott amendment, filed March
- 2 23, 1971, to House Joint Resolution 7, found on pages 574 and 575 of the
- 3 Senate Journal, as follows:
- 4 By striking lines 1 through 4, inclusive, and by
- 5 inserting in lieu thereof the following, "1. Page 3, by
- 6 striking lines 2 through 26, inclusive, and inserting the
- 7 following:".

The amendment to the amendment was adopted.

Senator Tapscott moved the adoption of the amendment as amended and requested a roll call.

On the question "Shall the amendment as amended be adopted?" (H.J.R. 7) the vote was:

Ayes, 20:

Brownlee
Carlson
Coleman
Davis
Doderer

Gaudineer
Gross
Hill
Kennedy
Miller

Milligan
Neu
Palmer
Riley
Robinson

Schaben
Shaff
Tapscott
Van Gilst
Walsh

Nays, 29:

Anderson
Arbuckle
Balloun
Bass
Briles
Conklin
Curran
DeKoster

Erskine
Gilley
Glenn
Graham
Griffin
Keith
Kyhle

Lamborn
Messerly
Mowry
Nicholson
Ollenburg
Potgeter
Potter

Rabedeaux
Rhodes
Shawver
Smith
Stephens
Thordsen
Van Drie

Absent or not voting, 1:

Lavery

The amendment as amended lost.

Senator Gaudineer offered the following amendment filed by Senators Gaudineer and Tapscott:

1 Amend House Joint Resolution 7 as follows:

2 1. By striking pages 2 and 3 and inserting in

3 lieu thereof the following:

4 "Section 1. The following amendment to the
5 Constitution of the State of Iowa is hereby proposed:

6 Section two (2) of Article four (IV) of the
7 Constitution of the State of Iowa is hereby repealed
8 and the following adopted in lieu thereof:

9 'Section 2. The Governor elected at the general
10 election in the year 1974 shall be elected by the
11 qualified electors at the time and place of voting
12 for members of the General Assembly. The Governor
13 shall hold his office four years from the time of
14 his installation and until his successor is elected
15 and qualified.'

16 Section three (3) of Article four [IV] of the
17 Constitution of the State of Iowa is hereby repealed
18 and the following adopted in lieu thereof:

19 'Section 3. There shall be a Lieutenant Governor
20 who shall hold his office four years and be elected
21 at the same time and be of the same political
22 affiliation as the Governor. In voting, the electors
23 shall designate for whom they vote for Governor and
24 Lieutenant Governor by casting one vote for both
25 offices on a ballot which shall place the Governor

Page 2

1 and Lieutenant Governor together on the ballot so
2 that one vote shall be cast for both and said vote
3 shall thereafter be counted as a vote for each. The
4 returns of every election for Governor and Lieutenant
5 Governor shall be sealed and transmitted to the seat
6 of government of the State, directed to the Speaker
7 of the House of Representatives who shall open and
8 publish them in the presence of both Houses of the
9 General Assembly.'

10 Section four (4) of Article four (IV) of the
11 Constitution of the State of Iowa, except amendment
12 I of the Amendments of 1952, is hereby repealed and
13 the following adopted in lieu thereof:

14 'Section 4. The persons having the highest number
15 of votes for Governor and Lieutenant Governor shall
16 be duly elected. If the number of votes cast for
17 Governor and Lieutenant Governor of one political
18 affiliation shall be equal to the number of votes
19 cast for Governor and Lieutenant Governor of a second
20 political affiliation, and should the number of votes
21 so cast in both instances be the highest number of

22 votes for the two offices, a tie vote shall exist
23 and the General Assembly shall by joint vote forthwith
24 proceed to elect two of the persons Governor and
25 Lieutenant Governor. The Governor and Lieutenant

Page 3

1 Governor so elected shall be of the same political
2 affiliation.'

3 Section five (5) of Article four (IV) of the Con-
4 stitution of the State of Iowa is hereby repealed
5 and the following adopted in lieu thereof:

6 'Section 5. Contested elections for Governor,
7 and Lieutenant Governor, shall be determined by the
8 General Assembly in such manner as may be prescribed
9 by law.'

10 Section fifteen (15) of Article four (IV) of the
11 Constitution of the State of Iowa is hereby repealed
12 and the following adopted in lieu thereof:

13 'Section 15. The official term of the Governor,
14 and Lieutenant Governor, shall commence on the sec-
15 ond Monday of January next after their election, and
16 continue for four years, and until their successors
17 are elected and qualified. The Lieutenant Governor,
18 while acting as Governor, shall receive the same pay
19 as provided for Governor; and while presiding in the
20 Senate, shall receive as compensation therefor, the
21 same mileage and double the per diem pay provided
22 for a Senator, and none other.'

23 Sec. 2. The foregoing proposed amendment to the
24 Constitution of the State of Iowa is hereby referred
25 to the general assembly to be chosen at the next gen-

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1 eral election for members of the general assembly
2 and the secretary of state is directed to cause the
3 same to be published for three consecutive months
4 previous to the date of said election as provided
5 by law."

6 2. Page 1, lines 2 and 3, by striking the words
7 "terms of office of elected state officials" and in-
8 serting in lieu thereof the words "election of the
9 governor and lieutenant governor".

Senator Gaudineer offered the following amendment to the
amendment and moved its adoption:

- 1 Amend the Gaudineer-Tapscott amendment to House Joint Resolution
2 filed March 23, 1971, and found on pages 572, 573, and 574
3 of the Senate Journal, as follows:
4 1. Page 1, line 2, by striking the words and figures
5 "pages 2 and 3" and by inserting in lieu thereof the words
6 and figures "page 2 and line 1 on page 3".
7 2. Page 3, by striking lines 23 through 25, inclusive.
8 3. Page 4, by striking lines 1 through 5, inclusive.

President Jepsen took the chair at 10.48 a.m.

Senator Thordsen took the chair at 11:00 a.m.

The amendment to the amendment was adopted.

Senator Gaudineer moved the adoption of the amendment as amended and requested a roll call.

On the question "Shall the Gaudineer-Tapscott amendment as amended be adopted?" (H.J.R. 7) the vote was:

Ayes, 22:

Brownlee	Doderer	Miller	Riley
Carlson	Gaudineer	Milligan	Robinson
Coleman	Glenn	Neu	Schaben
Conklin	Gross	Palmer	Tapscott
Davis	Hill	Potgeter	Van Gilst
DeKoster	Kennedy		

Nays, 27:

Anderson	Gilley	Mowry	Shawver
Arbuckle	Graham	Nicholson	Smith
Balloun	Griffin	Ollenburg	Stephens
Bass	Keith	Potter	Thordsen
Briles	Kyhl	Rabedeaux	Van Drie
Curran	Lamborn	Rhodes	Walsh
Erskind	Messerly	Shaff	

Absent or not voting, 1:

Laverty

The amendment as amended lost.

President Jepsen took the chair at 11:11 a.m.

Senator DeKoster offered the following amendment:

- 1 Amend House Joint Resolution 7 as follows:
- 2 1. By striking pages 2 and 3 and inserting in lieu
- 3 thereof the following:
- 4 "Section 1. The following amendments to the Constitu-
- 5 tion of the State of Iowa are hereby proposed and shall
- 6 be submitted to the electors of the state at a special
- 7 election to be held in the year 1973 after approval by
- 8 the general assembly.
- 9 Amendment 1. Effective June first of the year one
- 10 thousand nine hundred seventy-four, section two (2) of
- 11 Article four (IV) of the Constitution of the State of
- 12 Iowa is hereby repealed and the following adopted in
- 13 lieu thereof:
- 14 'Beginning in the year one thousand nine hundred
- 15 seventy-four, the Governor and Lieutenant Governor shall
- 16 be elected jointly and one vote shall be cast by the
- 17 qualified electors in the general election for both in
- 18 such manner as shall be provided by law. Nominations
- 19 for Lieutenant Governor shall be made by some method
- 20 other than a direct vote of the electorate as shall be
- 21 provided by law.'

22 Effective June first of the year one thousand nine
23 hundred seventy-four, section three (3) of Article four
24 (IV) of the Constitution of the State of Iowa is hereby
25 repealed and the following adopted in lieu thereof:

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1 'Sec. 3. The returns of every election for Governor
2 and Lieutenant Governor shall be sealed and transmitted
3 to the seat of government of the state, directed to the
4 Speaker of the House of Representatives who shall open
5 and publish them in the presence of both Houses of the
6 General Assembly.'

7 Effective June first of the year one thousand nine
8 hundred seventy-four, section four (4) of Article four
9 (IV) of the Constitution of the State of Iowa, including
10 the amendment thereto adopted in the year nineteen
11 hundred fifty-two is hereby repealed and the following
12 adopted in lieu thereof:

13 'Sec. 4. The two persons of one pair of candidates
14 having the highest number of votes for Governor and
15 Lieutenant Governor shall be declared duly elected. In
16 case two or more pairs of two candidates shall have an
17 equal and the highest number of votes for Governor and
18 Lieutenant Governor, the General Assembly, shall by
19 joint vote forthwith proceed to elect one of said pair
20 of two persons as Governor and Lieutenant Governor.

21 If, upon the completion of the canvass of votes for
22 Governor and Lieutenant Governor by the General Assembly,
23 it shall appear that the person who received the highest
24 number of votes for Governor has since died, resigned,
25 is unable to qualify, fails to qualify, or for any other

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1 reason is unable to assume the duties of the office
2 of Governor for the ensuing term, the powers and
3 duties of the office shall devolve upon the person
4 who received the highest number of votes for Lieutenant
5 Governor until the disability is removed, and upon
6 inauguration, he shall assume the powers and duties of
7 Governor.'

8 Effective June first of the year nineteen hundred
9 seventy-four, section five (5) of Article four (IV) of
10 the Constitution of the State of Iowa is hereby repealed
11 and the following adopted in lieu thereof:

12 'Sec. 5. Contested elections for Governor and
13 Lieutenant Governor shall be determined by the General
14 Assembly as provided by law.'

15 Amendment 2. Effective June first of the year nine-
16 teen hundred seventy-four, section fifteen (15) of
17 Article four (IV) of the Constitution of the State of
18 Iowa is hereby repealed and the following adopted in
19 lieu thereof:

20 'Sec. 15. The official term of the Governor and the
21 Lieutenant Governor shall commence on the second Monday
22 of January next after their election. The Governor and
23 Lieutenant Governor shall hold their office for four

24 years from the second Monday in January after election
25 and until their successors are elected and qualified.

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1 The Lieutenant Governor, while acting as Governor, shall
2 receive the same pay as provided for Governor. The com-
3 pensation and allowances for expenses for the office of
4 Lieutenant Governor shall be otherwise fixed by law.'

5 Amendment 3. Effective June first of the year nine-
6 teen hundred seventy-four, section eighteen (18) of
7 Article four (IV) of the Constitution of the State of
8 Iowa is hereby repealed and the following adopted in
9 lieu thereof:

10 'The person elected Lieutenant Governor shall serve
11 as the Governor's principal executive assistant and his
12 duties shall be prescribed by the Governor.'

13 Effective June first of the year nineteen hundred
14 seventy-four, the amendment adopted in the year one
15 thousand nine hundred fifty-two to section nineteen (19)
16 of Article four (IV) of the Constitution of the State of
17 Iowa is hereby repealed and the following adopted in lieu
18 thereof:

19 'If there be a vacancy in the office of Governor, and
20 the Lieutenant Governor shall by reason of death, im-
21 peachment, resignation, removal from office, or other
22 disability become incapable of performing the duties
23 pertaining to the office of Governor, the President of
24 the Senate shall act as Governor until the vacancy is
25 filled or the disability removed; and if the President

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1 of the Senate, for any of the above causes, shall be in-
2 capable of performing the duties pertaining to the office
3 of Governor, the same shall devolve upon the Speaker of
4 the House of Representatives; and if the Speaker of the
5 House of Representatives, for any of the above causes,
6 shall be incapable of performing the duties of the
7 office of Governor, the Justices of the Supreme Court
8 shall convene the General Assembly by proclamation and
9 the General Assembly shall organize by the election of
10 a President by the Senate and a Speaker by the House of
11 Representatives. The General Assembly shall thereupon
12 immediately proceed to the election of a Governor and
13 Lieutenant Governor in joint convention.'

14 Effective June first of the year nineteen hundred
15 seventy-four, section seven (7) of Article three (III)
16 of the Constitution of the State of Iowa is hereby
17 amended by adding the following thereto:

18 'The Senate shall choose one of its members to pre-
19 side over the Senate. The presiding officer so chosen
20 shall be designated President of the Senate. The term
21 of office of the President of the Senate and the proce-
22 dure for choosing such officer shall be fixed by the
23 rules of the Senate.'

24 Amendment 4. Effective June first of the year nine-
25 teen hundred seventy-four, section twenty-two (22) of

Page 6

1 Article four (IV) of the Constitution of the State of
2 Iowa is hereby repealed.

3 Amendment 5. Effective June first of the year nine-
4 teen hundred seventy-four, section twelve (12) of
5 Article five (V) of the Constitution of the State of
6 Iowa is hereby repealed and the following adopted in
7 lieu thereof:

8 'The General Assembly shall provide, by law, for the
9 election of an Attorney General by the people, whose
10 term of office shall be four years, and until his succes-
11 sor shall have been elected and qualified.'

12 Sec. 2. The foregoing proposed amendments to the
13 Constitution of the State of Iowa are hereby referred to
14 the General Assembly to be chosen at the next general
15 election for members of the General Assembly and the
16 Secretary of State is directed to cause the same to be
17 published for three consecutive months previous to the
18 date of said election as provided by law."

19 2. Page 1, by striking everything after the word
20 "Resolution" in the title and inserting in lieu thereof
21 the following:

22 "proposing amendments to the Constitution of the State
23 of Iowa relating to the office of the Governor and Lieu-
24 tenant Governor and other constitutional state offices,
25 and providing for the Senate to elect a presiding officer."

Senator DeKoster moved the adoption of his amendment and requested a roll call.

On the question " Shall the DeKoster amendment be adopted?" (H.J.R. 7) the vote was:

Ayes, 23:

Brownlee	Doderer	Miller	Riley
Carlson	Gaudineer	Milligan	Robinson
Coleman	Glenn	Neu	Schaben
Conklin	Gross	Palmer	Tapscott
Davis	Hill	Potgeter	Van Gilst
DeKoster	Kennedy	Rhodes	

Nays, 27:

Anderson	Gilley	Messerly	Shawver
Arbuckle	Graham	Mowry	Smith
Balloun	Griffin	Nicholson	Stephens
Bass	Keith	Ollenburg	Thordsen
Briles	Kyhl	Potter	Van Drie
Curran	Lamborn	Rabedeaux	Walsh
Erskine	Laverty	Shaff	

The amendment lost.

Senator Mowry offered the following amendment and moved its adoption:

- 1 Amend House Joint Resolution 7, page 3, line 18, by
- 2 striking the word "amendment" and inserting in lieu thereof
- 3 the word "amendments".

The amendment was adopted.

Senator Griffin moved that the resolution be read the last time now, which motion prevailed, and the resolution was read the last time.

House Joint Resolution 7, a joint resolution proposing an amendment to the constitution of the state of Iowa relating to the terms of office of elected state officials.

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 for the election and terms of state officers beginning with the general election in the year nineteen hundred seventy-four (1974):

Section two (2) of Article four (IV) of the Constitution of the State of Iowa is repealed and the following adopted in lieu thereof:

"Sec. 2. The Governor shall be elected by the qualified electors at the time and place of voting for members of the General Assembly, and shall hold his office for four years from the time of his installation, and until his successor is elected and qualifies."

Section three (3) of Article four (IV) of the Constitution of the State of Iowa is hereby repealed and the following adopted in lieu thereof:

"Sec. 3. There shall be a Lieutenant Governor who shall hold his office for the same term, and be elected at the same time as the Governor. In voting for Governor and Lieutenant Governor, the electors shall designate for whom they vote as Governor, and for whom as Lieutenant Governor. The returns of every election for Governor, and Lieutenant Governor, shall be sealed up and transmitted to the seat of government of the State, directed to the Speaker of the House of Representatives, who shall open and publish them in the presence of both Houses of the General Assembly."

Section fifteen (15) of Article four (IV) of the Constitution of the State of Iowa is hereby repealed and the following adopted in lieu thereof;

"Sec. 15. The official term of the Governor, and Lieutenant Governor, shall commence on the second Monday of January next after their election, and continue until their successors are elected and qualify. The Lieutenant Governor, while acting as Governor, shall receive the same compensation as provided for Governor; and

while presiding in the Senate, and between sessions such compensation and expenses as provided by law."

Section twenty-two (22) of Article four (IV) of the Constitution of the State of Iowa is repealed and the following adopted in lieu thereof:

"Sec. 22. A Secretary of State, an Auditor of State and a Treasurer of State shall be elected by the qualified electors at the same time that the governor is elected and for a four-year term commencing on the first day of January next after their election, and they shall perform such duties as may be provided by law."

Section twelve (12) of Article five (V) of the Constitution of the State of Iowa is repealed and the following adopted in lieu thereof:

"Sec. 12. The General Assembly shall provide, by law, for the election of an Attorney General by the people, whose term of office shall be four years, and until his successor is elected and qualifies."

Sec. 2. The foregoing proposed amendments, having been adopted and agreed to by the Sixty-third General Assembly, thereafter duly published, and now adopted and agreed to by the Sixty-fourth General Assembly, in this Joint Resolution, shall be submitted to the people of the State of Iowa at the general election in November of the year nineteen hundred seventy-two (1972) in the manner required by the Constitution of the State of Iowa and the laws of the State of Iowa.

On the question "Shall the resolution be adopted?" (H.J.R. 7) the vote was:

Yeas, 36:

Anderson	DeKoster	Messerly	Rhodes
Arbuckle	Erskine	Milligan	Riley
Balloun	Gilley	Mowry	Shaff
Bass	Graham	Neu	Shawver
Briles	Griffin	Nicholson	Smith
Brownlee	Keith	Ollenburg	Thordsen
Carlson	Kyhl	Potgeter	Van Drie
Curran	Lamborn	Potter	Van Gilst
Davis	Laverty	Rabedeaux	Walsh

Nays, 14:

Coleman	Glenn	Miller	Schaben
Conklin	Gross	Palmer	Stephens
Doderer	Hill	Robinson	Tapscott
Gaudineer	Kennedy		

The resolution having received a constitutional majority was declared to have been adopted and agreed to by the Senate and the title was agreed to.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the Speaker of the House has appointed, on the part of the House, as members of the conference committee on House File 12, a bill for an act relating to motor vehicle fees collected by county treasurers, the following Representatives: Mr. Drake of Muscatine, chairman; Mr. Fisher of Greene, Mr. Kehe of Bremer and Mr. Wells of Linn.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 180, a bill for an act relating to the granting of immunity to witnesses.

Also: That the House has concurred in Senate amendment to and re-passed the following bill in which the concurrence of the House was asked:

House File 334, a bill for an act relating to deposit and investment of public funds.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 133, a bill for an act relating to the establishment of a second grand jury in certain counties.

WILLIAM R. KENDRICK, Chief Clerk

HOUSE AMENDMENT TO SENATE FILE 133

- 1 Amend Senate File 133, as amended and passed by the
- 2 Senate, as follows:
- 3 1. Page 2, by striking line 11 and in line 12 the
- 4 words "*thousand, a*" and inserting in lieu thereof the
- 5 word "*A*".
- 6 2. Page 2, by deleting line 23 and the words
- 7 "*inhabitants and over,*" in line 24.
- 8 3. Page 2, by striking lines 27 through 31, the
- 9 publication clause.
- 10 4. Amend the title by striking lines 2 and 3,
- 11 and inserting in lieu thereof the following: "*and to*
- 12 the appointment of additional clerks of the grand jury.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 79 passed the Senate.

FRANCIS L. MESSERLY

INTRODUCTION OF BILLS

Senate Joint Resolution 7, by Senators Gaudineer, Kennedy, Lavery, Carlson, Robinson, Coleman, Schaben, Miller, Erskine, Potter, Walsh, Griffin, Potgeter, Lamborn, Van Drie, DeKoster, Stephens, Conklin, Brownlee, Van Gilst, Briles, Graham, Keith, Neu, Davis, Tapscott, Riley, Nicholson, Rabedaux, Shawver, Gross, Gilley,

Rhodes, Milligan and Glenn (Cochran, Gluba, Priebe, Larson, Willits, Uban, Dunton, Norpel, Kinley, Ewell, McCormick, Knoblauch, Wyckoff, Mayberry, Wells, Franklin, Skinner, Middleswart, Small, Doyle, Blouin, Husak and Kennedy), a joint resolution ratifying a proposed amendment to the Constitution of the United States relating to extending the right to vote to citizens eighteen years of age or older.

Read first time and **passed on file**.

Senate File 424, by Senators Riley, Robinson, Kennedy, Gaudineer, Davis, Potter, Coleman, Walsh and Kyhl (Doyle, Hamilton, Clark, Millen, Johnston, Radl, Stanley, Wells, Small, Mayberry and Pelton), a bill for an act relating to the establishment of civil service for deputy county sheriffs and providing penalties for violations.

Read first time and **passed on file**.

Senate File 425, by Senator Milligan (Alt and Freeman), a bill for an act to legalize and validate the proceedings of the Town Council of the Town of Peterson, Clay County, Iowa, levying certain special assessments and issuing special assessment Street Improvement Bonds.

Read first time and **passed on file**.

Senate File 426, by Senator Milligan (Kreamer), a bill for an act to legalize and validate the proceedings of the Board of Directors of the Des Moines Independent Community School District, in the County of Polk, State of Iowa, confirming and authorizing the sale of certain property.

Read first time and **passed on file**.

HOUSE MESSAGE CONSIDERED

House File 180, a bill for an act relating to the granting of immunity to witnesses testifying in criminal proceedings.

Read first time and **passed on file**.

On motion of Senator Lamborn, the Senate recessed until 1:15 p.m.

AFTERNOON SESSION

The Senate reconvened, President Jepsen presiding.

SENATOR EXCUSED

Senator Glenn asked and received unanimous consent that Senator Milligan be excused for the remainder of the day.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Rhodes, from the joint committee on enrolled bills, submitted the following report and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled the following bill: Senate File 179.

JOHN C. RHODES
Chairman, Senate Committee
ELIZABETH R. MILLER
Chairman, House Committee

Report adopted.

BILL SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate the following bill: Senate File 179.

BILL SENT TO THE GOVERNOR

Senator Rhodes, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 25th day of March, 1971, sent to the Governor for his approval: Senate File 179.

JOHN C. RHODES, Chairman

Passed on file.

UNFINISHED BUSINESS

Senate File 109

On motion of Senator Riley, Senate File 109, a bill for an act relating to minimum limits for compliance with the motor vehicle financial responsibility law, was taken up for further consideration.

Senator Briles offered the following amendment filed by him on March 23:

- 1 Amend Senate File 109 as follows:
- 2 1. Page 2, line 8, by striking the words "*twenty-*
- 3 *five*" and inserting in lieu thereof the word "*fifteen*".
- 4 2. Page 2, line 11, by striking the word "*fifty*"
- 5 and inserting in lieu thereof the word "*thirty*".
- 6 3. Page 2, line 34, by striking the words "*twenty-*
- 7 *five*" and inserting in lieu thereof the word "*fifteen*".
- 8 4. Page 3, line 2, by striking the word "*fifty*" and
- 9 inserting in lieu thereof the word "*thirty*".
- 10 5. Page 3, line 14, by striking the words "*twenty-*
- 11 *five*" and inserting in lieu thereof the word "*fifteen*".
- 12 6. Page 3, line 18, by striking the words "*twenty-*
- 13 *five*" and inserting in lieu thereof the word "*fifteen*".

- 14 7. Page 3, line 20, by striking the word "*fifty*" and
 15 inserting in lieu thereof the word "*thirty*".
 16 8. Page 4, line 4, by striking the words "*Twenty-*
 17 *five*" and inserting in lieu thereof the word "*Fifteen*".
 18 9. Page 4, line 7, by striking the word "*fifty*" and
 19 inserting in lieu thereof the word "*thirty*".
 20 10. Page 4, line 16, by striking the word "*sixty*"
 21 and inserting in lieu thereof the word "*forty*".
 22 11. Page 4, line 19, by striking the word "*sixty*"
 23 and inserting in lieu thereof the word "*forty*".

Senator Riley offered the following amendment to the amendment and moved its adoption:

- 1 Amend the Briles amendment, filed March 23, 1971, to
 2 Senate File 109 as follows:
 3 1. Line 3, by striking the word "*fifteen*" and inserting the
 4 word "*twenty*".
 5 2. Line 5, by striking the word "*thirty*" and inserting the
 6 word "*forty*".
 7 3. Line 7, by striking the word "*fifteen*" and inserting the
 8 word "*twenty*".
 9 4. Line 9, by striking the word "*thirty*" and inserting the
 10 word "*forty*".
 11 5. Line 11, by striking the word "*fifteen*" and inserting the
 12 word "*twenty*".
 13 6. Line 13, by striking the word "*fifteen*" and inserting the
 14 word "*twenty*".
 15 7. Line 15, by striking the word "*thirty*" and inserting the
 16 word "*forty*".
 17 8. Line 17, by striking the word "*Fifteen*" and inserting the
 18 word "*Twenty*".
 19 9. Line 19, by striking the word "*thirty*" and inserting the
 20 word "*forty*".
 21 10. Line 21, by striking the word "*forty*" and inserting the
 22 word "*fifty*".
 23 11. Line 23, by striking the word "*forty*" and inserting the
 24 word "*fifty*".

Division was called for.

The amendment to the amendment was adopted.

On motion of Senator Briles, the amendment as amended was adopted.

Senator Riley moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 109) the vote was:

Ayes, 34:

Anderson	Brownlee	Davis	Graham
Arbuckle	Carlson	Erskine	Griffin
Bass	Coleman	Gaudineer	Gross
Briles	Curran	Gilley	Hill

Keith	Neu
Kennedy	Nicholson
Laverty	Potgeter
Miller	Potter
Mowry	Rabedeaux

Rhodes
Riley
Robinson
Shawver

Smith
Thordsen
Van Drie
Walsh

Nays, 5:

Glenn
Messerly

Ollenburg

Stephens

Tapscott

Absent or not voting, 11:

Balloun
Conklin
DeKoster

Doderer
Kyhl
Lamborn

Milligan
Palmer
Schaben

Shaff
Van Gilst

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

CONSIDERATION OF BILLS

Senate File 260

On motion of Senator Briles, Senate File 260, a bill for an act relating to weather modification in counties, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Briles offered the following amendment filed by him and moved its adoption:

1 Amend Senate File 260 as follows:

2 1. Page 2, line 10, by inserting after the word "owners",
3 the words "and tenants".

4 2. Page 3, line 10, by inserting after the word "owners",
5 the words "and tenants".

6 3. Page 3, line 18, by inserting after the word "landowners",
7 the words "and tenants".

The amendment was adopted.

Senator Briles moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 260) the vote was:

Rule 24 invoked

Ayes, 23:

Arbuckle
Bass
Carlson
Coleman
Davis
Erskine

Gilley
Kennedy
Laverty
Messerly
Miller
Nicholson

Palmer
Potgeter
Potter
Riley
Schaben
Shawver

Smith
Stephens
Thordsen
Van Gilst
Walsh

Nays, 18:

Anderson
Briles

Brownlee
Curran

Gaudineer
Glenn

Graham
Griffin

Gross
Hill
Keith

Mowry
Neu
Ollenburg

Rhodes
Robinson

Tapscott
Van Drie

Absent or not voting, 9:

Balloun
Conklin
DeKoster

Doderer
Kyhl

Lamborn
Milligan

Rabedeaux
Shaff

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

House File 71

On motion of Senator Bass, House File 71, a bill for an act making hemp a noxious weed, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Bass offered the following amendment filed by him and moved its adoption:

- 1 Amend House File 71 as follows:
- 2 1. Page 2, by adding the following section after line 28:
- 3 Sec. 3. Chapter three hundred seventeen (317), Code 1971,
- 4 is amended by adding the following new section:
- 5 "No person shall sell, offer for sale or distribute teasel
- 6 (*Dipsacus*) biennial, or seeds thereof in any form in the state
- 7 of Iowa. Any person violating the provisions of this section shall
- 8 be guilty of a misdemeanor. It shall be the duty of the county
- 9 weed commissioner to enforce this section."
- 10 2. Page 1, line 1, by inserting after the word "weed" the
- 11 following:
- 12 "and prohibiting sale or distribution of teasel (*Dipsacus*)
- 13 biennial and providing a penalty therefor."

The amendment was adopted.

Senator Carlson offered the following amendment filed by Senators Doderer and Carlson and moved its adoption:

- 1 Amend House File 71 as follows:
- 2 1. Page 2, line 28, by adding after the word
- 3 "*annual*" the words ", *ragweed (Ambrosia Trifida, L.)*".
- 4 2. Page 1, line 1, by striking the words "a noxious
- 5 weed" and inserting in lieu thereof the words "and
- 6 *ragweed noxious weeds*".

Division was called for.

The amendment lost.

Senator Coleman offered the following amendment:

- 1 Amend House File 71 as follows:
- 2 1. Page 2, by adding the following new
- 3 subparagraph after line 18:

- 4 “(11) *Sunflower—Heliantus Annuus L.*”
5 2. Page 2, line 28, by adding after the word
6 “*annual*” the words “, *sunflower (Heliantus*
7 *Annuus L.) annual*!”.
8 3. Page 1, line 1, by striking the words “a
9 noxious weed” and inserting the words “and
10 sunflower noxious weeds”.

Senator Potgeter moved that House File 71 be re-referred to the committee on agriculture.

Senator Doderer moved as a substitute motion that House File 71 be referred to the committee on appropriations under rule 37.

The motion prevailed and **House File 71** was referred to the committee on **appropriations**.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has re-passed the following bill in which the concurrence of the House was asked:

House File 119, a bill for an act relating to election precincts.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 122, a bill for an act relating to academic and administrative buildings and facilities and utilities services for such buildings.

WILLIAM R. KENDRICK, Chief Clerk

HOUSE AMENDMENT TO SENATE FILE 122

- 1 Amend Senate File 122, as amended and passed by the
2 Senate, as follows:
3 Page 2, by striking all of section 1, lines 1 through
4 19, and renumbering the subsequent sections.

INTRODUCTIONS OF BILLS

Senate File 427, by committee on judiciary, a bill for an act relating to the establishment of area correction centers, their construction and programs, coordination of programs of area correction centers with other institutions under the control of the department of social services, and providing for amendment of certain penal statutes presently provided by law.

Read first time and placed on calendar.

Senate File 428, by committee on judiciary, a bill for an act to provide a unified trial court having district court judges and district court magistrates, and district court associate judges during transition; to discontinue courts inferior to the district court; and to

establish traffic violations offices within the district court to receive uniform traffic violation penalties.

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

BILLS ASSIGNED TO COMMITTEE

President Jepsen announced the assignment of the following bills to committee:

S.J.R. 7 Constitutional amendment and reapportionment

S. F. 418 State government

S. F. 419 Social services

S. F. 420 State government

S. F. 421 Human and industrial relations

S. F. 422 Judiciary

S. F. 423 Human and industrial relations

S. F. 424 County government

S. F. 425 Judiciary

S. F. 426 Judiciary

H. F. 180 Judiciary

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which the Senate Rules Governing Lobbyists, as amended, were adopted.

QUENTIN V. ANDERSON

MR. PRESIDENT: I move to reconsider the vote by which Senate File 260 failed to pass the Senate.

JAMES E. BRILES

REPORTS OF COMMITTEES

Senator Messerly submitted the following report:

MR. PRESIDENT: Your committee on appropriations, to which was referred **Senate File 296**, a bill for an act relating to the establishment of a soybean promotion fund to receive assessments made on the sale of soybeans; to establish an Iowa soybean promotion board; to provide for a referendum among soybean producers to make an appropriation and to provide penalties, begs leave to report it has had the same under consideration and recommends the same **do pass**.

FRANCIS L. MESSERLY, Chairman

Ordered passed on file.

Senator DeKoster submitted the following reports:

MR. PRESIDENT: Your committee on judiciary, to which was referred **Senate File 347**, a bill for an act relating to private foundations and charitable trusts, begs leave to report it has had the same under consideration and recommends the same **be amended as follows; and when so amended the bill do pass**:

- 1 Amend Senate File 347, page 3, by striking all of lines
- 2 23 through 26, inclusive, and inserting in lieu thereof the
- 3 following:
- 4 Sec. 5. All references to sections of the Internal
- 5 Revenue Code of 1954 shall mean the Code as amended to and
- 6 including January 1, 1971.

LUCAS J. DeKOSTER, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary, to which was referred **Senate File 348**, a bill for an act relating to nonprofit corporations, begs leave to report it has had the same under consideration and recommends the same **be amended as follows; and when so amended the bill do pass**:

- 1 Amend Senate File 348, page 3, by striking all of lines
- 2 13 through 15, inclusive, and inserting in lieu thereof the
- 3 following:
- 4 Sec. 5. All references to sections of the Internal
- 5 Revenue Code of 1954 shall mean the Code as amended to and
- 6 including January 1, 1971.

LUCAS J. DeKOSTER, Chairman

Ordered passed on file.

Senator Thordsen submitted the following reports:

MR. PRESIDENT: Your committee on law enforcement, to which was referred **Senate File 302**, a bill for an act relating to the reporting of motor vehicle accidents, begs leave to report it has had the same under consideration and recommends the same **do pass**.

HAROLD A. THORSEN, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on law enforcement, to which was referred **Senate File 356**, a bill for an act relating to permits to carry concealed weapons, and to provide punishment for those who violate the act, begs leave to report it has had the same under consideration and recommends the same **do pass**.

HAROLD A. THORSEN, Chairman

Ordered passed on file.

AMENDMENTS FILED

- 1 Amend the Senate committee on ethics report relative to
- 2 the Senate Rules Governing Lobbyists found on page 351 of the

- 3 Senate Journal by striking all of line 3 after the word
4 "adopted" and all of lines 4, 5 and 6 and inserting in lieu
5 thereof a period (.).

QUENTIN V. ANDERSON

1 Amend Senate File 259 as follows:

- 2 1. Page 3, line 22, by inserting after the word
3 "recorder" the words "a sales tax receipt or".
4 2. Page 3, by striking lines 28 to 35, inclusive, and
5 inserting in lieu thereof the following:
6 "the length of motorboat or sailboat and the horse-
7 power rating of any motor used to propel the motorboat or
8 sailboat. The annual fee shall be computed as follows:
9 1. For open cockpit boats having a length of:
10 a. Twelve feet or less, the fee is four dollars.
11 b. More than twelve feet but not more than four-
12 teen feet, the fee is six dollars.
13 c. More than fourteen feet but not more than six-
14 teen feet, the fee is eight dollars.
15 d. More than sixteen feet but not more than eigh-
16 teen feet, the fee is ten dollars.
17 e. More than eighteen feet, the fee is twelve
18 dollars.
19 2. For enclosed cockpit boats and cabin cruisers
20 having a length of:
21 a. Fourteen feet or less, the fee is eight
22 dollars.
23 b. More than fourteen feet but not more than six-
24 teen feet, the fee is ten dollars.
25 c. More than sixteen feet but not more than eigh-

Page 2

- 1 teen feet, the fee is twelve dollars.
2 d. More than eighteen feet but not more than
3 twenty feet, the fee is fifteen dollars.
4 e. More than twenty feet but not more than
5 twenty-two feet, the fee is eighteen dollars.
6 f. More than twenty-two feet but not more than
7 twenty-four feet, the fee is twenty-one dollars.
8 g. More than twenty-four feet but not more than
9 twenty-six feet, the fee is twenty-five dollars.
10 h. More than twenty-six feet but not more than
11 twenty-eight feet, the fee is thirty dollars.
12 i. More than twenty-eight feet but not more than
13 thirty feet, the fee is thirty-five dollars.
14 j. More than thirty feet, the fee is forty
15 dollars.
16 3. In addition to the fee based on their length, for
17 boats propelled by outboard motors having a horsepower
18 rating of:
19 a. Five horsepower or less, the fee is two
20 dollars.
21 b. More than five horsepower but not more than
22 ten horsepower, the fee is four dollars.
23 c. More than ten horsepower but not more than

24 twenty horsepower, the fee is eight dollars.

25 d. More than twenty horsepower but not more than

Page 3

1 thirty-five horsepower, the fee is twelve dollars.

2 e. More than thirty-five horsepower but not more

3 than sixty horsepower, the fee is sixteen dollars.

4 f. More than sixty horsepower, the fee is eigh-
5 teen dollars.

6 4. In addition to the fee based on their length, for
7 boats propelled by inboard motors having a horsepower
8 rating of:

9 a. One hundred horsepower or less, the fee is
10 eighteen dollars.

11 b. More than one hundred horsepower but not more
12 than one hundred fifty horsepower, the fee is twenty-two
13 dollars.

14 c. More than one hundred fifty horsepower but not
15 more than two hundred horsepower, the fee is twenty-six
16 dollars.

17 d. More than two hundred horsepower, the fee is
18 thirty dollars.

19 If different motors are used to propel a boat at
20 different times, the registration fee shall be based on
21 the motor with the highest horsepower rating. If more
22 than one motor is used to propel a boat simultaneously,
23 the combined horsepower ratings of the motors shall be
24 used to determine the registration fee.

25 After the motorboat or sailboat has been registered

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1 five years or upon a sworn statement of the registrant
2 that the motorboat or sailboat has been listed for
3 personal property tax purposes for five years, the annual
4 registration fee shall be reduced by twenty-five percent
5 of fee determined in section five (5) of this Act."

6 3. Page 4, by striking lines 1 to 11, inclusive.

7 4. Page 5, by striking lines 9 to 21, inclusive.

8 5. Page 5, line 27, by striking the word "sixty" and
9 inserting in lieu thereof the word "ninety".

10 6. Page 6, line 15, by striking the word "thirty" and
11 inserting in lieu thereof the word "ninety".

12 7. By renumbering the sections and subsections to
13 conform to this amendment.

GEORGE L. SHAWVER
W. CHARLENE CONKLIN

1 Amend Senate File 259 as follows:

2 1. Page 5, line 2, by striking the word "conservation"
3 and inserting the words "county general".

4 2. Page 5, line 3, by striking the words "of the county".

W. CHARLENE CONKLIN

1 Amend Senate File 272 as follows:

2 1. Page 2, by striking line 6 and inserting in lieu thereof
3 "concerning such rule as provided in section two (2) of this".

- 4 2. Page 2, by striking lines 15 to 23, inclusive, and
5 inserting in lieu thereof the following: "*Any person appearing*
6 *at the public hearing or any other person having an interest in*
7 *the proposed rule may submit to the members of the committee a*
8 *concise summary of his reasons for supporting or opposing the*
9 *proposed rule.*"
- 10 3. Page 2, by striking lines 29 to 33, inclusive, and
11 inserting in lieu thereof the following:
- 12 "1. By mailing notice, by ordinary mail, to every person
13 filing a request for notice accompanied by an addressed envelope
14 with prepaid postage. Any person may file such a request to be
15 listed with any agency for notice of the time and place for all
16 hearings on proposed rules, which request shall be accompanied
17 by a remittance of five dollars. Such fee shall be added to
18 the operating fund of the department. The listing shall expire
19 semiannually on January 1 and July 1."
- 20 4. Page 3, by striking lines 3 to 7, inclusive.

JOHN L. MOWRY

- 1 Amend Senate File 292 as follows:

- 2 1. Page 2, line 14, by striking the comma and inserting in
3 lieu thereof the word "or"
- 4 2. Page 2, by striking in lines 14 and 15 the words "or any
5 other financial or contractual arrangement".

CLOYD E. ROBINSON

- 1 Amend Senate File 305, page 4, line 5 by striking
2 the words "and give its approval to the content of".

ARTHUR A. NEU

- 1 Amend Senate File 419 as follows:

- 2 1. Page 2, line 3, by striking the words "an adult
3 foster home," and inserting in lieu thereof the words
4 "a hospital as defined in section one hundred thirty-five
5 B point one (135B.1) of the Code; or a".
- 6 2. Page 2, by striking lines 11 and 12 and insert-
7 ing in lieu thereof the following:
- 8 "3. 'Governmental unit' means the state, a polit-
9 ical subdivision of the state, or a health care facility
10 supported in whole or part by public funds."
- 11 3. Page 2, by striking lines 17 through 21,
12 inclusive, and inserting in lieu thereof the following:
- 13 "thousand dollars or more, or which because of new
14 construction increases the number of beds, or which
15 increases services for the purpose of changing the classi-
16 fication of existing licenses required. Capital expendi-
17 ture is the actual building construc-".
- 18 4. Page 5, line 9, by adding after the word "under"
19 the words "chapter one hundred thirty-five B (135B) or".
- 20 5. Page 5, by adding after line 16 the following
21 new sections:
- 22 "Sec. 11. Section one hundred thirty-five B point
23 six (135B.6), unnumbered paragraph one (1), Code 1971,
24 is amended as follows:
25 The state department of health shall have the

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1 authority to deny, suspend or revoke a license in any
2 case where it finds that there has been a substantial
3 failure to comply with the provisions of this chapter
4 or the rules, regulations or minimum standards promul-
5 gated under this chapter *or where it finds that there*
6 *has been a failure to comply with the provisions of this*
7 *Act.*
8 Sec. 12. Section one hundred thirty-five C point
9 ten (135C.10), Code 1971, is amended by adding the
10 following new subsection:
11 '9. Violation of the provisions of this Act.' "

S. J. BROWNLEE

On motion of Senator DeKoster, the Senate adjourned until 9:00
a.m., Friday, March 26, 1971.

JOURNAL OF THE SENATE

SEVENTY-FIFTH DAY

SENATE CHAMBER
DES MOINES, IOWA, FRIDAY, MARCH 26, 1971

The Senate met in regular session, President pro tempore Kyhl, presiding.

Prayer was offered by the Reverend William Cotton, Executive Secretary of the Cedar Rapids Human Rights Commission, Cedar Rapids, Iowa.

The Senate pledged allegiance to the flag.

The Journal of Thursday, March 25, 1971, was approved.

PRESENTATION OF VISITORS

The Chair announced that the following visitors were present in the Senate gallery :

Thirty-seven students from Columbus Junction High School, Columbus Junction, Iowa, accompanied by their instructors, John Buster and Mr. Currie.

Twenty-eight students from Saint Paul's Lutheran School, Fort Dodge, Iowa, accompanied by Don Wischmeyer.

Eleven students from Ottumwa High School, Ottumwa, Iowa, accompanied by their instructors, Mr. M. Wilson and Mr. L. Spear.

PETITIONS

The following petitions were presented and placed on file :

By Senator Arbuckle, from eighteen residents of Boone County, opposing the repeal of the Iowa Meat and Poultry Inspection law.

By Senator Rhodes, from five hundred seventy-two residents of Madison County, favoring legislation for property tax relief.

CONSIDERATION OF BILLS

Senator Balloun asked and received unanimous consent to take up out of order Senate File 295.

Senate File 295

On motion of Senator Riley, Senate File 295, a bill for an act relating to nonprobate transfers, was taken up and considered.

Senator Riley moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 295) the vote was:

Ayes, 41:

Anderson	Gaudineer	Lamborn	Riley
Balloun	Gilley	Lavery	Robinson
Briles	Glenn	Miller	Schaben
Brownlee	Graham	Mowry	Shaff
Carlson	Griffin	Neu	Shawver
Coleman	Gross	Palmer	Smith
Conklin	Hill	Potgeter	Stephens
Curran	Keith	Potter	Thordsen
Davis	Kennedy	Rabedaux	Van Drie
DeKoster	Kyhl	Rhodes	Van Gilst
Doderer			

Nays, 1:

Bass

Voting present, 4:

Arbuckle	Milligan	Nicholson	Ollenburg
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Absent or not voting, 4:

Erskine	Messerly	Tapscott	Walsh
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Balloun asked and received unanimous consent to take up out of order Senate File 345.

Senate File 345

On motion of Senator Miller, Senate File 345, a bill for an act to provide protection for the institutional officers at the Iowa security medical facility, was taken up and considered.

Senator Miller moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 345) the vote was:

Ayes, 46:

Arbuckle	Curran	Glenn	Kyhl
Bass	Davis	Graham	Lamborn
Briles	DeKoster	Griffin	Lavery
Brownlee	Doderer	Gross	Miller
Carlson	Erskine	Hill	Milligan
Coleman	Gaudineer	Keith	Mowry
Conklin	Gilley	Kennedy	Neu

Nicholson
Ollenburg
Palmer
Potgeter
Potter

Rabedeaux
Rhodes
Riley
Robinson
Schaben

Shaff
Shawver
Smith
Stephens

Thordsen
Van Drie
Van Gilst
Walsh

Nays, none.

Voting present, 2:

Anderson Balloun

Absent or not voting, 2:

Messerly Tapscott

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

Senator Balloun asked and received unanimous consent to take up out of order Senate File 353.

Senate File 353

On motion of Senator Carlson, Senate File 353, a bill for an act relating to powers of local authorities to designate snow routes and regulate traffic thereon, was taken up and considered.

Senator Carlson moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 353) the vote was:

Ayes, 34:

Anderson
Arbuckle
Balloun
Bass
Briles
Brownlee
Carlson
Conklin
Curran

Davis
Gaudineer
Gilley
Graham
Griffin
Gross
Keith
Kennedy
Lamborn

Lavery
Miller
Milligan
Mowry
Neu
Nicholson
Palmer
Potgeter

Potter
Rhodes
Riley
Robinson
Schaben
Stephens
Thordsen
Walsh

Nays, 10:

Coleman
DeKoster
Glenn

Hill
Kyhle
Ollenburg

Rabedeaux
Shawver

Smith
Van Gilst

Voting present, 2:

Doderer Erskine

Absent or not voting, 4:

Messerly Shaff Tapscott Van Drie

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

Senator Balloun asked and received unanimous consent to take up out of order Senate File 363.

Senate File 363

On the motion of Senator Kennedy, Senate File 363, a bill for an act relating to the salary of deputy sheriffs in counties having a population of over two hundred fifty thousand, was taken up and considered.

Senator Kennedy moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

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

Ayes, 33:

Anderson	Gross	Milligan	Riley
Briles	Hill	Mowry	Robinson
Brownlee	Keith	Neu	Schaben
Carlson	Kennedy	Nicholson	Shawver
Coleman	Kyhl	Ollenburg	Smith
Davis	Lamborn	Palmer	Tapscott
DeKoster	Laverty	Potter	Thordsen
Erskine	Miller	Rhodes	Van Gilst
Graham			

Nays, 12:

Balloun	Curran	Gilley	Potgeter
Bass	Doderer	Glenn	Stephens
Conklin	Gaudineer	Griffin	Van Drie

Absent or not voting, 5:

Arbuckle	Rabedeaux	Shaff	Walsh
Messerly			

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

Senator Balloun asked and received unanimous consent to take up out of order Senate File 365.

Senate File 365

On motion of Senator Curran, Senate File 365, a bill for an act to provide for this state to enter into the midwest nuclear compact, was taken up and considered.

Senator Curran offered the following amendment and moved its adoption:

- 1 Amend Senate File 365 as follows:
- 2 Page 3, line 21, by inserting after the word
- 3 "require" the words ", shall be bonded in such amounts
- 4 as the board may require".

The amendment was adopted.

Senator Anderson asked unanimous consent that further action on Senate File 365 be deferred and that the bill be placed on the calendar under unfinished business.

Objection was raised.

Senator Anderson moved that further action on **Senate File 365** be deferred and that the bill be placed on the calendar under unfinished business.

Division was called for.

The motion lost.

Senator Curran moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 365) the vote was:

Ayes, 41:

Arbuckle	Erskine	Lamborn	Riley
Bass	Gaudineer	Lavery	Robinson
Briles	Gilley	Milligan	Shaff
Brownlee	Glenn	Mowry	Shawver
Carlson	Graham	Neu	Smith
Coleman	Griffin	Nicholson	Tapscott
Conklin	Gross	Ollenburg	Thordsen
Curran	Keith	Palmer	Van Drie
Davis	Kennedy	Potter	Van Gilst
DeKoster	Kyhl	Rhodes	Walsh
Doderer			

Nays, 1:

Balloun

Voting present, 3:

Anderson	Hill	Schaben
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Absent or not voting, 5:

Messerly	Potgeter	Rabedaux	Stephens
Miller			

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

President Jepsen took the chair at 10:34 a.m.

REPORTS OF INVESTIGATING COMMITTEES

Senator Milligan submitted the following report and moved its adoption:

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Donald G. Briggs of West Des Moines, Polk County, Iowa, for appointment as Director of Revenue for the State of Iowa effective February 1, 1971, under the provisions of Section 421.2, 1971 Code of Iowa, to serve at the pleasure of the Governor, begs leave to report that

it has made investigation and recommends that the appointment be confirmed.

GEORGE F. MILLIGAN, Chairman
 QUENTIN V. ANDERSON
 LEE H. GAUDINEER, JR.
 JOHN L. MOWRY
 ROGER J. SHAFF

The motion prevailed and the report was adopted.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 45:

Anderson	Erskine	Lamborn	Riley
Arbuckle	Gaudineer	Laverty	Robinson
Balloun	Gilley	Milligan	Shaff
Briles	Glenn	Mowry	Shawver
Brownlee	Graham	Neu	Smith
Carlson	Griffin	Nicholson	Stephens
Coleman	Gross	Ollenburger	Tapscott
Conklin	Hill	Palmer	Thordsen
Curran	Keith	Potgeter	Van Drie
Davis	Kennedy	Potter	Van Gilst
DeKoster	Kyhl	Rhodes	Walsh
Doderer			

Nays, none.

Absent or not voting, 5:

Bass	Miller	Rabedaux	Schaben
Messerly			

President Jepsen declared the appointment of Donald G. Briggs as Director of Revenue for the State of Iowa confirmed.

Senator Rhodes submitted the following report and moved its adoption:

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Harry F. Reed of Winterset, Iowa, for appointment as a member of the Iowa State Highway Commission under the provisions of Section 307.2, 1971 Code of Iowa, for the regular four-year term beginning July 1, 1971 and ending June 30, 1975, begs leave to report it has made investigation and recommends that the appointment be confirmed.

JOHN C. RHODES, Chairman
 WILSON L. DAVIS
 WAYNE D. KEITH
 LEE H. GAUDINEER, JR.
 JOHN M. WALSH

The motion prevailed and the report was adopted.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 48:

Anderson	Bass	Carlson	Curran
Arbuckle	Briles	Coleman	Davis
Balloun	Brownlee	Conklin	DeKoster

Doderer	Keith	Nicholson	Shaff
Erskine	Kennedy	Ollenburg	Shawver
Gaudineer	Kyhl	Palmer	Smith
Gilley	Lamborn	Potgeter	Stephens
Glenn	Lavery	Potter	Tapscott
Graham	Miller	Rhodes	Thordsen
Griffin	Milligan	Riley	Van Drie
Gross	Mowry	Robinson	Van Gilst
Hill	Neu	Schaben	Walsh

Nays, none.

Absent or not voting, 2:

Messerly Rabedeaux

President Jepsen declared the appointment of Harry F. Reed as a member of the Iowa State Highway Commission confirmed for the regular four-year term ending June 30, 1975.

INTRODUCTION OF BILLS

Senate Joint Resolution 8, by Senator Milligan, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the duties of the Lieutenant Governor.

Read first time and **passed on file**.

Senate File 429, by Senator Arbuckle, a bill for an act relating to the taxation of credit cards and providing penalties for violations.

Read first time and **passed on file**.

Senate File 430, by Senator Griffin (Mollett), a bill for an act relating to sanitary and improvement districts.

Read first time and **passed on file**.

Senate File 431, by committee on conservation and recreation, a bill for an act relating to hunting restrictions.

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

Senate File 432, by Senator Potter, a bill for an act relating to remitting of property taxes and special assessment taxes paid to the mortgage holder by the property owner.

Read first time and **passed on file**.

Senate File 433, by committee on state government, a bill for an act to provide for annual validation of motor vehicle registration plates.

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

Senate File 434, by Senators Walsh and Tapscott, a bill for an act to provide for the regulation of the sale of prearranged or prepaid

funeral services and merchandise and to provide penalties for violations.

Read first time and **passed on file.**

Senate File 435, by Senators Walsh and Riley (Radl, Ellsworth, Stanley, Knoblauch, Mendenhall, Pelton, Schroeder, Small, Taylor, Sorg, Priebe, and Lipsky), a bill of an act to supplement the federal laboratory animal welfare Act; to provide standards for the care of animals in animal shelters, pounds, and pet shops, and to regulate dealers, animal wardens, boarding kennels, and commercial breeders; and to declare certain acts unlawful and provide penalties for violations.

Read first time and **passed on file.**

ASSIGNMENT OF BILLS TO COMMITTEE

President Jepsen announced the assignment of the following bills to committee:

- S. J. R. 8 Constitutional amendments and reapportionment
- S. F. 262 Appropriations (under Senate Rule 37)
- S. F. 429 Ways and means
- S. F. 430 County government
- S. F. 432 County government
- S. F. 434 Commerce
- S. F. 435 Agriculture

REPORTS OF COMMITTEES

Senator Laverty submitted the following report:

MR. PRESIDENT: Your committee on environmental preservation to which was referred **Senate File 262**, a bill for an act establishing a radiation control program, providing penalties for violation of provisions of this Act, and making an appropriation therefor, begs leave to report it has had the same under consideration and recommends the same **be amended as follows; and when so amended the bill do pass:**

- 1 Amend Senate File 262 as follows:
- 2 1. Page 2, by striking line 35.
- 3 2. Page 3, by striking lines 1 through 3, inclusive,
- 4 and inserting in lieu thereof the following:
- 5 "shall consist of the director of the state hygienics
- 6 laboratory and the state geologist, four individuals with
- 7 recognized scientific training and experience in the field
- 8 of radiation appointed by the governor from a list sub-
- 9 mitted by the commissioner, and three individuals from the

10 general public appointed by the governor. The employee
11 of the department".

12 3. Page 8, by striking lines 18 through 22, inclusive.

CHARLES O. LAVERTY, Chairman

Order passed on file.

Senator Griffin submitted the following reports:

MR. PRESIDENT: Your committee on human and industrial relations to which was referred **Senate File 7**, a bill for an act to change the name and expand the duties of the governor's committee on employment of the handicapped to include housing and services, begs leave to report it has the same under consideration and recommends the same **do pass**.

JAMES W. GRIFFIN, SR., Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on human and industrial relations to which was referred **Senate File 280**, a bill for an act relating to garnishment of wages, liability for costs and discharge of employees, begs leave to report it has had the same under consideration and recommends the same **do pass**.

JAMES W. GRIFFIN, SR., Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on human and industrial relations to which was referred **Senate File 289**, a bill for an act relating to providing protective eyeglass lens and frames and providing a penalty, begs leave to report it has had the same under consideration and recommends the same **be amended in accordance with the Doderer amendment filed March 3, 1971, and found on page 423 of the Senate Journal, and when so amended, the bill do pass**.

JAMES W. GRIFFIN, SR., Chairman

Ordered passed on file.

On motion of Senator Balloun, the Senate adjourned until 10:00 a.m., Monday, March 29, 1971.

JOURNAL OF THE SENATE

SEVENTY-EIGHTH DAY

SENATE CHAMBER

DES MOINES, IOWA, MONDAY, MARCH 29, 1971

The Senate met in regular session, President Jepsen presiding.

Prayer was offered by the Reverend Walter Morz, pastor of the First Presbyterian Church, Algona, Iowa.

The Senate pledged allegiance to the flag.

The Journal of Friday, March 26, 1971, was approved.

PRESENTATION OF VISITORS

The Chair announced that the following visitors were present in the Senate gallery:

Eight students from Walnut Community School, Walnut, Iowa, accompanied by their instructors, Orville Krueger and Dale Peterson.

PETITIONS

The following petitions were presented and placed on file:

By Senator Ollenburger, from twenty-three residents of Winnebago, Worth and Hancock Counties, opposing Senate File 339, requiring parents of mentally retarded children admitted or committed to a facility other than the hospital-schools or special unit to help pay the costs incurred by the county.

By Senator Rhodes, from two hundred sixty-two students from Perry High School, Dallas County, favoring Senate File 270, an election reform bill, abolishing the unit rule for election of presidential electors in Iowa.

By Senators Kennedy and Walsh, from five hundred twenty-three students of Loras College and Clarke College, Dubuque County, opposing legislation that would prevent college students from voting in their college towns.

By Senator Potter, from two hundred seventy-five residents of Iowa favoring Senate File 270, an election reform bill, abolishing the unit rule for election of presidential electors in Iowa.

By Senator Gilley, from six hundred thirty-five residents of Allamakee, Fayette and Winneshiek Counties opposing legislation that would allow duplicate utility services within the city limits of annexed areas and special tax treatment of rural distribution property.

The following petitions, opposing the repeal of the Iowa Meat and Poultry Inspection law, were received and placed on file by:

Senator Rhodes, from eighteen residents of Dallas County.

Senator Erskine, from nine residents of Woodbury County.

Senator Potgeter, from twenty-nine residents of Hamilton County.

Senator Shawver, from thirty-one residents of Bremer County.

INTRODUCTION OF BILLS

Senate File 436, by Senator Tapscott (Cochran, Stromer, Dougherty, Middleswart, Schmeiser, Christensen, Knoblauch, Rodgers, Scott, Gluba and Priebe), a bill for an act relating to financing of aid to dependent children, blind assistance, and aid to the disabled.

Read first time and **passed on file**.

Senate File 437, by Senators Van Drie, Griffin and Riley (Christensen, Tieden, Freeman, Mayberry and Dunton), a bill for an act relating to cosmetology and to require the licensing of beauty salons.

Read first time and **passed on file**.

POINT OF PERSONAL PRIVILEGE

Senator Conklin rose on a point of personal privilege to make the following presentation:

This day has been proclaimed Iowa State Flag Day in observance of the adoption of an official banner of the State of Iowa on March 29, 1921.

As early as 1913 the Thirty-fifth General Assembly had adopted a concurrent resolution establishing a commission to propose and prepare a design for a state banner. The same year, at their state conference, the Iowa Society, Daughters of the American Revolution, instructed the State Flag Committee to suggest a design for a state flag.

In 1916, in Waterloo, the state regent of I.S.D.A.R., Dixie Cornell Gebhardt of Knoxville, proposed a contest among the eighty-one chapters for creation of design. The flag designed by Mrs. Gebhardt herself was selected.

Governor William M. Harding, the adjutant general and the state Council of Defense accepted the Gebhardt banner on May 11, 1917, and authorized its use by the Iowa Regiments.

It was on March 29, 1921, after years of personal effort by Mrs. Gebhardt that the bill was signed by Governor N. E. Kendall making this the official Iowa Banner.

Dixie Cornell Gebhardt described the Iowa Banner in this way: "It suggests Iowa in her virgin beauty of unbroken wilderness, riotous flowers,

and unfettered nature, and the original American enjoying this beauty unmolested, expressed his love for the rolling, rich prairies by christening them "Iowa" meaning "Beautiful Land."

The tri-colored Flag of France was used since the French flag was the first banner to fly over "the beautiful land." The great seal was the inspiration for working out a design for the emblem.

Mrs. Gebhardt's challenge is to us, even today:

"Iowa's future is in your hands. Iowa's flag is speaking to you. I swing before your eyes as a bright gleam of color, a symbol of yourself, the pictured suggestion of the big things which make this state. My stripes, my seal, my motto, and my name are your dreams and your labors."

SENATE FILE WITHDRAWN

Senator Curran asked and received unanimous consent that **Senate File 338** be withdrawn from further consideration of the Senate.

HOUSE AMENDMENTS CONSIDERED

Senate File 122

Senator Neu called up for consideration Senate File 122, a bill for an act relating to academic and administrative buildings and facilities and utilities services for such buildings and facilities and the financing by the state board of regents, amended by the House, and moved that the Senate concur in the following amendment:

- 1 Amend Senate File 122, as amended and passed by the
- 2 Senate, as follows:
- 3 Page 2, by striking all of section 1, lines 1 through
- 4 19, and renumbering the subsequent sections.

The motion prevailed and the Senate concurred in the House amendment.

Senator Neu moved that the bill as amended by the House and concurred in by the Senate be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 122) the vote was:

Ayes, 42:

Anderson	Erskine	Messery	Rhodes
Balloun	Gaudineer	Miller	Riley
Bass	Gilley	Milligan	Schaben
Briles	Glenn	Mowry	Shaff
Brownlee	Graham	Neu	Shawver
Carlson	Griffin	Nicholson	Smith
Coleman	Gross	Ollenburger	Stephens
Conklin	Keith	Palmer	Tapscott
Curran	Kennedy	Potter	Van Drie
DeKoster	Kyhl	Rabedaux	Van Gilst
Doderer	Lamborn		

Nays, 2:

Arbuckle Hill

Absent or not voting, 6:

Davis	Potgeter	Thordsen	Walsh
Laverty	Robinson		

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

Senate File 133

Senator Shaff called up for consideration Senate File 133, a bill for an act relating to the establishment of a second grand jury in certain counties and to the appointment of assistant clerks in such counties, amended by the House, and moved that the Senate concur in the following amendment:

- 1 Amend Senate File 133, as amended and passed by the
- 2 Senate, as follows:
- 3 1. Page 2, by striking line 11 and in line 12 the
- 4 words "*thousand, a*" and inserting in lieu thereof the
- 5 word "*A*".
- 6 2. Page 2, by deleting line 23 and the words
- 7 "*inhabitants and over,*" in line 24.
- 8 3. Page 2, by striking lines 27 through 31, the
- 9 publication clause.
- 10 4. Amend the title by striking lines 2 and 3,
- 11 and inserting in lieu thereof the following: "*and to*
- 12 *the appointment of additional clerks of the grand jury.*

The motion prevailed and the Senate concurred in the House amendment.

Senator Shaff moved that the bill as amended by the House and concurred in by the Senate be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 133) the vote was:

Ayes, 35:

Anderson	Gaudineer	Miller	Riley
Balloun	Gilley	Milligan	Schaben
Bass	Glenn	Neu	Shaff
Briles	Griffin	Nicholson	Smith
Brownlee	Gross	Ollenburg	Stephens
Carlson	Keith	Palmer	Tapscott
Curran	Kennedy	Potter	Van Drie
DeKoster	Kyhl	Rabedeaux	Van Gilst
Doderer	Lamborn	Rhodes	

Nays, 8:

Arbuckle	Conklin	Messerly	Potgeter
Coleman	Hill	Mowry	Shawver

Absent or not voting, 7:

Davis	Graham	Robinson	Walsh
Erskine	Laverty	Thordsen	

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

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Rhodes, from the joint committee on enrolled bills, submitted the following report and moved its adoption :

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled the following bills: Senate Files 40, 156, 160, 170 and 204.

JOHN C. RHODES
Chairman, Senate Committee
ELIZABETH R. MILLER
Chairman, House Committee

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate the following bills: Senate Files 40, 156, 160, 170 and 204.

BILLS SENT TO THE GOVERNOR

Senator Rhodes, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 29th day of March, 1971, sent to the governor for his approval: Senate Files 40, 156, 160, 170 and 204.

JOHN C. RHODES, Chairman

Passed on file.

MOTION TO RECONSIDER ADOPTED

Senator Anderson called up the following motion to reconsider, filed March 25, 1971, and moved its adoption:

MR. PRESIDENT: I move to reconsider the vote by which the Senate Rules Governing Lobbyists, as amended, were adopted.

QUENTIN V. ANDERSON

Roll call was requested.

On the question "Shall the motion to reconsider be adopted?" the vote was:

Rule 24 was invoked.

Ayes, 26:

Anderson
Balloun
Bass
Briles
Conklin
DeKoster
Erskine
Gilley
Graham
Griffin

Gross
Keith
Kyhle
Lamborn
Messerly

Miller
Milligan
Mowry
Nicholson
Ollenburg

Potter
Rhodes

Schaben
Shawver

Smith

Walsh

Nays, 21:

Arbuckle
Brownlee
Carlson
Coleman
Curran
Davis

Doderer
Gaudineer
Glenn
Hill
Kennedy

Neu
Palmer
Potgeter
Rabedeaux
Riley

Shaff
Stephens
Tapscott
Van Drie
Van Gilst

Absent or not voting, 3:

Laverty

Robinson

Thordsen

The motion to reconsider prevailed.

Senator Anderson offered the following amendment and moved its adoption:

- 1 Amend the Senate committee on ethics report relative to
- 2 the Senate Rules Governing Lobbyists found on page 351 of the
- 3 Senate Journal by striking all of line 3 after the word
- 4 "adopted" and all of lines 4, 5 and 6 and inserting in lieu
- 5 thereof a period (.).

Roll call was requested.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 27:

Anderson
Balloun
Bass
Briles
Conklin
Curran
DeKoster

Erskine
Gilley
Graham
Griffin
Gross
Keith
Kuhl

Lamborn
Messerly
Miller
Milligan
Mowry
Ollenburg
Potter

Rhodes
Schaben
Shaff
Shawver
Smith
Walsh

Nays, 19:

Arbuckle
Carlson
Coleman
Davis
Doderer

Gaudineer
Glenn
Hill
Kennedy
Neu

Nicholson
Palmer
Potgeter
Rabedeaux
Riley

Stephens
Tapscott
Van Drie
Van Gilst

Absent or not voting, 4:

Brownlee

Laverty

Robinson

Thordsen

The amendment was adopted.

On motion of Senator Neu, the Report of the Committee on Ethics, Senate Rules Governing Lobbyists, as amended, was adopted.

UNFINISHED BUSINESS

Senate File 155

On motion of Senator Arbuckle, Senate File 155, a bill for an act

relating to findings of the commission of hospitalization, was taken up for further consideration.

Senator Glenn withdrew the following amendment filed by Senators Glenn and Gaudineer on March 12, 1971:

- 1 Amend Senate File 155 as follows:
- 2 1. Page 2, line 16, by striking the words "shall order"
- 3 and inserting in lieu thereof the words "may order upon
- 4 hearing pursuant to sections 229.2, 229.3, 229.4 and 229.5".

Senator Glenn offered the following amendment filed by Senators Glenn and Gaudineer on March 23, 1971, and moved its adoption:

- 1 Amend Senate File 155, page 2 line 16, by striking
- 2 the words "shall order", and inserting in lieu thereof
- 3 "[shall order] *may order upon hearing pursuant to sections*
- 4 *229.2, 229.3, 229.4 and 229.5*".

Division was called for.

The amendment was adopted.

Senator Arbuckle moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 155) the vote was:

Ayes, 45:

Anderson	Doderer	Kyhl	Rabedeaux
Arbuckle	Erskine	Messerly	Rhodes
Balloun	Gaudineer	Miller	Riley
Bass	Gilley	Milligan	Schaben
Briles	Glenn	Mowry	Shawver
Brownlee	Graham	Neu	Smith
Carlson	Griffin	Nicholson	Stephens
Coleman	Gross	Ollenburger	Tapscott
Conklin	Hill	Palmer	Van Drie
Curran	Keith	Potgeter	Van Gilst
Davis	Kennedy	Potter	Walsh
DeKoster			

Nays, none.

Absent or not voting, 5:

Lamborn	Robinson	Shaff	Thordsen
Lavery			

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

CONSIDERATION OF BILLS

House File 130

On motion of Senator Briles, House File 130, a bill for an act relating to brucellosis tests, with report of committee recommending pas-

sage, was taken up, considered, and the report of the committee adopted.

Senator Briles moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 130) the vote was:

Ayes, 45:

Anderson	Doderer	Kyhl	Rabedaux
Arbuckle	Erskine	Lamborn	Riley
Balloun	Gaudineer	Messerly	Schaben
Bass	Gilley	Miller	Shaff
Briles	Glenn	Milligan	Shawver
Brownlee	Graham	Mowry	Smith
Carlson	Griffin	Neu	Stephens
Coleman	Gross	Ollenburg	Tapscott
Conklin	Hill	Palmer	Van Drie
Curran	Keith	Potgeter	Van Gilst
Davis	Kennedy	Potter	Walsh
DeKoster			

Nays, none.

Absent or not voting, 5:

Laverty	Rhodes	Robinson	Thordsen
Nicholson			

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

Senate File 292

On motion of Senator Briles, Senate File 292, a bill for an act prohibiting certain business entities from engaging in business in the agricultural industry and providing penalties for violations of the act, was taken up and considered.

Senator Briles offered the following amendment filed by him:

- 1 Amend Senate File 292 as follows:
- 2 Page 3, following line 12, insert the following new
- 3 section:
- 4 "Sec. 5. The provisions of this act shall not apply
- 5 to any processor, distributor, corporation, or firm engaged
- 6 in the seed and nursery business or dairy business."

Senator Potgeter offered the following amendment to the amendment:

- 1 Amend the Briles amendment filed March 22, 1971, to
- 2 Senate File 292 by inserting in line 6 after the word "the"
- 3 the word "feed,".

(Senate File 292 pending at recess.)

MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has adopted the following concurrent resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 28, paying tribute to the memory of the designer of the Iowa state flag.

WILLIAM R. KENDRICK, Chief Clerk

ADOPTION OF HOUSE CONCURRENT RESOLUTION 28

Senator Conklin asked and received unanimous consent to take up for consideration the following resolution and moved its adoption:

HOUSE CONCURRENT RESOLUTION 28

By Dougherty

Whereas, March 29, 1921, is the date on which the Iowa General Assembly officially adopted the design of Dixie Cornell Gebhardt of Knoxville, Iowa, as the official state flag; and

Whereas, March 29, 1971, is the Fiftieth Anniversary of the official adoption of the design for the state flag; and

Whereas, the efforts of Dixie Cornell Gebhardt of Knoxville, Iowa, in advocating and designing the official state flag of Iowa are well documented and her accomplishments were not successfully completed without great effort on her part; and

Whereas, the story of the official adoption of the Iowa state flag and the tireless and unselfish efforts of Dixie Cornell Gebhardt are the subject of a newspaper article in the Saturday, March 27, 1971, edition of the Des Moines Tribune; *Now Therefore*,

Be It Resolved by the House of Representatives, the Senate Concurring, That the Sixty-fourth General Assembly pay tribute to the memory of Dixie Cornell Gebhardt for her great contribution to the State of Iowa and its history on the Fiftieth Anniversary of the official adoption of the design of the Iowa state flag.

The motion prevailed and the resolution was adopted.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has concurred in Senate amendment, re-adopted and agreed to the following joint resolution in which the concurrence of the House was asked:

House Joint Resolution 7, proposing an amendment to the constitution of the state relating to the terms of office of elected state officials.

Also: That the House has concurred in Senate amendment to, and re-passed that following bill in which the concurrence of the House was asked:

House File 230, a bill for an act relating to election precincts.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 384, a bill for an act to change certain references in the Code from "poultry and hatchery association" to "poultry association, incorporated."

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 429, a bill for an act relating to preparation of ballots and voting machines for constitutional questions.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 479, a bill for an act relating to the extension of operators' and chauffeurs' licenses for persons separated from military service.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

Senate File 129, a bill for an act to legalize and validate the proceedings of the city council of Red Oak in purchase of land.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 201, a bill for an act relating to the issuance of marriage licenses.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 249, a bill for an act relating to federal share insurance for credit unions.

WILLIAM R. KENDRICK, Chief Clerk

HOUSE MESSAGES CONSIDERED

House File 384, a bill for an Act to change certain references in the Code from "poultry and hatchery association" to "poultry association, incorporated".

Read first time and **passed on file**.

House File 479, a bill for an Act relating to the extension of operators' and chauffeurs' licenses for persons separated from military service.

Read first time and **passed on file**.

House File 429, a bill for an Act relating to preparation of ballots and voting machines for constitutional questions, amendments and public measures.

Read first time and **passed on file**.

On motion of Senator Lamborn, the Senate recessed until 1:15 p.m.

AFTERNOON SESSION

The Senate reconvened, President pro tempore Kyhl presiding.

SENATE FILE DEFERRED

Senate File 292

The Senate resumed consideration of Senate File 292 and the Potgeter amendment to the Briles amendment.

Senator Briles asked and received unanimous consent that further action on **Senate File 292** be deferred and that the bill be placed on the calendar under **unfinished business**.

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on March 26, 1971, the Governor approved and transmitted to the Secretary of State the following bills:

- H. F. 82—Providing a penalty for the unlawful use of temporary and instructional driving permits.
- H. F. 231—Relating to incentive awards for state employees.
- H. F. 346—Relating to refunding of motor fuel tax.
- H. F. 121—Providing limitations on the property tax levy for the general fund budget of school districts, county boards of education, and joint county boards of education and to make an appropriation to the Department of Public Instruction for allocation to school districts.

ASSIGNMENT OF BILLS TO COMMITTEE

President Jepsen announced the assignment of the following bills to committee:

- S. F. 436 Appropriations
- S. F. 437 Commerce
- H. F. 384 Agriculture
- H. F. 429 State government
- H. F. 479 Law enforcement

REPORTS OF COMMITTEES

Senator Stephens submitted the following report:

MR. PRESIDENT: Your committee on agriculture, to which was referred **House File 381**, a bill for an act relating to commercial feed inspection fee, begs leave to report it has had the same under consideration and recommends the same **do pass**.

RICHARD L. STEPHENS, Chairman

Ordered passed on file.

Senator Mowry submitted the following report:

MR. PRESIDENT: Your committee on commerce, to which was referred **House File 112**, a bill for an act authorizing the use of bid bonds in lieu of certified or cashier's checks, begs leave to report it has had the same under consideration and recommends the same **do pass**.

JOHN L. MOWRY, Chairman

Ordered passed on file.

AMENDMENTS FILED

1 Amend Senate File 292 as follows:

2 1. Page 2, line 24, by striking the period (.).

3 2. Page 2, line 24, by adding the following words

4 after the word "production":

5 "other than for experimental and research purposes,

6 or where such operation is limited to the fattening of livestock

7 prior to slaughter, which in no event shall exceed a period

8 of sixty days for cattle or thirty days for sheep and hogs."

GENE W. GLENN

1 Amend Senate File 292, page 2, by adding the following

2 new paragraph after line 29:

3 "The provisions of this Act shall not prevent processors

4 or distributors from carrying on legitimate research activities."

JAMES F. SCHABEN

1 Amend Senate File 292, page 2, by striking in lines

2 33, 34, and 35 the words "or by imprisonment in the county

3 jail for not more than one year, or punished by both

4 such fine and imprisonment".

MINNETTE DODERER

ALDEN J. ERSKINE

1 Amend the Briles amendment filed March 22 to Senate File 292,

2 line 6, by inserting before the word "seed" the following:

3 "sorghum,".

RALPH W. POTTER

TOM RILEY

1 Amend the Briles amendment filed March 22, 1971, to Senate

2 File 292, line 6, by adding after the word "the" the words:

3 "popcorn, white corn,".

TOM RILEY

RALPH W. POTTER

G. WILLIAM GROSS

ALDEN J. ERSKINE

- 1 Amend the Briles amendment filed March 22, 1971, to Senate
- 2 File 292, line 6, by adding after the word "the" the words:
- 3 "oats processing,".

TOM RILEY
RALPH W. POTTER
G. WILLIAM GROSS
ALDEN J. ERSKINE

- 1 Amend the Van Gilst amendment, filed March 23, 1971, to
- 2 Senate File 292, line 6, by adding after the word "benevolent"
- 3 the words, "or educational".

BASS VAN GILST

- 1 Amend Senate File 297 as follows:
- 2 1. By striking everything after the enacting
- 3 clause and inserting in lieu thereof the following:
- 4 "Section 1. As used in this Act, unless the context
- 5 otherwise requires:
- 6 1. 'Inspection certificate' means a motor vehicle
- 7 inspection certificate, in the form prescribed pursuant
- 8 to section two (2) of this Act.
- 9 2. 'Service agency' means any establishment
- 10 regularly engaged in the repair or maintenance of
- 11 motor vehicles, and may include the repair or
- 12 maintenance department of any firm, corporation, or
- 13 association which owns and operates, or leases to
- 14 other operators, two or more motor vehicles.
- 15 3. 'Service agent' means the owner, manager,
- 16 service manager, or other person having immediate
- 17 supervisory responsibility for performance of repair
- 18 and maintenance services upon motor vehicles in any
- 19 service agency, or a competent mechanic or other
- 20 employee of a service agency who is qualified to per-
- 21 form and is regularly engaged in the performance of
- 22 repair and maintenance services upon motor vehicles.
- 23 Sec. 2. The department of public safety shall
- 24 prepare and distribute to all service agencies so
- 25 requesting, blank motor vehicle inspection certificate

Page 2

- 1 forms. The forms shall provide for:
- 2 1. The name of the owner of the motor vehicle
- 3 inspected.
- 4 2. A brief description of the motor vehicle
- 5 inspected, which shall include the vehicle
- 6 identification number or motor number.
- 7 3. The name of the service agency where the
- 8 inspection is made.
- 9 4. Indication by the service agent completing
- 10 the form of the date on which inspection is performed,
- 11 the repairs necessary, if any, and the date such
- 12 repairs are made, upon each of the following components
- 13 of the motor vehicle inspected:
- 14 a. Tires.
- 15 b. Brakes, including the parking or emergency brakes.
- 16 c. Steering.
- 17 d. Exhaust system.

- 18 e. Windshield, all other window glass, and mirrors.
- 19 f. Windshield wipers.
- 20 g. Lights, including directional signals.
- 21 h. Horn.
- 22 i. Engine.
- 23 j. Fuel system.
- 24 5. The service agent's opinion as to the motor
- 25 vehicle's general condition.

Page 3

- 1 6. The service agent's signature and the date
- 2 of inspection, which shall be directly preceded by
- 3 a statement substantially to the effect that, to the
- 4 best of the service agent's knowledge, the motor
- 5 vehicle described in the certificate is in safe
- 6 operating condition as of the date of the inspection.
- 7 7. The signature of the owner of the motor vehicle
- 8 described in the certificate or, in the case of a
- 9 motor vehicle owned by a corporation or which is a
- 10 part of a fleet, the signature of the assigned operator
- 11 or of the person directly responsible for assigning
- 12 the motor vehicle to an operator or operators.
- 13 Sec. 3. When the owner or operator of any motor
- 14 vehicle requests a service agency to complete an
- 15 inspection certificate for the motor vehicle, it shall
- 16 be the responsibility of the service agent who signs
- 17 the certificate to make actual inspection, or ascertain
- 18 that actual inspection has been made by an employee
- 19 under his supervision, of each of the components
- 20 specified in section two (2) of this Act of the motor
- 21 vehicle, and that any needed repairs have been noted
- 22 on the certificate. If the needed repairs are made
- 23 by the service agent or under his supervision, the
- 24 date the repairs are made shall also be entered on
- 25 the inspection certificate. The service agent shall

Page 4

- 1 not sign and date the inspection certificate unless
- 2 he is satisfied that the motor vehicle is in safe
- 3 operating condition.
- 4 Sec. 4. When applying for registration or renewal
- 5 of registration of any motor vehicle, the applicant
- 6 shall present to the county treasurer, in duplicate,
- 7 a completed inspection certificate for the motor
- 8 vehicle being registered. The county treasurer shall
- 9 not register the motor vehicle unless the inspection
- 10 certificate shows that all the components required
- 11 by section two (2) of this Act have been inspected
- 12 not more than sixty days prior to the date of applica-
- 13 tion for registration or renewal of registration and
- 14 that needed repairs, if any, have been made, and the
- 15 inspection certificate is signed and dated by a service
- 16 agent. The county treasurer shall retain the original
- 17 inspection certificate on file with other registration
- 18 data respecting the motor vehicle, and shall return
- 19 the duplicate to the applicant with the registration
- 20 certificate.

21 Sec. 5. Any applicant for registration of a motor
22 vehicle who falsely signs the name of a service agent
23 or purported service agent to an inspection
24 certificate, or who presents to the county treasurer
25 an inspection certificate knowing any fact stated

Page 5

1 thereon to be false or knowing that the person who
2 signed the inspection certificate as service agent
3 is not in fact a service agent as defined in section
4 one (1) of this Act, is guilty of a fraudulent
5 application for registration of a motor vehicle.
6 Any service agent who signs an inspection certificate
7 knowing any fact stated thereon to be false, or any
8 person signing an inspection certificate as a service
9 agent who is not in fact a service agent as defined
10 in section one (1) of this Act, is guilty of being
11 an accessory to a fraudulent application for
12 registration of a motor vehicle. Any person convicted
13 of making, or being an accessory to such fraudulent
14 application shall be punished as provided by section
15 three hundred twenty-one point ninety-seven (321.97)
16 of the Code.

17 Sec. 6. No person shall have a cause of action
18 against any service agent who has signed an inspection
19 certificate by reason of the motor vehicle described
20 in the inspection certificate being found in any way
21 unsafe for operation at any time after the date the
22 service agent signed the inspection certificate,
23 unless it is shown that the service agent signed the
24 inspection certificate in bad faith.

25 Sec. 7. Section three hundred twenty-one point

Page 6

1 twenty (321.20), Code 1971, is amended by adding the
2 following new subsection:

3 'The application shall be accompanied by a complete
4 inspection certificate, in duplicate, as required
5 by section four (4) of this Act.'

6 Sec. 8. Section three hundred twenty-one point
7 thirty-two (321.32), Code 1971, is amended as follows:

8 321.32 REGISTRATION CARD SIGNED, CARRIED AND
9 EXHIBITED. Every owner upon receipt of a registration
10 card shall write his signature thereon with pen and
11 ink in the space provided. Every such registration
12 card shall at all times be carried in the vehicle
13 to which it refers and shall be displayed in the
14 container furnished or approved by the department.
15 Such certificate container shall be attached to the
16 vehicle in the driver's compartment so that same may
17 be plainly seen without entering the car. *The*
18 *duplicate inspection certificate, returned by the*
19 *county treasurer with the registration certificate,*
20 *shall at all times be carried in the vehicle to which*
21 *it refers and shall upon request be surrendered to*
22 *any law enforcement officer for his examination.*

23 *The law enforcement officer shall immediately return*
24 *the inspection certificate to the owner or operator*
25 *of the motor vehicle after the examination.*

Page 7

1 Sec. 9. Section three hundred twenty-one point
2 forty (321.40), Code 1971, is amended by adding the
3 following new subsection:
4 'No registration of a vehicle shall be renewed
5 for the year 1972 or any year thereafter unless the
6 application for renewal is accompanied by a completed
7 inspection certificate, as required by section four
8 (4) of this Act.'

ALDEN J. ERSKINE

1 Amend Senate File 297 as follows:

2 1. Page 3, line 3, by adding the following new sentence:
3 "However, the granting of such permit shall not authorize the
4 permit holder to effect any repairs or affix any parts or equip-
5 ment on a vehicle initially inspected at that vehicle inspection
6 station."

7 2. Page 3, line 7, by adding after the word "equipped"
8 the words "or that repairs are being made or equipment or parts
9 affixed on vehicles initially inspected at that inspection
10 station".

11 3. Page 5, by striking all after the word "notified." on
12 line 16 and by striking lines 17, 18, 19, 20, and in line 21
13 by striking the words "the vehicle." and inserting the following:
14 "Repairs and adjustments shall not be made at the inspection
15 station which has made the inspection, and a certificate of
16 rejection shall be affixed to the vehicle."

JAMES A. POTGETER

1 Amend Senate File 305 as follows:

2 1. Page 3, line 3, by striking the period (.) after
3 the word "facilities" and adding ", who shall not be
4 operators or administrators of residential care facilities."

5 2. Page 3, line 31, by striking the words "and
6 approve".

7 3. Page 3, line 35, by striking the words "and
8 approval".

ARTHUR A. NEU

1 Amend Senate File 306, page 4, line 5, by striking the word
2 "fifty" and inserting in lieu thereof the word "thirty".

CHARLES F. BALLOUN

1 Amend Senate File 306, page 4, lines 8 and 9, by
2 striking, "and shall be used exclusively for paying
3 the costs for inspecting funeral homes".

JOHN E. TAPSCOTT

1 Amend Senate File 326 as follows:

2 1. Page 1, by striking in lines 18 and 19 the words "*Any*
3 *such evidence may be received in the discretion of the board*
4 *at a public hearing held for such purpose.*" and insert in lieu
5 thereof the words "*Any such evidence shall be received in accord-*
6 *ance with sections 2 and 3 of this Act.*"

7 2. Page 1, by adding the following new sections after
8 line 25:

9 Sec. 2. Section seventeen A point five (17A.5), Code 1971,
10 is amended as follows:

11 17A.5 SUBMISSION OF PROPOSED RULES. Any agency em-
powered
12 by law to make rules shall *not submit any permanent rule as*
13 *provided herein until the agency first holds a public hearing*
14 *concerning such rule as provided in section three (3) of this*
15 *Act. Any agency approving a rule following such hearing shall*
16 *submit four copies with authorized signatures of each proposed*
17 *rule, temporary or permanent, in the style and form prescribed*
18 *by the Code editor, to the attorney general, and submit a copy*
19 *of each proposed rule to each member of the departmental rules*
20 *review committee at least ten days prior to that scheduled*
21 *meeting of the committee at which consideration is desired*
22 *and one copy to the Code editor.*

23 *Any person appearing at the public hearing or any other*
24 *person having an interest in the proposed rule may submit to*
25 *the members of the committee a concise summary of his reasons*

Page 2

1 *for supporting or opposing the proposed rule.*

2 Sec. 3. Chapter seventeen A (17A), Code 1971, is amended
3 by adding the following new section:

4 "Any agency holding a public hearing as provided in
5 section seventeen A point five (17A.5) of the Code shall give
6 twenty days' notice of said hearing as follows:

7 1. By mailing notice, by ordinary mail, to every person
8 filing a request for notice accompanied by an addressed
9 envelope with prepaid postage. Any person may file such a
10 request to be listed with any agency for notice of the time
11 and place for all hearings on proposed rules, which request
12 shall be accompanied by a remittance of five dollars. Such
13 fee shall be added to the operating fund of the department.
14 The listing shall expire semiannually on January 1 and July 1.

15 2. By mailing notice, by ordinary mail, to every person
16 licensed or regulated by the agency proposing the rule, where
17 the agency has reasonable access to the names and addresses
18 of such persons."

JAMES A. POTGETER
JOHN L. MOWRY

1 Amend Senate File 397 as follows:

2 1. Page 3, line 23, by striking the words, "which
3 is" and by inserting in lieu thereof the words, "any of
4 which are".

5 2. Page 3, line 26, by striking the words, "or
6 useful".

7 3. Page 5, line 24, by inserting after the word,
8 "employee" the words, "or the spouse or immediate family
9 of such officer or employee".

10 4. Page 7, line 9, by inserting after the word,
11 "residents." the following :

12 "However, a city shall not be empowered to create
13 any rights, duties, or obligations between its

14 residents or its residents and nonresidents to
15 which the city is not, also an indispensable
16 part."

17 5. Page 11, by striking lines 6 through 11, inclusive
18 and by inserting in lieu thereof the words, "nuisances. In
19 addition thereto:". By relettering the remaining subsections
20 to conform to this amendment.

21 6. Page 12, line 18, by striking the word "may" and
22 by inserting in lieu thereof the word "shall".

23 7. Page 15, line 17, by striking the words, "advice
24 and consent" and by inserting in lieu thereof the words,
25 "approval of two-thirds vote of".

Page 2

1 8. Page 47, line 30, by striking the word, "from"
2 and by inserting in lieu thereof a period (.).

3 9. Page 47, by striking lines 31 and 32 and by
4 inserting in lieu thereof the following:

5 "The league of Iowa municipalities may recommend to
6 the governor, city officials for each such position."

7 10. Page 50, line 35, by inserting after the word,
8 "budget" the words, "and provide a reasonable number of
9 copies of such budget for public inspection".

10 11. Page 52, line 22, by striking the word, "qual-
11 ified" and by inserting in lieu thereof the word, "eligible".

12 12. Page 52, line 24, by inserting after the word,
13 "ten" the words, "nor more than five hundred".

14 13. Page 53, line 3, by striking the word, "qualified"
15 and by inserting in lieu thereof the word "eligible".

16 14. Page 53, line 4, by striking the word, "must"
17 and by inserting in lieu thereof the word, "shall".

18 15. Page 53, line 6, by striking the word, "may"
19 and by inserting in lieu thereof the word, "shall".

20 16. Page 53, by striking lines 20 and 21 and by in-
21 inserting in lieu thereof the following:

22 "the public interest, it shall require the council to
23 delete such expenditure. The council shall then re-
24 consider the budget, delete the required expenditure".

25 17. Page 54, line 35, and page 55, line 1, by striking

Page 3

1 the words, "useful or convenient" and by inserting in lieu
2 thereof the words "necessary".

3 18. Page 56, lines 13 and 14, by striking the words,
4 "useful or convenient" and by inserting in lieu thereof the
5 word "necessary".

6 19. Page 56, lines 34 and 35, by striking the words,
7 "useful or convenient" and by inserting in lieu thereof the
8 word "necessary".

9 20. Page 57, line 5, by striking the word "useful"
10 and by inserting in lieu thereof the word, "necessary".

11 21. Page 58, line 24, by striking the words, "or
12 useful".

13 22. Page 60, line 25, by striking the word, "qualified"
14 and by inserting in lieu thereof the word, "eligible".

15 23. Page 65, line 30, by inserting after the word,
16 "parts" the words, "if such lots bear common improvements".

17 24. Page 66, line 26, by striking all after the word,
18 "streets" and all of line 27 and by inserting in lieu
19 thereof a period (.).

20 25. Page 67, line 13, by inserting after the word,
21 "by" the words, "resolution or ordinance of".

22 26. Page 69, line 33, by inserting after the word,
23 "against" the word, "specially".

24 27. Page 72, line 12, by inserting after the word,
25 "objections" the words, "pertaining to the regularity of

Page 4

1 the proceeding and the legality of using the special assess-
2 ment procedure".

3 28. Page 73, line 32, by inserting after the word,
4 "mailed" the words, "by certified mail".

5 29. Page 74, line 3, by striking the word, "benefited"
6 and by inserting in lieu thereof the words, "specially bene-
7 fited to some extent".

8 30. Page 74, line 4, by inserting after the word,
9 "conclusive" the words, "unless objections thereto have
10 previously been filed with the council".

11 31. Page 76, line 7, by striking the words, "within
12 seven days" and by inserting in lieu thereof the words,
13 "as soon as practical".

14 32. Page 76, line 16, by striking all after the word,
15 "be" and all of lines 17 through 19, inclusive, and by in-
16 serting in lieu thereof the words, "as in other equity
17 cases."

18 33. Page 77, line 11, by striking all after the
19 letters, "erty" and by inserting in lieu thereof the words,
20 "specially benefited in the assessment district."

21 34. Page 77, line 15, by inserting after the word,
22 "may" the words, "assess the deficiency to the city or".

23 35. Page 77, line 19, by inserting after the word,
24 "be" the word, "specially".

25 36. Page 77, line 21, by inserting after the word,

Page 5

1 "assessments," the words, "or as reduced by the court".

2 37. Page 80, line 28, by inserting after the word,
3 "of" the word, "annual".

4 38. Page 81, line 34, by inserting after the word,
5 "council" the words, "or as reduced by the court".

6 39. Page 82, line 8, by striking the word, "may"
7 and by inserting in lieu thereof the word, "shall".

8 40. Page 83, line 23, by inserting after the word,
9 "proceedings" the words, "or legality of the assessment
10 procedure".

11 41. Page 83, line 33, by striking all after the word,
12 "located" and all of lines 34 and 35 and by inserting in
13 lieu thereof the words, "but such appeal is only to".

14 42. Page 84, line 1, by striking the word, "and" and
15 by inserting in lieu thereof the following:

16 " , unless such person filed objections with the
17 council prior to the adoption of the resolution of

18 necessity, they shall also be considered; however,
19 such appeal”.

LEE H. GAUDINEER, JR.

1 Amend Senate File 417 as follows:

2 1. Page 2, by striking lines 4 through 35,
3 inclusive, and page 3, by striking lines 1 through 27,
4 inclusive, and inserting in lieu thereof the following:

5 “For judicial purposes the state is divided into
6 twelve judicial districts as follows:

7 The first district shall consist of the counties of
8 Lee, Van Buren, Jefferson, Henry, Des Moines, and
9 Louisa.

10 The second district shall consist of the counties of
11 Davis, Appanoose, Wayne, Decatur, Ringgold, Union,
12 Clarke, Lucas, Monroe, and Wapello.

13 The third district shall consist of the counties of
14 Taylor, Page, Fremont, Mills, Montgomery, Adams, Cass,
15 Pottawattamie, Harrison, Shelby, and Audubon.

16 The fourth district shall consist of the counties of
17 Crawford, Monona, Woodbury, Plymouth, Cherokee, Ida,
18 and Sac.

19 The fifth district shall consist of the counties of
20 Marion, Warren, Madison, Adair, Guthrie, Dallas, and
21 Polk.

22 The sixth district shall consist of the counties of
23 Washington, Keokuk, Mahaska, Johnson, Iowa, Poweshiek,
24 and Jasper.

25 The seventh district shall consist of the counties of

Page 2

1 Cedar, Jones, Linn, Benton, Tama, and Marshall.

2 The eighth district shall consist of the counties of
3 Scott, Muscatine, Clinton, Jackson, and Dubuque.

4 The ninth district shall consist of the counties of
5 Delaware, Buchanan, Black Hawk, Grundy, Eutler, Bremer,
6 Fayette, Clayton, Allamakee, Winneshiek, Howard, and
7 Chickasaw.

8 The tenth district shall consist of the counties of
9 Story, Boone, Greene, Carroll, Calhoun, Humboldt,
10 Webster, Hamilton, and Hardin.

11 The eleventh district shall consist of the counties
12 of Franklin, Wright, Kossuth, Hancock, Cerro Gordo,
13 Floyd, Mitchell, Worth, and Winnebago.

14 The twelfth district shall consist of the counties
15 of Pocahontas, Buena Vista, Palo Alto, Clay, O'Brien,
16 Sioux, Lyon, Osceola, Dickinson, and Emmet.”

17 2. Page 3, line 33, by striking the word “election”.

18 3. Page 4, line 11, by striking the word “election”.

19 4. Page 4, line 19, by striking the word “election”.

EUGENE M. HILL

1 Amend Senate File 417 as follows:

2 1. Page 3, by adding after line 27 the following:

3 “Sec. 2. Section six hundred four point eight

4 (604.8), subsection two (2), Code 1971, is amended as
5 follows:

6 2. The number of judgeships to which each of the
7 judicial districts shall be entitled shall be determined
8 from time to time according to the following formula,
9 giving equal weight to cases filed and population: In
10 districts containing a city of fifty thousand or more
11 population, there shall be one judgeship per five hun-
12 dred fifty combined civil and criminal filings and forty
13 thousand population, or major fraction of either; in all
14 other districts there shall be one judgeship per four
15 hundred fifty combined civil and criminal filings and
16 forty thousand population, or major fraction of either;
17 provided, the seat of government shall be entitled to
18 one additional judgeship *and no judicial election sub-*
19 *district shall have fewer than two judgeships.* The
20 figures on filings shall be the average for the latest
21 available previous three-year period and when current
22 census figures on population are not available, figures
23 shall be taken from the state department of health
24 computations."

25 2. Page 3, line 28, by striking the numeral "2" and

Page 2

1 inserting in lieu thereof the numeral "3".

2 3. Page 4, line 6, by striking the numeral "3" and
3 inserting in lieu thereof the numeral "4".

4 4. Page 4, line 21, by striking the numeral "4" and
5 inserting in lieu thereof the numeral "5".

6 5. Page 4, line 25, by striking the numeral "5" and
7 inserting in lieu thereof the numeral "6".

8 6. Page 4, line 26, by striking the words and num-
9 eral "and three (3)" and inserting in lieu thereof the
10 words and numerals "three (3), and four (4)".

QUENTIN V. ANDERSON

1 Amend Senate File 417 as follows:

2 1. Page 2, line 7, by striking the word "Butler,".

3 2. Page 2, line 10, by adding after the word "Floyd," the
4 word "Butler,".

VERNON H. KYHL

1 Amend Senate File 417 as follows:

2 1. Page 3, line 2, by inserting after the word "be"
3 the words "divided into subdistricts".

4 2. Page 3, by striking line 27 and inserting in
5 lieu thereof the following:

6 "and Lee.

7 Only electors residing within election sub-
8 districts shall vote for purposes of retention or
9 rejection of judges residing in those subdistricts."

QUENTIN V. ANDERSON

1 Amend Senate File 417 as follows:

2 1. Page 4, by adding after line 20 the following
3 new section:

4 Sec. 4. DELEGATION BY CHIEF JUDGE IN SUBDISTRICTS.

5 In judicial election subdistricts created pursuant to
6 section one (1) of this Act, the chief judge may
7 designate a judge in either or both of the subdistricts
8 to administer the internal operation of the court in
9 that subdistrict pursuant to the rules of civil
10 procedure.

11 2. Page 4, line 21, by striking the numeral "4" and
12 inserting in lieu thereof the numeral "5".

13 3. Page 4, line 25, by striking the numeral "5"
14 and inserting in lieu thereof the numeral "6".

15 4. Page 4, line 26, by striking the words and
16 numeral "and three (3)" and inserting in lieu thereof
17 the words and numerals ", three (3), and four (4)".

QUENTIN V. ANDERSON

1 Amend Senate File 417 as follows:

2 1. Page 4, by adding after line 20 the following
3 new section:

4 Sec. 4. Section forty-six point fourteen (46.14),
5 Code 1971, is amended as follows:

6 46.14 NOMINATION. Each judicial nominating commis-
7 sion shall carefully consider the individuals available
8 for judge, and within sixty days after receiving notice
9 of a vacancy shall certify to the governor and the
10 chief justice the proper number of nominees, in alpha-
11 betical order. Such nominees shall be chosen by the
12 affirmative vote of a majority of the full statutory
13 number of commissioners upon the basis of their
14 qualifications and without regard to political affili-
15 ation. Nominees shall be members of the bar of Iowa,
16 shall be residents of the state, [or] district, *or sub-*
17 *district* of the court to which they are nominated, and
18 shall be of such age that they will be able to serve an
19 initial and one regular term of office to which they are
20 nominated before reaching the age of seventy-two years.
21 No person shall be eligible for nomination by a
22 commission as judge during the term for which he was
23 elected or appointed to that commission. Absence of a
24 commissioner or vacancy upon the commission shall not
25 invalidate a nomination. The chairman of the commis-

Page 2

1 sion shall promptly certify the names of the nominees,
2 in alphabetical order, to the governor and the chief
3 justice.

4 2. Page 4, line 21, by striking the numeral "4" and
5 inserting in lieu thereof the numeral "5".

6 3. Page 4, line 25, by striking the numeral "5" and
7 inserting in lieu thereof the numeral "6".

8 4. Page 4, line 26, by striking the words and
9 numeral "and three (3)" and inserting in lieu thereof
10 the words and numerals ", three (3), and four (4)".

QUENTIN V. ANDERSON

1 Amend House File 172, as amended, passed and reprinted by the
2 House, as follows:

3 1. Page 38, line 26, by adding after the word "to" the words
4 "the general fund of the counties and also to".

5 2. Page 38, line 27, by adding after the word "to" the words
6 "the county general fund and".

7 3. Page 38, line 28, by adding after the word "each" the words
8 "rural area,".

9 4. Page 38, line 30, by adding after the word "all" the words
10 "rural areas,".

VERNON H. KYHL

On motion of Senator Lamborn, the Senate adjourned until 9:00
a.m., Tuesday, March 30, 1971.

JOURNAL OF THE SENATE

SEVENTY-NINTH DAY

SENATE CHAMBER
DES MOINES, IOWA, TUESDAY, MARCH 30, 1971

The Senate met in regular session, President pro tempore Kyhl presiding.

Prayer was offered by the Reverend Lavern Hanson, pastor of the Trinity Lutheran Church, Mason City, Iowa.

The Senate pledged allegiance to the flag.

The Journal of Monday, March 29, 1971, was approved.

PRESENTATION OF VISITORS

Senator Laverty rose on a point of personal privilege and presented to the Senate the Honorable Vera H. Shivvers, former member of the Senate from Marion County.

Senator Gilley rose on a point of personal privilege and presented to the Senate the Honorable Leslie C. Klink, former member of the Senate from Clayton County.

The Chair announced that the following visitors were present in the Senate gallery :

Sixty-six students from Lake City Junior High School, Lake City, Iowa, accompanied by their instructors, Mr. Core and Mr. Wunderly.

Forty-five students from Starmont Junior High School, Strawberry Point, Iowa, accompanied by their instructor, Verle Jones.

Fourteen students from Western Dubuque High School, Dubuque, Iowa, accompanied by their instructors, Paul Vaussen and Dave Deburey.

Sixty-five students from Dubuque Senior High School, Dubuque, Iowa, accompanied by their instructors, Jim Peterson and Dick Starr.

Eighty students from Saint Edwards School, Waterloo, Iowa, accompanied by their instructors, Sister Catherine, Sister Lou Ann, Tom Tenze, Terri Iutgen and Dave Sale.

Fourteen high school students from Johnson County, Iowa.

Forty students from Perry High School, Perry, Iowa, accompanied by their instructor, Donald Mathews.

Forty-four students from Visitation School, Stacyville, Iowa.

Thirty-three students from Kingsley School, Waterloo, Iowa.

Thirty-five students from the Iowa School for the Deaf, Council Bluffs, Iowa, accompanied by Don Hines.

PETITIONS

The following petitions were presented and placed on file:

By Senator Potgeter, from fifteen residents of Hardin County, opposing House File 126, relating to the soldiers relief commission.

The following petitions, opposing the repeal of the Iowa Meat and Poultry Inspection law, were received and placed on file by:

Senator Smith, from twenty-one residents of Dickinson County.

Senator Keith, from fifty-seven residents of Kossuth and Humboldt Counties.

Senator Robinson, from forty-five residents of Linn County.

INTRODUCTION OF BILLS

Senate File 438, by committee on social services, a bill for an act relating to easements on property subject to the jurisdiction of the department of social services.

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

Senate File 439, by Senator Conklin, a bill for an act relating to the sale of insurance, declaring certain acts to be unlawful, and providing penalties for violations.

Read first time and **passed on file**.

CONSIDERATION OF BILLS

Senator Lamborn asked and received unanimous consent to take up out of order Senate File 386.

Senate File 386

On motion of Senator Van Drie, Senate File 386, a bill for an act relating to assignment of group life insurance, was taken up and considered.

Senator Van Drie moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 386) the vote was:

Ayes, 40:

Anderson	Doderer	Lavery	Rhodes
Arbuckle	Erskine	Miller	Riley
Balloun	Gaudineer	Milligan	Robinson
Bass	Gilley	Neu	Shawver
Briles	Glenn	Nicholson	Smith
Brownlee	Gross	Ollenburg	Stephens
Carlson	Hill	Palmer	Tapscott
Coleman	Kennedy	Potgeter	Thordsen
Curran	Kyhl	Potter	Van Drie
DeKoster	Lamborn	Rabedeaux	Walsh

Nays, none.

Voting present, 1:

Graham

Absent or not voting, 9:

Conklin	Keith	Mowry	Shaff
Davis	Messerly	Schaben	Van Gilst
Griffin			

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

Senator Lamborn asked and received unanimous consent to take up out of order Senate File 361.

Senate File 361

On motion of Senator Potgeter, Senate File 361, a bill for an act relating to the taxation of private and professional libraries, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Potgeter moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 361) the vote was:

Ayes, 44:

Arbuckle	Erskine	Lavery	Rhodes
Balloun	Gaudineer	Messerly	Robinson
Bass	Gilley	Miller	Schaben
Briles	Glenn	Milligan	Shaff
Brownlee	Graham	Mowry	Shawver
Carlson	Gross	Nicholson	Smith
Coleman	Hill	Ollenburg	Stephens
Curran	Keith	Palmer	Tapscott
Davis	Kennedy	Potgeter	Thordsen
DeKoster	Kyhl	Potter	Van Drie
Doderer	Lamborn	Rabedeaux	Van Gilst

Nays, 2:

Riley Walsh

Absent or not voting, 4:

Anderson

Conklin

Griffin

Neu

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

SPECIAL ORDER OF BUSINESS

The hour having arrived, the Chair announced the special order of business for Senate File 417.

Senate File 417

On motion of Senator Neu, Senate File 417, a bill for an act relating to judicial redistricting, was taken up and considered.

Senator Balloun took the chair at 9:40 a.m.

Senator Hill offered the following amendment filed by him:

- 1 Amend Senate File 417 as follows:
- 2 1. Page 2, by striking lines 4 through 35,
- 3 inclusive, and page 3, by striking lines 1 through 27,
- 4 inclusive, and inserting in lieu thereof the following:
- 5 "For judicial purposes the state is divided into
- 6 twelve judicial districts as follows:
- 7 The first district shall consist of the counties of
- 8 Lee, Van Buren, Jefferson, Henry, Des Moines, and
- 9 Louisa.
- 10 The second district shall consist of the counties of
- 11 Davis, Appanoose, Wayne, Decatur, Ringgold, Union,
- 12 Clarke, Lucas, Monroe and Wapello.
- 13 The third district shall consist of the counties of
- 14 Taylor, Page, Fremont, Mills, Montgomery, Adams, Cass,
- 15 Pottawattamie, Harrison, Shelby, and Audubon.
- 16 The fourth district shall consist of the counties of
- 17 Crawford, Monona, Woodbury, Plymouth, Cherokee, Ida,
- 18 and Sac.
- 19 The fifth district shall consist of the counties of
- 20 Marion, Warren, Madison, Adair, Guthrie, Dallas, and
- 21 Polk.
- 22 The sixth district shall consist of the counties of
- 23 Washington, Keokuk, Mahaska, Johnson, Iowa, Poweshiek,
- 24 and Jasper.
- 25 The seventh district shall consist of the counties of

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- 1 Cedar, Jones, Linn, Benton, Tama, and Marshall.
- 2 The eighth district shall consist of the counties of
- 3 Scott, Muscatine, Clinton, Jackson, and Dubuque.
- 4 The ninth district shall consist of the counties of
- 5 Delaware, Buchanan, Black Hawk, Grundy, Butler, Bremer,
- 6 Fayette, Clayton, Allamakee, Winneshiek, Howard, and
- 7 Chickasaw.
- 8 The tenth district shall consist of the counties of
- 9 Story, Boone, Greene, Carroll, Calhoun, Humboldt,

- 10 Webster, Hamilton, and Hardin.
- 11 The eleventh district shall consist of the counties
- 12 of Franklin, Wright, Kossuth, Hancock, Cerro Gordo,
- 13 Floyd, Mitchell, Worth, and Winnebago.
- 14 The twelfth district shall consist of the counties
- 15 of Pocahontas, Buena Vista, Palo Alto, Clay, O'Brien,
- 16 Sioux, Lyon, Osceola, Dickinson, and Emmet."
- 17 2. Page 3, line 33, by striking the word "election".
- 18 3. Page 4, line 11, by striking the word "election".
- 19 4. Page 4, line 19, by striking the word "election".

President pro tempore Kyhl took the chair at 9:55 a.m.

Senator Briles offered the following amendment to the amendment and moved its adoption:

- 1 Amend the Hill amendment, filed March 29, 1971, to Senate
- 2 File 417 as follows:
- 3 1. Page 1, by adding in line 10 after the second word
- 4 "of" the words "Adams, Taylor,".
- 5 2. Page 1, by striking the word "Taylor," and the word
- 6 "Adams," where they appear in line 14.
- 7 3. Page 1, by adding in line 13 after the second word
- 8 "of" the words "Adair, Guthrie,".
- 9 4. Page 1, line 20, by striking the words "Adair,
- 10 Guthrie,".

Division was called for.

The amendment to the amendment lost.

Senator Hill moved the adoption of his amendment and called for a division.

The amendment lost.

Senator Balloun took the chair at 10:55 a.m.

Senator Kyhl offered the following amendment and moved its adoption:

- 1 Amend Senate File 417 as follows:
- 2 1. Page 2, line 7, by striking the word "Butler,".
- 3 2. Page 2, line 10, by adding after the word "Floyd," the
- 4 word "Butler,".

Division was called for.

The amendment lost.

President pro tempore Kyhl took the chair at 11:07 a.m.

Senator Anderson offered the following amendment filed by him:

- 1 Amend Senate File 417 as follows:
- 2 1. Page 3, line 2, by inserting after the word "be"
- 3 the words "divided into subdistricts".
- 4 2. Page 3, by striking line 27 and inserting in
- 5 lieu thereof the following:

6 "and Lee.

7 Only electors residing within election sub-
8 districts shall vote for purposes of retention or
9 rejection of judges residing in those subdistricts."

Senator Anderson moved the adoption of his amendment and called for a division.

The amendment lost.

Senator Anderson offered the following amendment filed by him :

1 Amend Senate File 417 as follows:

2 1. Page 4, by adding after line 20 the following
3 new section:

4 Sec. 4. DELEGATION BY CHIEF JUDGE IN SUBDISTRICTS.

5 In judicial election subdistricts created pursuant to
6 section one (1) of this Act, the chief judge may
7 designate a judge in either or both of the subdistricts
8 to administer the internal operation of the court in
9 that subdistrict pursuant to the rules of civil
10 procedure.

11 2. Page 4, line 21, by striking the numeral "4" and
12 inserting in lieu thereof the numeral "5".

13 3. Page 4, line 25, by striking the numeral "5".
14 and inserting in lieu thereof the numeral "6".

15 4. Page 4, line 26, by striking the words and
16 numeral "and three (3)" and inserting in lieu thereof
17 the words and numerals ", three (3), and four (4)".

Senator Anderson moved the adoption of his amendment and called for a division.

The amendment lost.

Senator Anderson offered the following amendment filed by him :

1 Amend Senate File 417 as follows:

2 1. Page 4, by adding after line 20 the following
3 new section:

4 Sec. 4. Section forty-six point fourteen (46.14),
5 Code 1971, is amended as follows:

6 46.14 NOMINATION. Each judicial nominating commis-
7 sion shall carefully consider the individuals available
8 for judge, and within sixty days after receiving notice
9 of a vacancy shall certify to the governor and the
10 chief justice the proper number of nominees, in alpha-
11 betical order. Such nominees shall be chosen by the
12 affirmative vote of a majority of the full statutory
13 number of commissioners upon the basis of their
14 qualifications and without regard to political affili-
15 ation. Nominees shall be members of the bar of Iowa,
16 shall be residents of the state, [or] district, or sub-
17 district of the court to which they are nominated, and
18 shall be of such age that they will be able to serve an
19 initial and one regular term of office to which they are

20 nominated before reaching the age of seventy-two years.
21 No person shall be eligible for nomination by a
22 commission as judge during the term for which he was
23 elected or appointed to that commission. Absence of a
24 commissioner or vacancy upon the commission shall not
25 invalidate a nomination. The chairman of the commis-

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1 sion shall promptly certify the names of the nominees,
2 in alphabetical order, to the governor and the chief
3 justice.
4 2. Page 4, line 21, by striking the numeral "4" and
5 inserting in lieu thereof the numeral "5".
6 3. Page 4, line 25, by striking the numeral "5" and
7 inserting in lieu thereof the numeral "6".
8 4. Page 4, line 26, by striking the words and
9 numeral "and three (3)" and inserting in lieu thereof
10 the words and numerals ", three (3), and four (4)".

President Jepsen took the chair at 11:32 a.m.

Senator Anderson moved the adoption of his amendment and called for a division.

The amendment lost.

Senator Anderson asked and received unanimous consent to withdraw the following amendment:

1 Amend Senate File 417 as follows:
2 1. Page 3, by adding after line 27 the following:
3 "Sec. 2. Section six hundred four point eight
4 (604.8), subsection two (2), Code 1971, is amended as
5 follows:
6 2. The number of judgeships to which each of the
7 judicial districts shall be entitled shall be determined
8 from time to time according to the following formula,
9 giving equal weight to cases filed and population: In
10 districts containing a city of fifty thousand or more
11 population, there shall be one judgeship per five hun-
12 dred fifty combined civil and criminal filings and forty
13 thousand population, or major fraction of either; in all
14 other districts there shall be one judgeship per four
15 hundred fifty combined civil and criminal filings and
16 forty thousand population, or major fraction of either;
17 provided, the seat of government shall be entitled to
18 one additional judgeship *and no judicial election sub-*
19 *district shall have fewer than two judgeships.* The
20 figures on filings shall be the average for the latest
21 available previous three-year period and when current
22 census figures on population are not available, figures
23 shall be taken from the state department of health
24 computations."
25 2. Page 3, line 28, by striking the numeral "2" and

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- 1 inserting in lieu thereof the numeral "3".
- 2 3. Page 4, line 6, by striking the numeral "3" and
- 3 inserting in lieu thereof the numeral "4".
- 4 4. Page 4, line 21, by striking the numeral "4" and
- 5 inserting in lieu thereof the numeral "5".
- 6 5. Page 4, line 25, by striking the numeral "5" and
- 7 inserting in lieu thereof the numeral "6".
- 8 6. Page 4, line 26, by striking the words and num-
- 9 eral "and three (3)" and inserting in lieu thereof the
- 10 words and numerals "three (3), and four (4)".

Senator Curran offered the following amendment by Senators Keith, et al.:

- 1 Amend Senate File 417 as follows:
- 2 1. Page 2, line 7, by striking the word "Butler,".
- 3 2. Page 2, line 8, by striking the word "Bremer,".
- 4 3. Page 2, by striking line 10 and inserting in lieu
- 5 thereof the words "Mitchell, Floyd, Butler, Bremer,
- 6 Worth, Winnebago, Hancock, Cerro".
- 7 4. Page 2, line 14, by inserting before the word
- 8 "Emmet" the word "Kossuth,".
- 9 5. Page 3, line 5, by striking the word "Butler,".
- 10 6. Page 3, line 6, by striking the word "Bremer,".
- 11 7. Page 3, by striking line 8 and inserting in lieu
- 12 thereof the words "Mitchell, Floyd, Butler, Bremer,
- 13 Worth, Winnebago, Hancock, Cerro".
- 14 8. Page 3, line 13, by inserting after the words
- 15 "counties of" the word "Kossuth".

Senator Curran moved the adoption of the amendment and called for a division.

The amendment lost.

Senator Neu offered the following amendment and moved its adoption:

- 1 Amend Senate File 417, page 1, line 1, by inserting after the
- 2 word "redistricting" the following: "and judicial nominating
- 3 commissions".

The amendment was adopted.

Senator Neu moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 417) the vote was:

Ayes, 35:

Arbuckle	Davis	Hill	Mowry
Balloun	DeKoster	Kennedy	Neu
Bass	Doderer	Lamborn	Nicholson
Carlson	Gaudineer	Messerly	Palmer
Coleman	Glenn	Miller	Potgeter
Conklin	Griffin	Milligan	Potter

Rabedeaux
Riley
Robinson

Schaben
Shaff
Shawver

Tapscott
Thordsen
Van Drie

Van Gilst
Walsh

Nays, 13:

Anderson
Briles
Brownlee
Curran

Erschine
Gilley
Graham

Gross
Keith
Kyh

Laverty
Ollenburger
Smith

Absent or not voting, 2:

Rhodes

Stephens

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

Senator Neu asked and received unanimous consent that Senate File 417 be immediately messaged to the House, which request was complied with.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Rhodes, from the joint committee on enrolled bills, submitted the following report and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: House Files 15, 25, 31, 140 and 141.

JOHN C. RHODES
Chairman, Senate Committee
ELIZABETH R. MILLER
Chairman, House Committee

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate the following bills: House Files 15, 25, 31, 140 and 141.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File 268, a bill for an act relating to the issuance and use of distress flags by handicapped persons.

Also: That the House has adopted and agreed to the following joint resolution in which the concurrence of the Senate is asked:

House Joint Resolution 15, a joint resolution ratifying a proposed amendment to the Constitution of the United States relating to extending the right to vote to citizens eighteen years of age or older.

WILLIAM R. KENDRICK, Chief Clerk

INTRODUCTION OF BILLS

Senate File 440, by Senators Potgeter and Potter, a bill for an act relating to the tax on services.

Read first time and **passed on file**.

Senate File 441, by committee on transportation, a bill for an act relating to the dispossession of a landowner under condemnation proceedings for highway purposes.

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

Senate File 442, by Senator Riley, a bill for an act relating to the investment of funds of public bodies.

Read first time and **passed on file**.

HOUSE MESSAGES CONSIDERED

House Joint Resolution 15, a joint resolution ratifying a proposed amendment to the Constitution of the United States relating to extending the right to vote to citizens eighteen years of age or older.

Read first time and **passed on file**.

House File 268, a bill for an act relating to the issuance and use of distress flags by handicapped persons and providing penalties for violations thereof.

Read first time and **passed on file**.

On motion of Senator Lamborn, the Senate recessed until 1:30 p.m.

AFTERNOON SESSION

The Senate reconvened, President Jepsen presiding.

REPORTS OF INVESTIGATING COMMITTEES

Senator Carlson submitted the following report and moved its adoption:

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of William H. Huff III of Des Moines, Polk County, Iowa, for appointment as Commissioner of Insurance for the State of Iowa under the provisions of section 505.2, 1971 Code of Iowa, for the regular four-year term beginning July 1, 1971, and ending June 30, 1975, begs leave to report

that it has made investigation and recommends that the appointment be confirmed.

REINHOLD O. CARLSON, Chairman
 QUENTIN V. ANDERSON
 JAMES W. GRIFFIN, SR.
 JOHN E. TAPSCOTT
 JAMES E. BRILES

The motion prevailed and the report was adopted.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 45:

Anderson	Erskine	Lamborn	Riley
Arbuckle	Gaudineer	Miller	Schaben
Balloun	Gilley	Milligan	Shaff
Bass	Glenn	Mowry	Shawver
Briles	Graham	Neu	Smith
Brownlee	Griffin	Nicholson	Stephens
Carlson	Gross	Ollenburg	Tapscott
Conklin	Hill	Palmer	Thordsen
Curran	Keith	Potgeter	Van Drie
Davis	Kennedy	Potter	Van Gilst
DeKoster	Kyhl	Rabedaux	Walsh
Doderer			

Nays, none.

Absent or not voting, 5:

Coleman	Messerly	Rhodes	Robinson
Laverty			

President Jepsen declared the appointment of William H. Huff III as Commissioner of Insurance confirmed for the regular four-year term ending June 30, 1975.

Senator Mowry submitted the following report and moved its adoption:

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Maurice Van Nostrand of Des Moines, Polk County, Iowa for appointment as a member of the Iowa State Commerce Commission, under the provisions of Section 474.2 of the 1971 Code of Iowa, for the regular six-year term beginning July 1, 1971 and ending June 30, 1977 begs leave to report that it has made investigation and recommends that the appointment be confirmed.

JOHN L. MOWRY, Chairman
 EARL G. BASS
 JAMES E. BRILES
 JAMES F. SCHABEN
 ARTHUR A. NEU

The motion prevailed and the report was adopted.

On the question "Shall the appointee be confirmed?" the vote was:

Rule 24 was invoked.

Ayes, 43:

Anderson	Erskine	Lamborn	Riley
Arbuckle	Gaudineer	Laverty	Robinson
Bass	Gilley	Messerly	Schaben
Briles	Glenn	Miller	Shaff
Brownlee	Graham	Milligan	Shawver
Carlson	Griffin	Mowry	Tapscott
Coleman	Gross	Neu	Thordsen
Conklin	Hill	Palmer	Van Drie
Davis	Keith	Potgeter	Van Gilst
DeKoster	Kennedy	Potter	Walsh
Doderer	Kyhl	Rhodes	

Nays, 6:

Balloun	Ollenburg	Smith	Stephens
Nicholson	Rabedeaux		

Absent or not voting, 1:

Curran

President Jepsen declared the appointment of Maurice Van Nostrand as a member of the Iowa State Commerce Commission confirmed for the regular six-year term ending June 30, 1977.

Senator Erskine submitted the following report and moved its adoption:

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Mr. Jules M. Busker of Sioux City, Woodbury County, Iowa for appointment as a member of the Iowa State Highway Commission under the provisions of Section 307.2, 1971 Code of Iowa, for the regular four-year term beginning July 1, 1971 and ending June 30, 1975 begs leave to report that it has made investigation and recommends that the appointment be confirmed.

ALDEN J. ERSKINE, Chairman
 LUCAS JAMES DeKOSTER
 J. WESLEY GRAHAM
 G. WILLIAM GROSS
 MARVIN W. SMITH

The motion prevailed and the report was adopted.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 49:

Anderson	Gaudineer	Messerly	Riley
Arbuckle	Gilley	Miller	Robinson
Balloun	Glenn	Milligan	Schaben
Bass	Graham	Mowry	Shaff
Briles	Griffin	Neu	Shawver
Brownlee	Gross	Nicholson	Smith
Carlson	Hill	Ollenburg	Stephens
Coleman	Keith	Palmer	Tapscott
Conklin	Kennedy	Potgeter	Thordsen
Davis	Kyhl	Potter	Van Drie
DeKoster	Lamborn	Rabedeaux	Van Gilst
Doderer	Laverty	Rhodes	Walsh
Erskine			

Nays, none.

Absent or not voting, 1:

Curran

President Jepsen declared the appointment of Jules M. Busker as a member of the Iowa State Highway Commission confirmed for the regular four-year term ending June 30, 1975.

CONSIDERATION OF JOINT RESOLUTION

Senator Lamborn asked and received unanimous consent to take up for immediate consideration House Joint Resolution 15.

House Joint Resolution 15

On motion of Senator Riley, House Joint Resolution 15, a joint resolution ratifying a proposed amendment to the Constitution of the United States relating to extending the right to vote to citizens eighteen years of age or older, was taken up and considered.

Senator Riley moved that the resolution be read the last time now, which motion prevailed, and the resolution was read the last time.

House Joint Resolution 15, A Joint Resolution ratifying a proposed amendment to the Constitution of the United States relating to extending the right to vote to citizens eighteen years of age or older.

WHEREAS, The Ninety-second (92nd) Congress of the United States has passed a Joint Resolution proposing an amendment to the Constitution of the United States relating to extending the right to vote to citizens eighteen years of age or older; and

WHEREAS, This Joint Resolution passed the Senate of the United States on March 10, 1971, passed the House of Representatives of the United States on March 23, 1971, and now has been submitted to a vote of the States and reads:

“JOINT RESOLUTION

Proposing an amendment to the Constitution of the United States extending the right to vote to citizens eighteen years of age or older.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States within seven years from the date of its submission by the Congress:

"ARTICLE.....

"Section 1. The right of citizens of the United States, who are eighteen years of age or older, to vote shall not be denied or abridged by the United States or by any State on account of age.

"Sec. 2. The Congress shall have power to enforce this article by appropriate legislation."

Be It Resolved by the General Assembly of the State of Iowa:

That the foregoing proposed amendment to the Constitution of the United States is hereby ratified and consented to by the State of Iowa and the General Assembly thereof; and

Be It Further Resolved that the Governor of the State of Iowa forward certified copies of this resolution over the Seal of the State of Iowa to the Secretary of State of the United States, to the Presiding Officer of the Senate of the United States, to the Speaker of the House of Representatives of the United States, and to the administrator of the United States General Services Administration.

On the question "Shall the resolution be adopted?" (H.J.R. 15) the vote was:

Ayes, 44:

Anderson	Erschine	Laverty	Riley
Balloun	Gaudineer	Messerly	Robinson
Briles	Gilley	Miller	Schaben
Brownlee	Glenn	Milligan	Shaff
Carlson	Graham	Neu	Shawver
Coleman	Griffin	Ollenburg	Smith
Conklin	Gross	Palmer	Tapscott
Curran	Keith	Potgeter	Thordsen
Davis	Kennedy	Potter	Van Drie
DeKoster	Kyhl	Rabedeaux	Van Gilst
Doderer	Lamborn	Rhodes	Walsh

Nays, 6:

Arbuckle	Hill	Nicholson	Stephens
Bass	Mowry		

Absent or not voting, none.

The resolution having received a constitutional majority was adopted and agreed to and the foregoing proposed amendment to the Constitution of the United States was hereby declared ratified and consented to by the Senate.

SENATE JOINT RESOLUTION WITHDRAWN

Senator Smith asked and received unanimous consent that **Senate Joint Resolution 7** be withdrawn from further consideration of the Senate.

MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate File 365, a bill for an act to provide for this state to enter into the midwest nuclear compact.

WILLIAM R. KENDRICK, Chief Clerk

ANNOUNCEMENT BY PRESIDENT OF THE SENATE

President Jepsen announced the appointment of the following Senators to a special committee on acquisition of Terrace Hill:

Senator Lamborn, Chairman

Senator Davis

Senator Gaudineer

Senator Conklin

Senator Schaben

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on March 29, 1971, the Governor approved and transmitted to the Secretary of State the following bill:

S. F. 179 Relating to the expenditure and appropriation of state funds.

PROOFS OF PUBLICATION

Published copy of Senate File 425 and verified proof of publication of said bill in The Peterson Patriot for one week, commencing March 11, 1971, was filed with the Secretary of the Senate prior to the time said bill was placed on passage in the Senate.

Published copy of Senate File 426 and verified proof of publication of said bill in The Des Moines Register, March 18, 1971, was filed with the Secretary of the Senate prior to the time said bill was placed on passage in the Senate.

CARROLL A. LANE

Secretary of the Senate

REPORTS OF COMMITTEES

Senator Thordsen submitted the following report:

MR. PRESIDENT: Your committee on law enforcement, to which was referred **Senate File 335**, a bill for an act to require higher bail for persons accused of violent crimes, begs leave to report it has had the same under consideration and recommends the same **be amended in accordance with the Mowry amendment filed March 5, 1971, and found on page 445 of the Senate Journal, and when so amended, the bill do pass.**

HAROLD A. THORSEN, Chairman

Ordered passed on file.

Senator Potgeter submitted the following reports:

MR. PRESIDENT: Your committee on state government, to which was referred **Senate Concurrent Resolution 25**, a concurrent resolution regarding a

committee to study the creation of a department of transportation, begs leave to report it has had the same under consideration and recommends the same **do pass**.

JAMES A. POTGETER, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on state government, to whom was referred **Senate File 418**, a bill for an act relating to benefits for veterans in state employment, begs leave to report it has had the same under consideration and recommends the same **do pass**.

JAMES A. POTGETER, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on state government, to whom was referred **House File 37**, a bill for an act authorizing a public agency to dispose of an interest in property, begs leave to report it has had the same under consideration and recommends the same **do pass**.

JAMES A. POTGETER, Chairman

Ordered passed on file.

AMENDMENTS FILED

1 Amend Senate File 180 as follows:

2 1. By adding the following new sentence after the
3 period in line 8: *"If such an action is commenced and
4 the claim paid off before return date, the court shall
5 allow and tax a reasonable attorney's fee as part of the
6 cost; but no fee shall be allowed in any case if an action
7 has not been commenced."*

8 2. By adding the following new section after line 16:

9 "Sec. 2. Section six hundred twenty-five point twenty-
10 three (625.23), Code 1971, is hereby repealed."

TOM RILEY

JAMES W. GRIFFIN, SR.

1 Amend the Shawver and Conklin amendment filed March 25, 1971
2 to Senate File 259, page 2, line 19 by striking "five" and
3 inserting in lieu thereof "six".

ALDEN J. ERSKINE

1 Amend Senate File 280 as follows:

2 1. Page 2, by striking line 5, and inserting the following:

3 a. To the extent provided by the federal Consumer
4 Credit Protection Act, Title III. The term "Consumer
5 Credit Protection Act" means the Act of congress
6 approved May 29, 1968, 82 stat. 163, officially
7 cited as the "Consumer Credit Protection Act,"
8 Title III.

9 2. Page 2, by striking lines 13 and 14, and inserting the
10 following:

11 c. Discharge any individual by reason of the fact that

12 his earnings have been subjected to garnishment for
13 any one indebtedness.
14 3. Page 2, line 15, by inserting after the word "earned" the
15 words "and due".

TOM RILEY

1 Amend Senate File 297 by adding thereto the following new
2 sections, and renumbering the remaining section:
3 Sec. 3. Section three hundred twenty-one point three hundred
4 eighty-one (321.381), Code 1971, is amended as follows:
5 321.381 Scope and effect of regulations. It is a misdemeanor,
6 punishable as provided in section 321.482, for any person to drive
7 or move or for the owner to cause or knowingly permit to be driven
8 or moved on any highway any vehicle or combination of vehicles which
9 is in such unsafe condition as to endanger any person, or which does
10 not contain those parts or is not at all times equipped with such
11 lamps and other equipment in proper condition and adjustment as
12 required in this chapter, *or which is equipped with one or more*
13 *unsafe tires*, or which is equipped in any manner in violation of
14 this chapter.
15 Sec. 4. Section three hundred twenty-one point four hundred
16 forty (321.440), Code 1971, is amended as follows:
17 321.440 Restrictions as to tire equipment. Every solid rubber
18 tire on a vehicle shall have rubber on its entire traction surface
19 at least one inch thick above the edge of the flange of the entire
20 periphery. [No pneumatic tire shall be used on a motor vehicle
21 when such tire is worn to the extent that more than two layers of
22 fabric or cords are exposed on the entire traction surface.] *Any*
23 *pneumatic tire on a vehicle shall be considered unsafe if it has:*

Page 2

1 1. Any part of the ply or cord exposed;
2 2. Any bump, bulge or separation;
3 3. A tread design depth of less than two thirty-seconds
4 (2/32nds) one-sixteenth (1/16th) of an inch measured in any
5 two or more adjacent tread grooves, exclusive of tie bars or
6 for those tires with tread wear indicators; been worn to the
7 level of the tread wear indicators in any two tread grooves;
8 4. A marking 'not for highway use', 'for racing purposes
9 only', 'unsafe for highway use';
10 5. Tread or sidewall cracks, cuts or snags deep enough to
11 expose the body cord;
12 6. Such other conditions as may be reasonably demonstrated
13 to render it unsafe; or
14 7. Been regrooved or re-cut below the original tread design
15 depth, excepting special taxi tires which have extra undertread
16 rubber and are identified as such.
17 Sec. 5. Section three hundred twenty-one point four hundred
18 ninety-two (321.492), Code 1971, is amended as follows:
19 321.492 Peace officers' authority. Any peace officer is
20 authorized to stop any vehicle to require exhibition of the driver's
21 operator or chauffeur license, to serve a summons or memorandum of
22 traffic violation, to inspect the condition of the vehicle, to
23 inspect the vehicle with reference to size, weight, cargo, bills

24 of lading or other manifest of employment, tires and safety equip-
25 ment, or to inspect the registration certificate, the compensation

Page 3

1 certificate, travel order, or permit of such vehicle.

W. R. RABEDEAUX
HAROLD A. THORDSEN
VERNON H. KYHL

1 Amend the Rabedeaux, et al., amendment filed March 30, 1971,
2 to Senate File 297 as follows:

3 1. Page two, line three, by striking the words, and figures
4 "*two thirty-seconds (2/32nds)*".

5 2. Page two, line five, by adding a "comma (,)" after the
6 second word "*or*".

7 3. Page two, line six, by striking the word "*; been*", and in-
8 serting in lieu thereof a "comma (,)".

W. R. RABEDEAUX

1 Amend Senate File 306 as follows:

2 1. Page 3, line 6, by striking the word, "*license.*"
3 and by inserting in lieu thereof the following:

4 "*current license. A violation thereof shall be*
5 *punishable by imprisonment in the county jail for*
6 *not more than thirty (30) days or fined not more*
7 *than one hundred dollars (\$100.00). In addition*
8 *thereto the department may seek an injunction*
9 *against such person, fiduciary, firm, cooperative*
10 *burial association or corporation.*"

11 2. Page 3, line 20, by striking the word, "*annually*"
12 and by inserting in lieu thereof the words "*at least*
13 *annually and not less than thirty days before the date for*
14 *renewal of such license,*".

15 3. Page 3, line 25, by inserting after the word, "*health.*"
16 the following:

17 *Initially the department may waive the inspection*
18 *and license a funeral home for more than one year*
19 *but not to exceed two years in order to place the*
20 *inspection and licensing of the various funeral*
21 *homes on a staggered basis throughout the year.*
22 *Thereafter, such inspection and licensing shall be*
23 *upon an annual basis.*"

24 4. Page 4, line 9, by inserting after the word "*homes.*"
25 the following:

Page 2

1 *If such fund upon June 30th of any year after*
2 *June 30, 1973, exceeds five thousand dollars, the*
3 *amount in excess thereof shall be paid into the*
4 *general fund.*"

5 5. Page 1, line 1, by adding after the word "*homes.*"
6 the words, "*and to provide a penalty.*"

LEE H. GAUDINEER, JR.
JOHN E. TAPSCOTT
EARL G. BASS

1 Amend Senate File 389 as follows:

2 1. Line 12, by inserting after the word "within" the
3 words "or without".

4 2. Line 13, by inserting after the word "Iowa" the
5 words "or as may be otherwise provided by Chapter four
6 hundred nineteen (419) of the Code".

RALPH W. POTTER
LUCAS J. DeKOSTER

1 Amend Senate File 392, page 4, line 1, by inserting after
2 the word "moved" the word "interstate".

QUENTIN V. ANDERSON

1 Amend Senate File 392, page 4, by striking all of lines
2 19 through 22 and inserting in lieu thereof the following:
3 "All native swine sold as feeders or for slaughter or
4 to move direct from farm to farm and swine sold at Iowa
5 auction markets are exempt from identification requirements.

QUENTIN V. ANDERSON

1 Amend Senate File 427, page 2, line 2, by striking the
2 word "eleven" and inserting in lieu thereof the word "three".

JAMES A. POTGETER

1 Amend Senate File 432 as follows:

2 1. Line 6, by striking the word "mortgagee" and in-
3 serting in lieu thereof the word "mortgagor".

4 2. Line 7, by striking the words "mortgagor shall be
5 paid by the mortgagor" and inserting in lieu thereof the
6 words "mortgagee shall be paid by the mortgagee".

7 3. Line 8, by striking the word "mortgagor" and in-
8 serting in lieu thereof the word "mortgagee".

9 4. Line 10, by striking the word "mortgagee" and
10 inserting in lieu thereof the word "mortgagor".

11 5. Line 13, by striking the word "mortgagee" and
12 inserting in lieu thereof the word "mortgagor".

13 6. Line 15, by striking the word "mortgagor" and
14 inserting in lieu thereof the word "mortgagee".

15 7. Line 18, by striking the word "mortgagor" and
16 inserting in lieu thereof the word "mortgagee".

17 8. Line 19, by striking the word "mortgagor" and
18 inserting in lieu thereof the word "mortgagee".

19 9. Line 20, by striking the words "mortgagee to the
20 mortgagor" and inserting in lieu thereof the words
21 "mortgagor to the mortgagee".

22 10. Line 23, by striking the words "mortgagee by the
23 mortgagor" and inserting in lieu thereof the words
24 "mortgagor by the mortgagee".

RALPH W. POTTER

1 Amend House File 216 as follows:

2 1. Page 2, by striking in line 21 the words "*from the*
3 *county conservation fund.*" and by striking lines 22, 23 and 24
4 and inserting in lieu thereof the words "*obtained by gift or*
5 *donation*".

6 2. Page 2, lines 26 and 27, by striking the words "and

7 under such regulations as the county conservation board may
8 prescribe" and inserting "[and under such regulations as the
9 county conservation board may prescribe]".
10 3. Page 3, lines 5 and 6, by striking the words "[the
11 same] *them, including buildings for administrative and maintenance*
12 *purposes*" and inserting in lieu thereof the words "the same".

JAMES A. POTGETER

On motion of Senator Lamborn, the Senate adjourned until 9:00
a.m., Wednesday, March 31, 1971.

JOURNAL OF THE SENATE

EIGHTIETH DAY

SENATE CHAMBER
DES MOINES, IOWA, WEDNESDAY, MARCH 31, 1971

The Senate met in regular session, President pro tempore Kyhl presiding.

Prayer was offered by the Reverend Richard Johnson, pastor of the Presbyterian Church, Steamboat Rock, Iowa.

The Senate pledged allegiance to the flag.

The Journal of Tuesday, March 30, 1971, was approved.

PRESENTATION OF VISITORS

The Chair announced that the following visitors were present in the Senate gallery:

Forty-nine students from North Mahaska Community School, New Sharon, Iowa, accompanied by their instructors, Anita Seitsinger, Albert Stewart, Keith Miller.

Eleven students from Alden Community School, Alden, Iowa, accompanied by their instructor, Janet Ziesman.

Sixty-six students from Rolling Green Elementary School, Urbandale, Iowa, accompanied by their instructors, Mrs. Brady and Mrs. Johnson.

Forty-six students from Schleswig Community High School, Schleswig, Iowa, accompanied by their instructor, Mr. Silkman.

Twenty students from Decorah Public School, Decorah, Iowa, accompanied by their instructor, Gary Engebretson.

Forty students from Pleasantville High School, Pleasantville, Iowa, accompanied by their instructors, Marvin Cook and James Hoffman.

Seventy students from Manson High School, Manson, Iowa, accompanied by their instructors, Mr. Mays and Mr. Van Sickle.

Twenty-two students from Bunger Junior High School, Evansdale, Iowa, accompanied by their instructor, Robert White.

PETITIONS

The following petitions were presented and placed on file:

By Senator Kennedy, from two hundred forty-five residents of Dubuque, Clayton, and Allamakee Counties opposing House File 197, allowing duplicate utility services within the city limits of annexed areas, and permitting special tax treatment of rural distribution property.

By Senator Shawver, from thirty-nine residents of Chickasaw County, opposing the repeal of the Iowa meat and poultry inspection law.

By Senator Lamborn, from thirty-four residents of Jones County, favoring legislation requiring negotiations between public employers and their employees.

By Senator Lamborn, from twenty-seven residents of Jackson County, opposing House File 185, prohibiting widows of veterans from living at the Iowa Soldiers Home, Marshalltown, Iowa.

MOTIONS TO RECONSIDER

House File 194

Senator Doderer called up the following motion to reconsider filed by her on March 23, 1971 and moved its adoption:

MR. PRESIDENT: I move to reconsider the vote by which House File 194 passed the Senate.

On the question "Shall the motion to reconsider be adopted?" (H.F. 194) the vote was:

Ayes, 34:

Anderson	Gaudineer	Milligan	Schaben
Balloun	Glenn	Neu	Shaff
Briles	Graham	Nicholson	Smith
Brownlee	Hill	Palmer	Stephens
Carlson	Kennedy	Potter	Tapscott
Coleman	Kyhl	Rabedaux	Thordsen
Curran	Lamborn	Riley	Van Drie
Davis	Lavery	Robinson	Walsh
Doderer	Miller		

Nays, 3:

Gilley	Gross	Mowry
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Voting present, 1:

Arbuckle

Absent or not voting, 12:

Bass	Erskine	Messerly	Rhodes
Conklin	Griffin	Ollenburg	Shawver
DeKoster	Keith	Potgeter	Van Gilst

The motion having received a constitutional majority prevailed.

Senator Doderer moved to reconsider the vote by which House File 194 went to its last reading, which motion prevailed.

On motion of Senator Doderer, House File 194, a bill for an act relating to county contingent funds, was taken up for further consideration.

Senator Doderer offered the following amendment filed by Senators Doderer, Briles and Miller and moved its adoption:

- 1 Amend House File 194 as follows:
- 2 1. Lines 5 and 6 by striking the words "On December
- 3 thirty-first following the effective date of this
- 4 Act, if", and inserting the word "If".
- 5 2. By striking all after the period in line 11,
- 6 and all of lines 12 through 20, inclusive, and
- 7 inserting a quotation mark.

The amendment was adopted.

Senator Messerly moved to reconsider the vote by which the Balloun amendment failed to be adopted by the Senate on March 23, 1971.

The Chair called for a division.

The motion lost.

Senator Gilley moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 194) the vote was:

Rule 24 was invoked.

Ayes, 20:

Arbuckle	Gaudineer	Milligan	Robinson
Briles	Glenn	Neu	Schaben
Coleman	Griffin	Palmer	Tapscott
DeKoster	Kennedy	Potter	Thordsen
Doderer	Miller	Riley	Walsh

Nays, 28:

Anderson	Erskine	Lamborn	Rabedeaux
Balloun	Gilley	Laverty	Rhodes
Brownlee	Graham	Messerly	Shaff
Carlson	Gross	Mowry	Shawver
Conklin	Hill	Nicholson	Smith
Curran	Keith	Ollenburg	Stephens
Davis	Kyhl	Potgeter	Van Drie

Absent or not voting, 2:

Bass	Van Gilst
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The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

Senate File 260

Senator Briles called up the following motion to reconsider filed by him on March 25, 1971:

MR. PRESIDENT: I move to reconsider the vote by which Senate File 260 failed to pass the Senate.

On the question "Shall the motion to reconsider be adopted?" (S.F. 260) the vote was:

Ayes, 31:

Anderson	Doderer	Lamborn	Rabedeaux
Arbuckle	Erskine	Lavery	Rhodes
Briles	Gilley	Messerly	Robinson
Carlson	Graham	Miller	Schaben
Coleman	Griffin	Nicholson	Shawver
Conklin	Keith	Ollenburg	Stephens
Curran	Kennedy	Potgeter	Walsh
Davis	Kyhl	Potter	

Nays, 14:

Balloun	Glenn	Palmer	Smith
Brownlee	Hill	Riley	Tapscott
DeKoster	Mowry	Shaff	Van Drie
Gaudineer	Neu		

Absent or not voting, 5:

Bass	Milligan	Thordsen	Van Gilst
Gross			

The motion having received a constitutional majority, prevailed.

Senator Briles moved to reconsider the vote by which Senate File 260 went to its last reading.

On motion of Senator Briles, Senate File 260, a bill for an act relating to weather modification in counties, was taken up for further consideration.

Senator Briles moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 260) the vote was:

Rule 24 was invoked.

Ayes, 27:

Anderson	Gilley	Miller	Schaben
Arbuckle	Graham	Nicholson	Shawver
Briles	Griffin	Potgeter	Stephens
Carlson	Kennedy	Potter	Tapscott
Coleman	Kyhl	Rabedeaux	Thordsen
Davis	Lamborn	Rhodes	Walsh
Doderer	Messerly	Robinson	

Nays, 16:

Balloun	Curran	Gaudineer	Gross
Brownlee	DeKoster	Glenn	Hill

Keith
MilliganMowry
NeuPalmer
RileySmith
Van Drie

Absent or not voting, 7:

Bass
ConklinErskine
LavertyOllenburg
Shaff

Van Gilst

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

UNFINISHED BUSINESS

Senate File 180

On motion of Senator Griffin, Senate File 180, a bill for an act relating to attorney fees, was taken up for further consideration.

Senator Riley offered the following amendment filed by Senators Riley and Griffin:

- 1 Amend Senate File 180 as follows:
- 2 1. By adding the following new sentence after the
- 3 period in line 8: *"If such an action is commenced and*
- 4 *the claim paid off before return date, the court shall*
- 5 *allow and tax a reasonable attorney's fee as part of the*
- 6 *cost; but no fee shall be allowed in any case if an action*
- 7 *has not been commenced."*
- 8 2. By adding the following new section after line 16:
- 9 "Sec. 2. Section six hundred twenty-five point twenty-
- 10 three (625.23), Code 1971, is hereby repealed."

Senator Glenn moved that Senate File 180 be re-referred to the committee on judiciary.

President Jepsen took the chair at 10:43 a.m.

Division was called for by Senator Glenn.

The motion prevailed and **Senate File 180** was re-referred to the committee on **judiciary**.

INTRODUCTION OF BILL

Senate File 443, by Senators Walsh, Riley, Kennedy and Griffin (Trowbridge, Kelly, Schwieger, Hill, Anania, Tieden, Knoke, Larson, Small, Priebe, Knoblauch, Mayberry, Kehe, Ellsworth, Taylor, Schwartz, Doyle, Norpel, Gluba, Kennedy, Bennett, Skinner, Mollett and Dougherty), a bill for an act relating to the sale and distribution of wine containing not more than seventeen percent alcohol by weight, declaring certain acts to be unlawful and prescribing penalties therefor.

Read first time and **passed on file**.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Rhodes, from the joint committee on enrolled bills, submitted the following report and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate Files 129 and 201.

JOHN C. RHODES
Chairman, Senate Committee
ELIZABETH R. MILLER
Chairman, House Committee

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate the following bills: Senate Files 129 and 201.

VISITOR WELCOMED

President Jepsen welcomed the Honorable Alan Shirley, former member of the Senate from Dallas County, who was present in the Senate chamber.

On motion of Senator Lamborn, the Senate recessed until 1:15 p.m.

AFTERNOON SESSION

The Senate reconvened, President pro tempore Kyhl presiding.

SENATE FILES DEFERRED

Senator Lamborn asked and received unanimous consent that action on **Senate File 293** be deferred and that the bill retain its place on the **calendar**.

Senator Lamborn asked and received unanimous consent that action on **Senate File 297** be deferred and that the bill retain its place on the **calendar**.

BILLS SENT TO THE GOVERNOR

Senator Rhodes, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 31st day of March, 1971, sent to the Governor for his approval: Senate Files 129 and 201.

JOHN C. RHODES, Chairman

Passed on file.

CONSIDERATION OF BILLS

Senate File 305

On motion of Senator Miller, Senate File 305, a bill for an act establishing a state board of residential care standards, providing for selection of members thereof, and prescribing their powers and duties, was taken up and considered.

Senator Neu offered the following amendment filed by him:

Division 1

- 1 Amend Senate File 305 as follows:
- 2 1. Page 3, line 3, by striking the period (.) after
- 3 the word "facilities" and adding ", who shall not be
- 4 operators or administrators of residential care facilities."

Division 2

- 5 2. Page 3, line 31, by striking the words "and
- 6 approve".
- 7 3. Page 3, line 35, by striking the words "and
- 8 approval".

Senator Miller called for a division of the amendment, section 1 to be considered as division 1, and sections 2 and 3 as division 2.

On motion of Senator Neu, division 1 of his amendment was adopted.

Senator Neu moved the adoption of division 2 of his amendment and called for a division.

Division 2 of the amendment lost.

Senator Gaudineer offered the following amendment:

- 1 Amend Senate File 305, page 3, line 7, by inserting
- 2 after the period (.), the following:
- 3 "The department of social services shall furnish
- 4 the board with all necessary clerical, secretarial, and
- 5 administrative help as well as necessary office equipment
- 6 and space. The board shall be within such department
- 7 for administrative purposes and be provided for in such
- 8 department's budget."

President Jepsen took the chair at 1:15 p.m.

On motion of Senator Gaudineer, the amendment was adopted.

(Senate File 305 pending.)

SENATE CONCURRENT RESOLUTION WITHDRAWN

Senator Smith asked and received unanimous consent that **Senate Concurrent Resolution 23** be withdrawn from further consideration of the Senate.

INTRODUCTION OF BILL

Senate File 444, by committee on higher education, a bill for an act relating to students fees at merged area community colleges and vocational schools.

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

ASSIGNMENT OF BILLS TO COMMITTEE

President Jepsen announced the assignment of the following bills to committee:

S. F. 439 Commerce
 S. F. 440 Ways and means
 S. F. 442 State government
 S. F. 443 Commerce
 H. F. 268 Law enforcement

COMMUNICATIONS FROM THE STATE COMPTROLLER

March 30, 1971

Mr. Carroll Lane
 Secretary of Senate
 State House
 Local

Dear Mr. Lane:

There is transmitted herewith a claim against the State of Iowa, to be filed with the claims committee of the Senate.

Index is attached showing the number of claim, name and address of claimant, amount of claim and amount approved.

Very truly yours,
 MAURICE E. BARINGER
 Chairman, State Appeal Board

Receipt of the above is hereby acknowledged.

CARROLL LANE, Secretary of the Senate

OFFICE
STATE COMPTROLLER

Claim Number	Name of Claimant and Nature of Claim	Amount of Claim	Amount Approved
1474-64-25	Bill Nerland Oil Company, 1209 Sixth Ave. S.W., Aberdeen, South Dakota— Registration Fee Refund	\$ 89.26	Disapproved

COMMUNICATIONS FROM THE STATE BOARD OF REGENTS

The current schedule of tuition and fees to be charged to the students for the biennium commencing July 1, 1971, and ending June 30, 1973, for each State university has been received and placed on file in the office of the Secretary of the Senate.

REPORTS OF COMMITTEES

Senator Potter submitted the following reports:

MR. PRESIDENT: Your committee on cities and towns, to which was referred **Senate File 77**, a bill for an act relating to the referendum for approval of low-rent housing projects, begs leave to report it has had the same under consideration and recommends the same **be amended as follows; and when so amended the bill do pass:**

1 Amend Senate File 77 as follows:

- 2 1. Page 2, line 2, by striking the words and figure
3 "and two (2)" and inserting in lieu thereof the words and
4 figures "two (2), and eight (8)".
5 2. Page 2, lines 15 through 19, by striking the words
6 "Nothing herein shall prevent such an agency, if one is
7 established by the local governing body, from making in-
8 vestigations, studies, reports and recommendations with
9 respect to the necessity for, the location and the size
10 of any proposed low-rent housing project", and inserting
11 in lieu thereof the words "[Nothing herein shall prevent
12 such an agency, if one is established by the local govern-
13 ing body, from making investigations, studies, reports and
14 recommendations with respect to the necessity for, the
15 location and size of any proposed low-rent housing project]".
16 3. Page 2, by inserting after line 20 the following:
17 "A municipality may itself exercise the powers in
18 connection with municipal housing as defined in this
19 chapter, or may, if the local governing body by resolu-
20 tion determines such action to be in the public interest,
21 elect to have such powers exercised by the low-rent hous-
22 ing agency, if one exists or is subsequently established
23 in the community. *Prior to the exercise of municipal*
24 *housing powers by the local governing body or the low-*
25 *rent housing agency, a thorough study, report, and*

Page 2

- 1 *recommendation concerning available housing within the*
2 *community shall be made public, and the local governing*
3 *body or low-rent housing agency shall include this hous-*
4 *ing report and recommendation in its consideration of*
5 *the situation. In the event the local governing body*
6 *makes such determination, the low-rent housing agency*
7 *shall be vested with all of the low-rent housing project*
8 *powers in the same manner as though all such powers were*
9 *conferred on such agency instead of the municipality.*
10 *If the local governing body does not elect to make such*
11 *determination, the municipality in its discretion may*
12 *exercise its low-rent housing project powers through a*
13 *board or commissioner, or through such officers of the*
14 *municipality as the local governing body may by resolu-*
15 *tion determine."*

RALPH W. POTTER, Chairman

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on cities and towns, to which was referred **Senate File 119**, a bill for an act relating to the salary of municipal court judges, begs leave to report it has had the same under consideration and recommends the same **be amended as follows; and when so amended the bill do pass**:

- 1 Amend Senate File 119 as follows:
- 2 Amend Senate File 119, line 7, by striking the word
- 3 "*ninety*" and inserting the word "*eighty-five*".

RALPH W. POTTER, Chairman

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on cities and towns, to which was referred **Senate File 205**, a bill for an act relating to assessments levied by drainage and levee districts, begs leave to report it has had the same under consideration and recommends the same **do pass**.

RALPH W. POTTER, Chairman

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on cities and towns, to which was referred **Senate File 282**, a bill for an act relating to the issuance of bonds by cities and towns, begs leave to report it has had the same under consideration and recommends the same **do pass**.

RALPH W. POTTER, Chairman

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on cities and towns, to which was referred **Senate File 393**, a bill for an act relating to the use of sewer rental funds, begs leave to report it has had the same under consideration and recommends the same **do pass**.

RALPH W. POTTER, Chairman

Ordered passed on file.

Senator Bass submitted the following reports:

MR. PRESIDENT: Your committee on social services to which was referred **House File 170**, a bill for an act relating to the enucleating of eyes by funeral directors or embalmers, begs leave to report it has had the same under consideration and recommends the same **do pass**.

EARL G. BASS, Chairman

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on social services to which was referred **House File 278**, a bill for an act relating to eligibility requirements for aid to dependent children, begs leave to report it has had the same under consideration and recommends the same **do pass**.

EARL G. BASS, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on social services to which was referred **House File 308**, a bill for an act relating to physical requirements for marriage license, begs leave to report it has had the same under consideration and recommends the same **do pass**.

EARL G. BASS, Chairman

Ordered passed on file.

AMENDMENTS FILED

- 1 Amend Senate File 259, page 6, line 15, by striking
- 2 "thirty" and inserting "ninety".

ALDEN J. ERSKINE

- 1 Amend the Shawver and Conklin amendment filed March 25, 1971,
- 2 to Senate File 259, page 2, line 19 by striking "five" and
- 3 inserting in lieu thereof "six", and line 21 by striking "five"
- 4 and inserting in lieu thereof "six".

ALDEN J. ERSKINE

- 1 Amend Senate File 292 as follows:
- 2 Page 3, following line 12 insert the
- 3 following new section:
- 4 "Sec. 5. The provisions of this act may be waived
- 5 providing there is mutual agreement between the
- 6 processor or distributor and the producer of the
- 7 following commodities: seed, nursery and nursery
- 8 stock, honey, apples, popcorn, white corn, sorghum,
- 9 oats, dairy products, and tomatoes".

JAMES E. BRILES

- 1 Amend the Glenn amendment filed March 29, 1971
- 2 to Senate File 292, by striking all of lines 6
- 3 through 8 and inserting in lieu thereof the
- 4 following: "or where such operation is limited
- 5 to the normal feeding and care of livestock
- 6 immediately prior to slaughter".

JAMES E. BRILES

- 1 Amend Senate File 297, on page 5, line 2, by insert-
- 2 ing after the period the following:
- 3 "The inspection station shall also inspect each motor
- 4 vehicle to ascertain that none of the factory installed
- 5 emission control devices have been removed or rendered
- 6 inoperable."

CHARLES O. LAVERTY

- 1 Amend Senate File 305, page 4, by striking lines 26
- 2 through 34 inclusive.

JOHN L. MOWRY

- 1 Amend Senate File 356, page 2, line 25, by striking
- 2 the word "ten" and inserting the word "two".

HAROLD A. THORSEN
JAMES E. BRILES

On motion of Senator Lamborn, the Senate adjourned until 9:00 a.m., Thursday, April 1, 1971.

JOURNAL OF THE SENATE

EIGHTY-FIRST DAY

SENATE CHAMBER

DES MOINES, IOWA, THURSDAY, APRIL 1, 1971

The Senate met in regular session, President Jepsen presiding.

Prayer was offered by Father Kenneth Martin, pastor of Our Lady of Victory Church, Davenport, Iowa.

The Senate pledged allegiance to the flag.

The Journal of Wednesday, March 31, 1971, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Bass for the day because of illness on request of Senator Arbuckle.

PRESENTATION OF VISITORS

The Chair announced that the following visitors were present in the Senate gallery:

Twenty-eight students from Gilmore City Bradgate School, Gilmore City, Iowa, accompanied by their instructor, Mrs. H. J. Juelfs.

Forty students from Earlham High School, Earlham, Iowa, accompanied by their instructor, Ronald Myers.

Forty-five students from Norwalk Community School, Norwalk, Iowa, accompanied by their instructors, Galen Bedwell and Jamie Tanker.

One hundred twenty students from Emmetsburg High School, Emmetsburg, Iowa, accompanied by their instructor, Mrs. Nicholson.

PETITIONS

The following petitions were presented and placed on file:

By Senator Balloun, from eighty-seven residents of Tama County opposing House File 126, relating to the soldiers relief commission.

By Senator Balloun, from ninety-four residents of Tama County opposing House File 185, prohibiting wives of veterans from living at the Iowa Soldiers Home, Marshalltown, Iowa.

By Senator Griffin, from sixty-seven residents of Pottawattamie County favoring Senate File 52, relating to collective bargaining by public employees.

By Senator Mowry, from one hundred four residents of Marshall and Grundy Counties opposing repeal of the Iowa Meat and Poultry Inspection law.

By Senator Nicholson, from eleven hundred twenty-two residents of southeastern Iowa opposing state or county aid to private schools.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House was passed the following bill in which the concurrence of the Senate is asked:

House File 6, a bill for an act to establish a state building code.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 116, a bill for an act relating to the advertisement of poultry.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 473, a bill for an act relating to part-time work in agriculture by minors.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 490, a bill for an act relating to hearings on the revocation or denial of driving privileges.

Also: That the House has adopted the following concurrent resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 23, creating an interim study committee to study the role of state-owned communications facilities.

WILLIAM R. KENDRICK, Chief Clerk

HOUSE CONCURRENT RESOLUTION 23

By Kehe, Pierson, Holden, Freeman, Schroeder, Tieden,
Menefee, Patton, Knoblauch, Millen, Curtis,
Waugh and Stromer

Whereas, questions have arisen as to the operation of radio and television stations owned by the state or its agencies; and

Whereas, the use of television in the education of the children and young adults of Iowa is increasing; and

Whereas, it is desirable to determine facts and analyze the role of state-owned communications facilities in a deliberate and constructive manner,
Now Therefore,

Be It Resolved by the House of Representatives, the Senate Concurring,
That the legislative council create a study committee to study the role of

state-owned communications facilities which provide programs for the public and consider, but not be limited to, the coordination of existing facilities, the use of state funds, the value of television as it applies to the educational process, the methods of selecting programs and the value of such programs for the public, and the question of whether the state is or should compete with private industry in providing programs for public consumption; and

Be It Further Resolved, That the study committee shall consist of not more than ten legislators selected by the legislative council, representing both houses of the General Assembly, and both political parties, and

Be It Further Resolved, That the study committee shall make periodic reports to the legislative council and shall submit a final report, including necessary bill drafts to implement its recommendations, to the legislative council. Copies of the report approved by the legislative council shall be submitted to members of the General Assembly meeting in the year 1972.

HOUSE MESSAGES CONSIDERED

House File 6, a bill for an act to establish a state building code, provide for its administration, and provide a penalty for violation of the Code or orders issued thereunder.

Read first time and **passed on file**.

House File 116, a bill for an act relating to the advertisement of poultry and poultry products and providing penalties for violation thereof.

Read first time and **passed on file**.

House File 473, a bill for an act relating to part-time work in agriculture by minors.

Read first time and **passed on file**.

House File 490, a bill for an act relating to hearings on the revocation or denial of driving privileges.

Read first time and **passed on file**.

DISTINGUISHED VISITOR

Senator DeKoster rose on a point of personal privilege and presented to the Senate the Honorable Charles B. Hoeven, former Congressman from Iowa's Eighth District.

REPORTS OF INVESTIGATING COMMITTEES

Senator Gilley submitted the following report and moved its adoption:

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Leslie C. Klink of Elkader, Clayton County, Iowa, for appointment as a member of the Iowa Natural Resources Council under the

provisions of section 455A.4, 1971 Code of Iowa, for the regular six-year term beginning July 1, 1971, and ending June 30, 1977, begs leave to report it has made investigation and recommends that the appointment be confirmed.

FLOYD GILLEY, Chairman
RALPH W. POTTER
GEORGE L. SHAWVER
GENE V. KENNEDY
CLIFTON C. LAMBORN

The motion prevailed and the report was adopted.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 44:

Anderson	Erskine	Messerly	Rhodes
Arbuckle	Gaudineer	Miller	Riley
Balloun	Gilley	Milligan	Robinson
Briles	Glenn	Mowry	Schaben
Brownlee	Graham	Neu	Shawver
Carlson	Gross	Nicholson	Smith
Coleman	Keith	Ollenburg	Stephens
Curran	Kennedy	Palmer	Tapscott
Davis	Kyhl	Potgeter	Van Drie
DeKoster	Lamborn	Potter	Van Gilst
Doderer	Lavery	Rabedeaux	Walsh

Nays, none.

Absent or not voting, 6:

Bass	Griffin	Shaff	Thordsen
Conklin	Hill		

President Jepsen declared the appointment of Leslie C. Klink as a member of the Natural Resources Council confirmed for the regular six-year term ending June 30, 1977.

Senator Van Drie submitted the following report and moved its adoption:

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Dr. Merwin D. Dougal of Ames, Story County, Iowa, for appointment as a member of the Natural Resources Council under the provisions of section 455A.4, 1971 Code of Iowa, for the regular six-year term beginning July 1, 1971, and ending June 30, 1977, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

RUDY VAN DRIE, Chairman
JAMES A. POTGETER
S. J. BROWNLEE
C. JOSEPH COLEMAN
ARTHUR A. NEU

The motion prevailed and the report was adopted.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 46:

Anderson	Erschine	Messerly	Rhodes
Arbuckle	Gaudineer	Miller	Robinson
Balloun	Gilley	Milligan	Riley
Briles	Glenn	Mowry	Schaben
Brownlee	Graham	Neu	Shaff
Carlson	Gross	Nicholson	Shawver
Coleman	Hill	Ollenburger	Smith
Conklin	Keith	Palmer	Tapscott
Curran	Kennedy	Potgeter	Van Drie
Davis	Kyhl	Potter	Van Gilst
DeKoster	Lamborn	Rabedeaux	Walsh
Doderer	Laverty		

Nays, none.

Absent or not voting, 4:

Bass	Griffin	Stephens	Thordsen
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President Jepsen declared the appointment of Dr. Merwin D. Dougal as a member of the Natural Resources Council confirmed for the regular six-year term ending June 30, 1977.

UNFINISHED BUSINESS

Senate File 305

The Senate resumed consideration of Senate File 305, a bill for an act establishing a state board of residential care standards, providing for selection of members thereof, and prescribing their powers and duties.

Senator Neu offered the following amendment filed by him:

- 1 Amend Senate File 305, page 4, line 5, by striking
- 2 the words "and give its approval to the content of".

Senator Neu moved the adoption of his amendment and called for a division.

The amendment lost.

Senator Mowry offered the following amendment filed by him and moved its adoption:

- 1 Amend Senate File 305, page 4, by striking lines 26
- 2 through 34 inclusive.

The amendment was adopted.

Senator Miller moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 305) the vote was:

Ayes, 19:

Arbuckle	Curran	Keith	Shaff
Balloun	DeKoster	Kennedy	Tapscott
Briles	Doderer	Milligan	Van Drie
Brownlee	Gilley	Mowry	Walsh
Carlson	Griffin	Robinson	

Nays, 25:

Anderson	Gross	Neu	Rabedaux
Conklin	Hill	Nicholson	Rhodes
Davis	Kyhl	Ollenburg	Riley
Erskine	Lamborn	Palmer	Shawver
Gaudineer	Lavery	Potgeter	Smith
Glenn	Miller	Potter	Van Gilst
Graham			

Absent or not voting, 6:

Bass	Messerly	Stephens	Thordsen
Coleman	Schaben		

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

INTRODUCTION OF BILLS

Senate File 445, by Senators Arbuckle, Potgeter, Balloun, Bass, Schaben, Van Drie, Erskine, Gilley, Miller, Tapscott and Van Gilst, a bill for an act relating to the imposition of a tax on intangible personal property, and providing procedures for administration and penalties for violation.

Read first time and **passed on file**.

Senate File 446, by committee on transportation, a bill for an act relating to the overall length of combinations of vehicles.

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

Senate File 447, by Senators Walsh, Griffin, Thordsen, Messerly and Riley, a bill for an act relating to the licensing of real estate apprentice salesmen.

Read first time and **passed on file**.

Senate File 448, by Senators Tapscott, Kennedy, Robinson, Miller and Doderer (Gluba), a bill for an act relating to Iowa income tax.

Read first time and **passed on file**.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Rhodes, from the joint committee on enrolled bills, submitted the following report and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully re-

ports that it has examined and finds correctly enrolled: House Joint Resolution 15, House Files 119 and 130.

JOHN C. RHODES
Chairman, Senate Committee
ELIZABETH R. MILLER
Chairman, House Committee

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate the following bills: House Joint Resolution 15, House Files 119 and 130.

On motion of Senator Lamborn, the Senate recessed until the fall of the gavel.

AFTERNOON SESSION

The Senate reconvened, President pro tempore Kyhl presiding.

DISTINGUISHED VISITOR

Senator Potgeter presented the Honorable W. L. Mooty, former Lieutenant Governor and Speaker of the House from Grundy County, who was present in the Senate chamber.

CONSIDERATION OF BILLS

Senator Lamborn asked and received unanimous consent to take up out of order Senate File 391.

Senate File 391

On motion of Senator Shawver, Senate File 391, a bill for an act relating to the boarding and inspection of vessels and providing a penalty, was taken up and considered.

SENATE FILE DEFERRED

Senator Lamborn asked and received unanimous consent that further action on **Senate File 391** be deferred and that the bill be placed on the calendar under **unfinished business**.

CONSIDERATION OF BILLS

Senator Lamborn asked and received unanimous consent to take up out of order **Senate File 402**.

Senate File 402

On motion of Senator Gaudineer, Senate File 402, a bill for an act

relating to benefits under the peace officers' retirement system, was taken up and considered.

Senator Gaudineer moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 402) the vote was:

Ayes, 32:

Anderson	Gaudineer	Messerly	Riley
Arbuckle	Milligan	Miller	Robinson
Balloun	Glenn	Neu	Schaben
Brownlee	Griffin	Ollenburg	Shaff
Carlson	Gross	Palmer	Shawyer
Coleman	Kennedy	Potter	Tapscott
Curran	Kyhl	Rabedaux	Van Drie
Davis	Lamborn	Rhodes	Van Gilst

Nays, 12:

Conklin	Gilley	Keith	Potgeter
Doderer	Graham	Mowry	Smith
Erskine	Hill	Nicholson	Stephens

Absent or not voting, 6:

Bass	DeKoster	Thordsen	Walsh
Briles	Laverty		

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

Senator Lamborn asked and received unanimous consent to take up out of order House File 195.

House File 195

On motion of Senator Schaben, House File 195, a bill for an act to define an alcoholic beverage as it relates to the operation of a motor vehicle by an operator under the influence of an alcoholic beverage, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Schaben moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 195) the vote was:

Ayes, 32:

Anderson	Erskine	Kyhl	Rhodes
Arbuckle	Gilley	Lamborn	Schaben
Balloun	Glenn	Laverty	Shaff
Briles	Graham	Milligan	Smith
Brownlee	Gross	Ollenburg	Stephens
Carlson	Hill	Palmer	Thordsen
Curran	Keith	Potter	Van Drie
Doderer	Kennedy	Rabedaux	Van Gilst

Nays, 13:

Conklin	Mowry	Potgeter	Shawver
Davis	Neu	Riley	Tapscott
Gaudineer	Nicholson	Robinson	Walsh
Messerly			

Voting present, 3:

Coleman	Griffin	Miller
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Absent or not voting, 2:

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

Senate File 326

On motion of Senator Lavery, Senate File 326, a bill for an act relating to the authority of the chemical technology review board, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Lavery offered the following amendment filed by him and moved its adoption:

- 1 Amend Senate File 326, page 1, by adding the following
- 2 new section after line 25:
- 3 Sec. 2. This Act, being deemed of immediate
- 4 importance, shall take effect and be in force from and
- 5 after its publication in The Albia Union-Republican, a
- 6 newspaper published in Albia, Iowa, and in The Knoxville
- 7 Journal, a newspaper published in Knoxville, Iowa.

Division was called for.

The amendment was adopted.

(Senate File 326 pending.)

**SENATE FILE REMOVED FROM
NONCONTROVERSIAL CALENDAR**

Senator Lamborn asked and received unanimous consent that **Senate File 316** be removed from the noncontroversial calendar and retain its place on the **regular calendar**.

COMMITTEE FROM THE HOUSE

A committee from the House appeared and announced that the House was ready to receive the Senate in joint convention.

In accordance with Senate Concurrent Resolution 12 duly adopted, the Senate proceeded to the House under the direction of the Secretary of the Senate and the Sergeant-at-arms.

JOINT CONVENTION

PIONEER LAWMAKERS

(House Chamber—2 p.m.)

In accordance with Senate Concurrent Resolution 12, duly adopted, the joint convention was called to order, President Jepsen presiding.

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

Senator Lamborn of Jackson moved that a committee of four be appointed to escort the Pioneer Lawmakers into the House chamber.

The motion prevailed and the President appointed as such committee Senator Stephens of Washington, Senator Briles of Adams, Representative Clark of Lee, and Representative Schwieger of Black Hawk.

The committee escorted the Pioneer Lawmakers to the front of the House chamber.

President Jepsen presented Representative Floyd Millen who welcomed the Pioneer Lawmakers on behalf of the House as follows:

MR. PRESIDENT, MR. SPEAKER, MEMBERS OF THE PIONEER LAWMAKERS ASSOCIATION OF IOWA, JOINT CONVENTION AND GUESTS:

On behalf of the House, it is my pleasure to welcome you, Pioneer Lawmakers. Since 1962, when I first entered the legislature, I have had the pleasure and privilege of counseling with a number of you. This was and is now a great help to me. One of the most cherished honors that can come to any citizen in this state is to have the privilege to serve in this legislative body and observe and be a part of the sincere dedication which members display in considering various pieces of legislation.

It is indeed a privilege and an honor to be elected to this body. It simply means that a majority of the people that elected you considered you the most worthy to represent them. It is a cherished tradition that I'm sure you veterans enjoy reminiscing about.

We here in this legislature commend you for the work you have done in the past in legislation that you considered to be in the public interest. The same problems are still with us, maybe to a greater degree, but we still are talking about governmental reform, reapportionment and taxes.

We hope you will show your continued interest and give us your counsel and advice. It is a great benefit to us.

Again, we are happy to have you and hope to see you again in this same meeting two years from now.

President Jepsen presented Senator Vernon H. Kyhl who welcomed the Pioneer Lawmakers on behalf of the Senate as follows:

PIONEER LAWMAKERS, FELLOW SENATORS, MEMBERS OF THE HOUSE AND GUESTS:

It is a real pleasure for me to welcome you to this forty-first biennial session of the Pioneer Lawmakers of the State of Iowa.

The honors and the traditions of the Iowa General Assembly live on in the memories of all Iowans who respect our commonwealth. You have established many of the rules that we operate under today and your rules form the foundation of many practices that I help enforce as I serve as President pro tempore in the Senate of this Sixty-fourth General Assembly.

We all live by tradition, and we use daily the customs which you established as they have become the traditions of the Senate and the House.

As you view the operations of your legislature in 1971, I'm sure you recognize that we are faced with the same pressures that you withstood in years past. Modern legislators are still trying to satisfy the voters back home as well as the demands of various groups for special aid.

In our present-day General Assembly, faced with the problems of our modern age, we are inclined to feel that modern problems are more demanding than those of past days—but I am sure that your caucuses were just as argumentative as ours are today and the problems you solved on the floor were just as important in your time as any problem we may be able to solve today.

Bear with us as we struggle to meet the problems of today, and we assure you that our hearts and minds are dedicated as yours were to doing the best job possible for our grand State of Iowa.

President Jepsen presented the President of the Pioneer Lawmakers, the Honorable Duane E. Dewel, who responded to the welcome.

Mr. Dewel introduced Mrs. Edna Lawrence of Ottumwa, newly-elected President of the Pioneer Lawmakers, who briefly addressed the joint convention.

Mr. Dewel addressed the joint convention as follows:

I bring you greetings, understanding and sympathy from those who preceded you—the Pioneer Lawmakers of Iowa.

I am not going to tell you what you should do. You know your problems better than anyone and I am sure you will come up with the answers. You can serve just as well without any pleading by me.

I am going to say a little about those who once sat in these seats and served the state well. We were not wholly content with what we did, but we were satisfied we had done our best as we saw it at the time.

We will welcome you to the Pioneers twenty years after the day of your first service in the legislature when you too can recall with pleasure the friends you have made. There are few bad memories—only the good ones come to mind.

Our hair has thinned. Our eyeglasses have thickened. Our voices which once roared now have a tendency to quiver and squeak. But our interest in good government is as strong as ever. We have confidence in you.

Who are the Pioneers?

They are legislators and elected state officials who served twenty years or more ago. It is not an organization to do anything. There are no dues. Membership is automatic.

They meet every other year on call of the president and invitation by the legislature. They meet together in the morning for tales of by-gone days when they too were important. They choose officers for the next biennium and in the afternoon meet in joint session with the legislature for a short program.

The Pioneers were organized in 1886. At that meeting there were those who served in the 1850's and 1860's and one who had served in the first Territorial legislature in 1838. His name was Hawkins Taylor.

Annual sessions are not new in Iowa. The eight Territorial legislatures met annually prior to the 1857 constitution when the biennial session was adopted.

It may surprise you to know there were 3,360 individuals who served in the sessions from the First through the Forty-ninth General Assembly.

Their names are preserved in the Redbook of 1941-42 and among the names was that new household word "Agnew".

The Sixty-third General Assembly passed a resolution to bring the list up to date and it is hoped by the Pioneers that the State Printer will now include the names since 1942 in the next Redbook.

Members of the early legislatures got \$2 per day for the first fifty days and then only \$1 per day. It made for shorter sessions.

A feature of Pioneer meetings from the start are tales of the old days by members. They were once published in printed book form and are fascinating. There was no bitterness over battles lost and most tales were humorous. I have selected a few which may interest you.

Remember in the old days the men were young. They had to be to fight the wilderness and pioneer problems. They were quick to anger and quick to forgive.

In one heated debate one exasperated member called another a ring-tailed baboon. He was called down by the Chair and apologized by saying he meant to say his opponent was a NICE ring-tailed baboon.

The accused member, not to be outdone by his opponent, said he was sorry he said the fellow had a yellow streak down his back. He now observed it was white down the back and his scent was more powerful than his arguments. The speaker shut both up. They later became fast friends. The second man always regretted the speaker did not let him too observe the other was a NICE polecat.

When the speaker took the floor to argue on a bill an exasperated opponent said: "Our speaker is neglecting the duties of the office to which we elected him, and in coming onto the floor to influence our votes he jumps around like a stump-tailed bull in fly time."

In 1862 the Civil War was going rather badly for the Northern forces. There were four Iowa regiments with General Grant when he captured Fort Donnellson. The news came by telegraph and when announced in the House a resolution was introduced and passed suspending the prohibition law for twenty-four hours. It was discreetly left out of the official journal however.

The next day one of the members who had evidently celebrated was worried about the next election and said he wanted his constituents to know he was intoxicated—with joy.

Several men in the early sessions had served in like positions in other states but came to Iowa for land and opportunity. One, Nathan B. Baker, had twice been speaker of the house and also was governor of New Hampshire, and served in the Iowa legislature in 1860. He later was adjutant-general under Governor Kirkwood.

Feelings on the Civil War were strong in Iowa and the state was the site of the underground railroad passing slaves to Canada.

And in 1866 the Iowa House of Representatives passed a resolution to hang Jefferson Davis. The vote was 89 to 7 in favor.

They had their problems with the press too. I belong to both worlds being in the weekly newspaper field for some fifty years and serving in the

Senate. I can sympathize with both—the reporter who has to condense a day's arguments into a column and the legislator who finds his intent if not his words misquoted. There's a big gulf between the press bench and the members' chairs only a few feet away. Neither can really understand the problems of the other. It might be good if a legislative reporter had to have service in the hot seats where he had to vote yes or no and not maybe. Both are under pressure.

I however hold no brief for a certain columnist. I think his comments on the legislature are ill-founded to say the least.

The first lobby on record was when the Owl family invaded the legislative halls to protest a grant of land to the Iowa Central Railroad. They wanted it given to the Clinton, Cedar Rapids and Missouri Railroad. They lost.

In my day we were not too concerned about lobbyists. We could and did vote against them when they were sitting in the back of the chamber and felt no holding back to advise them to get lost when we were busy.

By the way the Constitution says, "The doors of each house shall be open, except on such occasions as, in the opinion of the house, may require secrecy."

We were more concerned with television cameras fearing some would speak too much and too often. We used the previous question liberally to close off debate after everything had been said twice.

At times there was discussion in the House when members thought Senators were high hatting them. In one early session there was quite a fuss because sand boxes for House members cost only fifty cents while Senate sand boxes cost seventy-five cents. Sand was for blotting. One House member observed the House ceiling was nine feet higher than the Senate's and the well of the House was an inch and a half higher than the Senate's. This made the Senate the lower house.

In the Pioneer meeting in 1894 a member told of his trip in 1860 to the session. He left his home at New Hampton December 31, 1860, with his bride of a few days. They traveled by democrat wagon behind a team. It was twenty-six below zero. It took six days for the trip and they were lost on the prairie three times.

In 1859 when the legislature adjourned, the water was so high from flooding streams that members in the eastern half of the state took a steamer from Des Moines down the Des Moines River to Keokuk and up the Mississippi to get home.

My first session was in 1945. World War II was on and tires and gas were rationed. I took a bus from Algona to Fort Dodge and the trolley interurban from there to Des Moines.

Des Moines was a battlefield on the weekend—battlefield of the sexes. Hotels Savery, Plaza and one other were occupied by the WACs. Friday afternoons they got passes. Navy boys from Ames and fly boys from Ottumwa came to Des Moines for the weekend. We adjourned at noon and beat it for home.

Iowa was a brown bag state with key clubs for those who wanted it by the drink instead of the bottle. There were slot machines. The Gotham Club, now the Embassy, had machines behind a discreet partition. There was open gambling at the Mainliner on Fleur Drive and Club 100 in West Des Moines.

One event had almost a modern touch in 1947. The House had passed the right to work bill. It was on special order in the Senate. A few thousand union workers came to Des Moines and demanded Governor Blue

speak to them. He asked a few of us to come to the west porch with him. The minute he appeared there was loud booing. He silenced them by saying he had come at their invitation and if they didn't want to hear him he would go back to his desk where he had work to do. When he said he would sign the bill if the Senate passed it he was again booed. I'll never forget a loud boo that came from behind me. He was a six-foot, two hundred-plus pounder. Having discretion learned by many a black eye, I ignored him.

In the session sixteen years ago Des Moines had some kind of a sports or new car show. Julius LaRosa, the Bing Crosby or Beatles of that day, was to sing but canceled out at the last minute.

The chamber got a woman singer who was between engagements and asked the legislature to allow her to visit the governor and both houses of the legislature to publicize the change. We felt helpful. She knew how to get publicity. She ruffled the hair of the governor and marched down the center aisle of the House kissing the tops of the bald-headed members.

She could be described as buxom or in the word of the cigarette commercial—so round, so firm, so fully packed.

I was designated to escort her to the podium. She outweighed me forty pounds.

She took my arm and escorted me to the well of the Senate where to the delight of the assembled multitude of reporters, cameramen, lobbyists, the Senate, clerks and others she mugged me, sloppily, I might add.

Senator DeVere Watson was pro tem and presiding. He took a dim view of the proceedings and put on his scalping face. She took a look at him and felt like Custer at Little Big Horn and decided not to mess around with the Chief of the Pottawattamies.

She made a demure little speech and had to escort herself out. No one would get within ten feet of her. Some Senators in the front row hid behind their clerks. My clerk used a half box of tissues getting the war paint off my innocent face.

In one session a young fellow was irked because his flying instructor would not let him solo. So he stole a plane and had a ball for some three hours flitting around buildings in downtown Des Moines and the domes on the capitol. He flew at treetop height up and down streets waving to spectators. Television networks interrupted programs to put the flight on the air all over the country. Head shrinkers predicted he might make a grand final gesture and crash into a downtown building or the dome on the capitol. There was little coffee consumed that afternoon. He landed perfectly. He just wanted to show he could fly a plane.

These are some of the things we old timers remember. We don't really recall tense fights. We remember the friends who fought those legislative battles but can't recall whether one was for or against or what the scraps were all about.

Iowans are and were proud of their state. When Lincoln called the northern governors to Washington at the beginning of the Civil War, Samuel Kirkwood was Iowa Governor. When Lincoln asked him what he could do for Iowa, Kirkwood replied, "I came here not to find out what you could do for my state, but what my state could do for you."

One presiding officer in the old days told the Pioneers in acknowledging their visit: "May the evening of your days be as contented and happy as its morning was full of promise and its meridian was full of honor."

As you too march into the past to join us who have served before you it is the hope of the Pioneer Lawmakers that you too will find your meridian full of honor and the contentment of a job well done.

Pelton of Clinton, District 74, moved that the joint convention be now dissolved.

The motion prevailed.

The Senate returned to the Senate chamber and resumed regular session, President pro tempore Kyhl presiding.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate File 250, a bill for an act relating to the changing and regulation of mileage measurements contained on motor vehicle odometers.

Also: That the House has adopted the following concurrent resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 29, setting adjournment of the General Assembly for the observance of Good Friday.

WILLIAM R. KENDRICK, Chief Clerk

HOUSE CONCURRENT RESOLUTION 29

By Varley

Whereas, Both houses of the legislature see fit to open their day's work with prayer, and it is unseemly that they should work during the time in which is commemorated the passion and death of our Lord to whom they dedicate their daily efforts; *now therefore*,

Be It Resolved by the House, the Senate Concurring: That when adjournment is had on Thursday, April 8, 1971, it be to reconvene Monday, April 12, 1971, at 10:00 a.m., out of reverence to the passion and death of our Lord.

INTRODUCTION OF BILLS

Senate File 449, by committee on state government, a bill for an act relating to the purchase and use of state-owned automobiles.

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

Senate File 450, by Senator Potgeter (Lipsky), a bill for an act relating to prevention, abatement or control of noise pollution, and providing penalties for violations.

Read first time and **passed on file**.

Senate File 451, by Senator Gaudineer, a bill for an act relating to the reorganization of the Iowa state conservation commission, Iowa natural resources council, Iowa state soil conservation commission, Iowa state geologist, geological board, and the Iowa state advisory board for preserves; and to establish a department of natural resource management.

Read first time and **passed on file**.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 305 failed to pass the Senate.

CHARLES P. MILLER

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on April 1, 1971, the Governor approved and transmitted to the Secretary of State the following bills:

- S. F. 40—Relating to the notification of mobile homeowners of tax assessments and providing certain penalties.
- S. F. 129—To legalize and validate the proceedings of the City Council of Red Oak, in the County of Montgomery, Iowa, in the purchase of Lot No. 6 and the West Half of Lot No. 5 in Block No. 28 in the City of Red Oak for the purpose of constructing off-street parking facilities in accordance with chapter 390 of the 1966 Code of Iowa.
- S. F. 156—Relating to the renewal of automobile insurance.
- S. F. 160—To allow black bass to be bought, sold, bartered, or offered for sale.
- S. F. 170—Relating to the appointment and tenure of the Commissioner of Public Safety.
- S. F. 201—Relating to the issuance of marriage licenses.
- S. F. 204—Relating to board of supervisor approval of the salaries for the staff of probation offices.
- H. F. 15—Relating to eligibility of welfare recipients.
- H. F. 25—Relating to a description of land remaining after condemnation or purchase in lieu of condemnation.
- H. F. 31—Relating to the condemnation of existing utility facilities by cities and towns.
- H. F. 140—Relating to assignment of real estate mortgages by marginal entry.
- H. F. 141—Relating to disclosure of information learned during the preparation of tax returns and providing a penalty for violations.

REPORT OF CONFERENCE COMMITTEE

(House File 12)

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to consider the difference between the Senate and the House of Representatives on House File 12, a bill for an act relating to motor vehicle fees collected by county treasurers, and to the amount of such fees retained by the county,

and to the filing of instruments pertaining to motor vehicles, respectfully submit the following recommendations:

1. That the Senate recede from division 6 of its amendment.
2. That the House concur in division 5 of the Senate amendment.

On the part of the Senate:

FRANCIS L. MESSERLY, Chairman
HAROLD A. THORSEN
RICHARD L. STEPHENS
C. JOSEPH COLEMAN

On the part of the House:

RICHARD F. DRAKE, Chairman
C. RAYMOND FISHER
LUVERN W. KEHE
JAMES D. WELLS

BILLS ASSIGNED TO COMMITTEE

President Jepsen announced the assignment of the following bills to committee:

- S. F. 445 Ways and means
- S. F. 448 Ways and means
- S. F. 450 Environmental preservation
- S. F. 451 State government
- H.C.R. 23 State government
- H. F. 6 Commerce
- H. F. 116 Commerce
- H. F. 473 Human and industrial relations
- H. F. 490 Law enforcement

REPORTS OF COMMITTEE

Senator DeKoster submitted the following reports:

MR. PRESIDENT: Your committee on judiciary, to which was referred **Senate File 72**, a bill for an act relating to rehearing and appeal procedures from Iowa state commerce commission action or decisions, begs leave to report it has had the same under consideration and recommends the same **do pass**.

LUCAS J. DeKOSTER, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary, to which was referred **Senate File 308**, a bill for an act relating to delegates to political party caucuses and conventions, begs leave to report it has had the same under consideration and recommends the same **do pass**.

LUCAS J. DeKOSTER, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary, to which was referred

Senate File 425, a bill for an act to legalize and validate the proceedings of the Town Council of the Town of Peterson, Clay County, Iowa, levying certain special assessments and issuing special assessment street improvement bonds, begs leave to report it has had the same under consideration and recommends the same **do pass**.

LUCAS J. DeKOSTER, Chairman

Ordered passed on file.

AMENDMENTS FILED

- 1 Amend the Shawver and Conklin amendment filed March 25,
- 2 1971, to Senate File 259 as follows:
- 3 1. Page 1, line 12, by striking the word "six" and
- 4 inserting the word "four".
- 5 2. Page 1, line 14, by striking the word "eight" and
- 6 inserting the word "four".
- 7 3. Page 2, line 24, by striking the word "eight" and
- 8 inserting the word "four".
- 9 4. Page 3, line 1, by striking the word "twelve" and
- 10 inserting the word "eight".

GEORGE L. SHAWVER

- 1 Amend Senate File 262, page 8, by adding the following new
- 2 section after line 22:
- 3 Sec. 18. This Act, being deemed of immediate importance,
- 4 shall take effect and be in force from and after its publication
- 5 in The Telegraph-Herald, a newspaper published in Dubuque, Iowa,
- 6 and in The Cedar Rapids Gazette, a newspaper published in Cedar
- 7 Rapids, Iowa.

JOHN M. WALSH

- 1 Amend Senate File 292 as follows:
- 2 1. Page 2, line 28 by striking the word "shall" and in-
- 3 serting the word "may".
- 4 2. Page 2, line 29 by adding after the word "state" the
- 5 following: "for a period not to exceed three years".

JAMES E. BRILES

- 1 Amend Senate File 292, page 3, by adding the following
- 2 new section after line 12:
- 3 Sec. 5. This Act shall not apply to any corporation
- 4 organized under the provisions of chapter 491 of the
- 5 Code, which has assets of the value of one million
- 6 dollars or more and is owned by individuals owning not
- 7 more than one share each of the voting stock thereof.

BASS VAN GILST

- 1 Amend Senate File 306 as follows:
- 2 1. Page 2, by inserting after line 29 the following new
- 3 subsection:
- 4 "5. A "funeral home branch" is a place totally oper-
- 5 ated by a funeral home at a location within 25 miles of
- 6 the funeral home, bearing the same name as the funeral home
- 7 and having no preparation room."
- 8 2. Page 3, by striking in line 20 the words "and license
- 9 all [places]" and inserting in lieu thereof the following:

10 "[all places] all funeral homes. If all the requirements
11 for licensing are met, he shall during the first year
12 license all".

13 3. Page 3, line 22, by striking the words "and [to]" and
14 inserting in lieu thereof the words ". [and to] He shall also".

15 4. Page 4, by striking all of lines 5 and 6 and inserting in
16 lieu thereof "A fee of thirty-five dollars shall be paid
17 annually on the anniversary date of the funeral home license
18 by the operator of such funeral home. An additional fee of
19 fifteen dollars shall be paid for each funeral home branch
20 operated by the funeral home operator. The fee".

LUCAS J. DeKOSTER

1 Amend Senate File 306, page 3, by striking in line 22
2 the words "and to prescribe and enforce [such]" and by striking
3 lines 23, 24 and 25 and inserting in lieu thereof the following:
4 "[and to prescribe and enforce such rules and regulations
5 in connection therewith as should be necessary for the pre-
6 servation of public health.] shall employ a person who currently
7 holds a funeral director or embalmers' license in this state and
8 is knowledgeable in the operations of a funeral home and branches
9 of funeral homes, thereby protecting the health of the public.".

EARL G. BASS

1 Amend Senate File 424 as follows:

2 1. Page 2, line 32, by striking the word "appraised"
3 and inserting in lieu thereof the following word
4 "apprised".

5 2. Page 11, by striking line 17 and inserting in
6 lieu thereof the following:

7 "person examined. A commissioner or other person
8 shall not".

9 4. Page 11, line 30, by striking the comma.

TOM RILEY

1 Amend Senate File 437 as follows:

2 1. Page 2, line 30, by inserting after the word "any" the
3 word "female".

4 2. Page 2, line 31, by inserting after the first word "any"
5 the word "female".

6 3. Page 4, line 14, by striking the word "[female]" and
7 inserting the word "female".

8 4. Page 4, line 15, by striking the words "[and of any male
9 person under twelve years of age]" and inserting in lieu
10 thereof the words "and of any male person under twelve
11 years of age".

TOM RILEY

1 Amend Senate File 440 as follows:

2 1. Page 2, line 8, by inserting before the word "medical"
3 the following: "podiatric, optometric, chiropractic, other".

4 2. Page 2, line 8, by inserting after the word "accounting"
5 the words "and bookkeeping".

LUCAS J. DeKOSTER

1 Amend House File 29 by striking lines 6 through 13 and
2 inserting in lieu thereof the following:

3 "RENEGOTIATION OF DAMAGES. Whenever property or an
4 interest therein has been taken by condemnation or has been
5 purchased for a public use and a settlement for construction
6 or maintenance damages has been thereafter entered into
7 pursuant to said condemnation or purchase, the owner shall
8 have three years from the date of said settlement to re-
9 negotiate construction or maintenance damages not apparent
10 at the time of said settlement. The condemnor or purchaser
11 shall give written notice to the owner of such right of re-
12 negotiation at the time settlement is entered into."

TOM RILEY
JAMES E. BRILES

On motion of Senator Lamborn, the Senate adjourned until 9:00
a.m., Friday, April 2, 1971.

JOURNAL OF THE SENATE

EIGHTY-SECOND DAY

SENATE CHAMBER
DES MOINES, IOWA, FRIDAY, APRIL 2, 1971

The Senate met in regular session, President Jepsen presiding.

Prayer was offered by the Reverend Denton Erickson, pastor of the Saint Luke's Methodist Church, Monticello, Iowa.

The Senate pledged allegiance to the flag.

The Journal of Thursday, April 1, 1971, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Schaben for the day on request of Senator Kennedy; Senator Bass for the day because of illness on request of Senator Arbuckle.

PRESENTATION OF VISITORS

Senator DeKoster rose on a point of personal privilege and presented to the Senate the Honorable J. Henry Lucken, former member of the Senate from Plymouth County.

The Chair announced that the following visitors were present in the Senate gallery:

Forty students from Our Lady of Good Counsel School, Fonda, Iowa, accompanied by their instructors, Sister Annette, Sister Luke and Sister Joan.

Twenty-nine students from Roosevelt Elementary School, Ames, Iowa, accompanied by their instructors, Mrs. Gammell and Quentin Johnson.

PETITIONS

The following petitions were presented and placed on file:

By Senator Shawver, from twenty-five residents of Howard County opposing House File 197, allowing duplicate utility services within the city limits of annexed areas and permitting special tax treatment of rural distribution property.

By Senator Conklin, from sixty-six residents of Black Hawk

County favoring Senate File 52, relating to collective bargaining by public employees.

PRESENTATION OF PELLA TULIP QUEEN

President pro tempore Kyhl announced the arrival of the Queen of the Thirty-sixth Annual Tulip Time Festival, Tricia Steward, and the members of her court, Ruth Van Gorp, Connie Whalley, Barb Ver Meer and Lisa Mills, and asked Senator Laverty to escort the guests to the rostrum.

The Queen extended to the Senate a cordial invitation to attend "Tulip Time" in Pella on May 6, 7 and 8, 1971.

The girls, dressed in lovely Dutch costumes, distributed the famous Pella cookies to those present.

CONSIDERATION OF BILLS

Senator Lamborn asked and received unanimous consent to take up out of order Senate File 208.

Senate File 208

On motion of Senator Neu, Senate File 208, a bill for an act to authorize purchase of tax-sheltered annuities for employees of the state educational radio and television facility board, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Neu moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 208) the vote was:

Ayes, 28:

Brownlee	Griffin	Miller	Shawver
Carlson	Gross	Mowry	Smith
Coleman	Kennedy	Neu	Stephens
Curran	Kyhl	Rabedeaux	Tapscott
DeKoster	Lamborn	Rhodes	Thordsen
Doderer	Laverty	Riley	Van Drie
Glenn	Messerly	Robinson	Walsh

Nays, 5:

Anderson	Balloun	Briles	Gilley
Arbuckle			

Absent or not voting, 17:

Bass	Graham	Nicholson	Potter
Conklin	Hill	Ollenburg	Schaben
Davis	Keith	Palmer	Shaff
Erskine	Milligan	Potgeter	Van Gilst
Gaudineer			

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

Senator Lamborn asked and received unanimous consent to take up out of order Senate File 389.

Senate File 389

On motion of Senator Rabedaux, Senate File 389, a bill for an act relating to the place of payment of public bonds, was taken up and considered.

Senator Rabedaux offered the following amendment filed by Senators Potter and DeKoster and moved its adoption:

- 1 Amend Senate File 389 as follows:
- 2 1. Line 12, by inserting after the word "within" the
- 3 words "or without".
- 4 2. Line 13, by inserting after the word "Iowa" the
- 5 words "or as may be otherwise provided by Chapter four
- 6 hundred nineteen (419) of the Code".

The amendment was adopted.

Senator Rabedaux moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 389) the vote was:

Ayes, 32:

Anderson	DeKoster	Laverty	Robinson
Arbuckle	Doderer	Messerly	Shawver
Balloun	Gilley	Miller	Smith
Briles	Glenn	Mowry	Stephens
Brownlee	Gross	Neu	Tapscott
Carlson	Kennedy	Rabedaux	Thordsen
Coleman	Kyhl	Rhodes	Van Drie
Curran	Lamborn	Riley	Walsh

Nays, none.

Absent or not voting, 18:

Bass	Graham	Nicholson	Potter
Conklin	Griffin	Ollenburg	Schaben
Davis	Hill	Palmer	Shaff
Erskine	Keith	Potgeter	Van Gilst
Gaudineer	Milligan		

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

Senator Lamborn asked and received unanimous consent to take up out of order Senate File 347.

Senate File 347

On motion of Senator DeKoster, Senate File 347, a bill for an act relating to private foundations and charitable trusts, with report of

committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator DeKoster offered the following amendment by the committee on judiciary and moved its adoption :

- 1 Amend Senate File 347, page 3, by striking all of lines
- 2 23 through 26, inclusive, and inserting in lieu thereof the
- 3 following:
- 4 Sec. 5. All references to sections of the Internal
- 5 Revenue Code of 1954 shall mean the Code as amended to and
- 6 including January 1, 1971.

The amendment was adopted.

Senator DeKoster moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 347) the vote was :

Ayes, 31:

Anderson	Doderer	Messerly	Shawver
Balloun	Gilley	Mowry	Smith
Briles	Glenn	Neu	Stephens
Brownlee	Gross	Palmer	Tapscott
Carlson	Hill	Rabedeaux	Thordsen
Coleman	Kennedy	Rhodes	Van Drie
Curran	Kyhl	Riley	Walsh
DeKoster	Lamborn	Robinson	

Nays, 1:

Arbuckle

Absent or not voting. 18:

Bass	Graham	Milligan	Potter
Conklin	Griffin	Nicholson	Schaben
Davis	Keith	Ollenburg	Shaff
Erschine	Laverty	Potgeter	Van Gilst
Gaudineer	Miller		

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

Senator Lamborn asked and received unanimous consent to take up out of order Senate File 348.

Senate File 348

On motion of Senator DeKoster, Senate File 348, a bill for an act relating to nonprofit corporations, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator DeKoster offered the following amendment by the committee on judiciary and moved its adoption :

- 1 Amend Senate File 348, page 3, by striking all of lines
- 2 13 through 15, inclusive, and inserting in lieu thereof the
- 3 following:
- 4 Sec. 5. All references to sections of the Internal
- 5 Revenue Code of 1954 shall mean the Code as amended to and
- 6 including January 1, 1971.

The amendment was adopted.

Senator DeKoster moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 348) the vote was:

Ayes, 30:

Anderson	Gilley	Mowry	Shawver
Balloun	Glenn	Neu	Smith
Briles	Gross	Palmer	Stephens
Brownlee	Hill	Rabedaux	Tapscott
Carlson	Kennedy	Rhodes	Thordsen
Coleman	Kyhl	Riley	Van Drie
Curran	Lamborn	Robinson	Walsh
DeKoster	Messerly		

Nays, 1:

Arbuckle

Absent or not voting, 19:

Bass	Gaudineer	Miller	Potter
Conklin	Graham	Milligan	Schaben
Davis	Griffin	Nicholson	Shaff
Doderer	Keith	Ollenburg	Van Gilst
Erschine	Laverty	Potgeter	

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

Senator Lamborn asked and received unanimous consent to take up out of order Senate File 289.

Senate File 289

On motion of Senator Doderer, Senate File 289, a bill for an act relating to providing protective eyeglass lens and frames and providing a penalty, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Doderer offered the following amendment filed by her on March 3, 1971, and recommended by the committee:

Division 1

- 1 Amend Senate File 289 as follows:
- 2 1. Page 1, line 7, by inserting after the word "lenses",
- 3 the words "or laminated lenses".

Division 2

- 4 2. Page 2, by adding the following new section after
- 5 line seven.

6 Sec. 2. The provisions of this Act shall become
7 effective July 1, 1972.

Senator Mowry called for a division of the amendment, lines 1, 2 and 3 to be considered as division 1, and lines 4 through 7 as division 2.

On motion of Senator Doderer, division 1 of the amendment was adopted.

Senator Doderer moved the adoption of division 2 of the amendment.

Division was called for.

Division 2 of the amendment lost.

Senator Doderer moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 289) the vote was:

Ayes, 36:

Anderson	DeKoster	Lamborn	Riley
Arbuckle	Doderer	Lavery	Robinson
Balloun	Gaudineer	Messerly	Shawver
Briles	Gilley	Mowry	Smith
Brownlee	Glenn	Neu	Stephens
Carlson	Gross	Palmer	Tapscott
Coleman	Hill	Potgeter	Thorsen
Conklin	Kennedy	Rabedaux	Van Drie
Curran	Kyhl	Rhodes	Walsh

Nays, none.

Absent or not voting, 14:

Bass	Griffin	Nicholson	Schaben
Davis	Keith	Ollenburg	Shaff
Erskine	Miller	Potter	Van Gilst
Graham	Milligan		

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

Senator Lamborn asked and received unanimous consent to take up out of order Senate File 433.

Senate File 433

On motion of Senator Messerly, Senate File 433, a bill for an act to provide for annual validation of motor vehicle registration plates, was taken up and considered.

Senator Thorsen asked unanimous consent that Senate File 433 be removed from the noncontroversial calendar and placed on the calendar under unfinished business.

Objection was raised.

Senator Thordsen moved that Senate File 433 be removed from the noncontroversial calendar and placed on the calendar under unfinished business.

The motion prevailed, and **Senate File 433** was removed from the noncontroversial calendar and placed on the calendar under **unfinished business**.

Senator Lamborn asked and received unanimous consent to take up out of order House File 112.

House File 112

On motion of Senator Brownlee, House File 112, a bill for an act authorizing the use of bid bonds in lieu of certified or cashiers checks, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Brownlee moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 112) the vote was:

Ayes, 32:

Anderson	DeKoster	Lamborn	Robinson
Arbuckle	Gilley	Laverty	Shawver
Balloun	Glenn	Mowry	Smith
Briles	Griffin	Neu	Stephens
Brownlee	Gross	Palmer	Tapscott
Carlson	Hill	Rabedaux	Thordsen
Coleman	Kennedy	Rhodes	Van Drie
Curran	Kyhl	Riley	Walsh

Nays, 1:

Miller

Absent or not voting, 17:

Bass	Gaudineer	Milligan	Potter
Conklin	Graham	Nicholson	Schaben
Davis	Keith	Ollenburg	Shaff
Doderer	Messerly	Potgeter	Van Gilst
Erskine			

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

Senator Lamborn asked and received unanimous consent to take up out of order House File 381.

House File 381

On motion of Senator Briles, House File 381, a bill for an act relating to commercial feed inspection fee, with report of committee

recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Briles moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 381) the vote was:

Ayes, 28:

Anderson	DeKoster	Lavery	Robinson
Arbuckle	Gilley	Neu	Shawver
Briles	Glenn	Mowry	Smith
Brownlee	Griffin	Palmer	Stephens
Carlson	Kennedy	Rabedaux	Tapscott
Coleman	Kyhl	Rhodes	Thordsen
Curran	Lamborn	Riley	Walsh

Nays, 4:

Balloun	Gross	Hill	Van Drie
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Absent or not voting, 18:

Bass	Gaudineer	Milligan	Potter
Conklin	Graham	Nicholson	Schaben
Davis	Keith	Ollenburg	Shaff
Doderer	Messerly	Potgeter	Van Gilst
Erskine	Miller		

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

SENATE FILE WITHDRAWN

Senator Briles asked and received unanimous consent that **Senate File 362** be withdrawn from further consideration of the Senate.

CONSIDERATION OF BILLS

Senator Lamborn asked and received unanimous consent to take up for immediate consideration Senate File 438.

Senate File 438

On motion of Senator Smith, Senate File 438, a bill for an act relating to easements on property subject to the jurisdiction of the department of social services, was taken up and considered.

Senator Smith moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 438) the vote was:

Ayes, 30:

Anderson	Carlson	Gilley	Kennedy
Balloun	Coleman	Glenn	Kyhl
Briles	Curran	Gross	Lamborn
Brownlee	DeKoster	Hill	Lavery

Miller
Mowry
Neu
Palmer

Rabedaux
Rhodes
Riley
Shawver

Smith
Stephens
Tapscott

Thordsen
Van Drie
Walsh

Nays, 1:

Arbuckle

Absent or not voting, 19:

Bass
Conklin
Davis
Doderer
Erskine

Gaudineer
Graham
Griffin
Keith
Messerly

Milligan
Nicholson
Ollenburg
Potgeter
Potter

Robinson
Schaben
Shaff
Van Gilst

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

MOTION TO RECONSIDER

House File 29

Senator Riley moved to reconsider the vote by which House File 29 passed the Senate on January 29, 1971.

On the question "Shall the motion to reconsider be adopted?" (H.F. 29) the vote was:

Ayes, 30:

Anderson
Arbuckle
Briles
Brownlee
Carlson
Coleman
Curran
DeKoster

Glenn
Griffin
Gross
Hill
Kennedy
Kuhl
Lamborn
Laverty

Miller
Mowry
Neu
Palmer
Rabedaux
Rhodes
Riley

Shawver
Smith
Stephens
Tapscott
Thordsen
Van Drie
Walsh

Nays, 1:

Gilley

Absent or not voting, 19:

Balloun
Bass
Conklin
Davis
Doderer

Erskine
Gaudineer
Graham
Keith
Messerly

Milligan
Nicholson
Ollenburg
Potgeter
Potter

Robinson
Schaben
Shaff
Van Gilst

The motion to reconsider prevailed.

Senator Riley moved to reconsider the vote by which House File 29 went to its last reading, which motion prevailed.

On motion of Senator Riley, House File 29, a bill for an act relating to the payment of subsequent damages to property owners, was taken up for reconsideration.

Senator Riley offered the following amendment filed by Senators Riley and Briles and moved its adoption:

- 1 Amend House File 29 by striking lines 6 through 13 and
- 2 inserting in lieu thereof the following:
- 3 "RENEGOTIATION OF DAMAGES. Whenever property or an
- 4 interest therein has been taken by condemnation or has been
- 5 purchased for a public use and a settlement for construction
- 6 or maintenance damages has been thereafter entered into
- 7 pursuant to said condemnation or purchase, the owner shall
- 8 have three years from the date of said settlement to re-
- 9 negotiate construction or maintenance damages not apparent
- 10 at the time of said settlement. The condemnor or purchaser
- 11 shall give written notice to the owner of such right of re-
- 12 negotiation at the time settlement is entered into."

The amendment was adopted.

Senator Riley moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 29) the vote was:

Ayes, 32:

Anderson	DeKoster	Lamborn	Rhodes
Arbuckle	Gilley	Laverty	Riley
Balloun	Glenn	Messerly	Shawver
Briles	Griffin	Miller	Smith
Brownlee	Gross	Mowry	Tapscott
Carlson	Hill	Neu	Thordsen
Coleman	Kennedy	Palmer	Van Drie
Curran	Kyhl	Rabedaux	Walsh

Nays, none.

Absent or not voting, 18:

Bass	Gaudineer	Ollenburg	Schaben
Conklin	Graham	Potgeter	Shaff
Davis	Keith	Potter	Stephens
Doderer	Milligan	Robinson	Van Gilst
Erskine	Nicholson		

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

SENATE FILE 293 RE-REFERRED TO COMMITTEE

Senator Thordsen asked and received unanimous consent that **Senate File 293** be re-referred to the committee on **law enforcement**.

CONSIDERATION OF BILLS

Senator Lamborn asked and received unanimous consent to take up out of order House File 170.

House File 170

On motion of Senator Coleman, House File 170, a bill for an act relating to the enucleating of eyes by funeral directors or embalmers, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Coleman moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 170) the vote was:

Ayes, 30:

Anderson	Gilley	Miller	Shawver
Arbuckle	Glenn	Mowry	Smith
Balloun	Griffin	Neu	Stephens
Briles	Gross	Palmer	Tapscott
Brownlee	Hill	Rabedeaux	Thordsen
Carlson	Kennedy	Rhodes	Van Drie
Coleman	Kyhl	Riley	Walsh
Curran	Lamborn		

Nays, none.

Absent or not voting, 20:

Bass	Erskine	Messerly	Potter
Conklin	Gaudineer	Milligan	Robinson
Davis	Graham	Nicholson	Schaben
DeKoster	Keith	Ollenburg	Shaff
Doderer	Laverty	Potgeter	Van Gilst

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

SENATE FILE WITHDRAWN

Senator Coleman asked and received unanimous consent that **Senate File 143** be **withdrawn** from further consideration of the Senate.

CONSIDERATION OF BILLS

Senator Lamborn asked and received unanimous consent to take up out of order House File 308.

House File 308

On motion of Senator Tapscott, House File 308, a bill for an act relating to physical requirements for marriage license, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Tapscott moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 308) the vote was:

Ayes, 31:

Arbuckle	Erskine	Laverty	Smith
Balloun	Gilley	Miller	Stephens
Briles	Glenn	Mowry	Tapscott
Brownlee	Griffin	Neu	Thordsen
Carlson	Gross	Palmer	Van Drie
Curran	Kennedy	Rhodes	Van Gilst
Davis	Kyhl	Riley	Walsh
DeKoster	Lamborn	Robinson	

Nays, 3:

Coleman	Rabedeaux	Shawver
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Absent or not voting, 16:

Anderson	Gaudineer	Messerly	Potgeter
Bass	Graham	Milligan	Potter
Conklin	Hill	Nicholson	Schaben
Doderer	Keith	Ollenburg	Shaff

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

MEETING OF WAYS AND MEANS COMMITTEE

Senator Lamborn asked and received unanimous consent to record in the Journal that the members of the ways and means committee were absent from the Senate chamber to attend a very important meeting of that committee.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File 262, a bill for an act relating to traffic control signals.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 505, a bill for an act relating to the fees charged for insurance agent licenses and making the act retroactive.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 217, a bill for an act relating to the board of parole.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 209, a bill for an act relating to dissolution of credit unions.

Also: That the House has adopted the conference committee report and the amendments contained therein and re-passed the following bill in which the concurrence of the Senate is asked:

House File 12, a bill for an act relating to motor vehicle fees collected by county treasurers.

Also: That the House has adopted the following concurrent resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 22, creating a study committee to conduct a study of the penal and correctional system in Iowa.

WILLIAM R. KENDRICK, Chief Clerk

HOUSE CONCURRENT RESOLUTION 22

By Doyle, Anania, Trowbridge, Edelen, Bergman,
Miller, Christiansen, Logemann, Middleswart,
Campbell, Rodgers, Sargisson and Waugh

Whereas, the protection of society and the rehabilitation of the inmate are tasks of the penal and correctional system in Iowa; and

Whereas, the inmate populations at the men's reformatory, the women's reformatory, and the state penitentiary have been declining in recent years; and

Whereas, criticism has been directed toward the manner of confinement of juveniles and policies at the training school for boys; and

Whereas, the public has become concerned about the security procedures at the security medical facility; and

Whereas, the Governor's economy committee has recommended that use of the women's reformatory be discontinued, and that the prison structure of Iowa including all state-operated institutions for men, women, and juveniles be reorganized, *Now Therefore*,

Be It Resolved by the House of Representatives, the Senate Concurring, That the legislative council is authorized to create a study committee, as provided by law, which committee shall include members of the appropriate standing committees of the House of Representatives and the Senate, to conduct during the 1971-1972 legislative interim a comprehensive study of the penal and correctional system in Iowa. The study shall include, but not be limited to, a review and revision of penal statutes, present programs and facilities at the state penitentiary, the men's and women's reformatories, the training schools for boys and girls, and the security medical facility; present rehabilitation theories; assignments of inmates; the programs which should be implemented for treatment of adult and for treatment of juvenile offenders; and recommendations regarding a five-year capital construction program for the juvenile and adult penal and correctional system; and

Be It Further Resolved, That the study committee shall include nonlegislative members having special knowledge in the fields of penal and correctional facilities and rehabilitation facilities and programs; and

Be It Further Resolved, That a report of the study shall be prepared and submitted to the legislative council and the members of the Sixty-fourth General Assembly, Second Session, and shall be accompanied by legislative bill drafts designed to carry out the recommendations of the committee.

INTRODUCTION OF BILLS

Senate File 452, by Senator Tapscott (Gluba), a bill for an act relating to the registration of migrant workers and to provide a penalty.

Read first time and **passed on file**.

Senate File 453, by Senator Tapscott, a bill for an act relating to obstetrical assistance for persons eighteen years of age and older.

Read first time and **passed on file**.

Senate File 454, by Senator Walsh, a bill for an act relating to sales tax refund.

Read first time and **passed on file**.

Senate File 455, by Senator Walsh, a bill for an act relating to wages subject to the Iowa public employees' retirement system.

Read first time and **passed on file**.

Senate File 456, by Senator Walsh, a bill for an act relating to railway companies taxation.

Read first time and **passed on file**.

Senate File 457, by Senator Walsh, a bill for an act relating to game and fish licenses.

Read first time and **passed on file**.

Senate File 458, by Senator Walsh, a bill for an act relating to the homestead tax credit.

Read first time and **passed on file**.

Senate File 459, by Senator Riley, a bill for an act to prohibit the sale of certain detergents.

Read first time and **passed on file**.

HOUSE MESSAGES CONSIDERED

House File 217, a bill for an act relating to the board of parole.

Read first time and **passed on file**.

House File 262, a bill for an act relating to traffic control signals.

Read first time and **passed on file**.

House File 505, a bill for an act relating to the fees charged for insurance agent licenses and making the act retroactive.

Read first time and **passed on file**.

SENATE CONCURRENT RESOLUTION 29

By Walsh

Whereas, the government of North Vietnam and the National Liberation Front continue to violate tenets of the Geneva Convention of 1949 concerning prisoners of war; and

Whereas, continuing efforts of official delegations of the government of the United States and other national and international organizations to intercede on behalf of American servicemen being held as prisoners of war have been ignored by the government of North Vietnam and the National Liberation Front; and

Whereas, in January, 1971, a delegation of concerned Iowa citizens were successful in meeting with the chief representative of North Vietnamese delegation in Paris, France, and delivered several thousand letters from Iowans urging the eventual release of American prisoners of war, the immediate improvement in the treatment and living conditions of the prisoners, and verification of the names of the servicemen held captive; and

Whereas, an official of the International Red Cross recognized the success of the delegation of concerned Iowans and urged continued efforts on the behalf of the prisoners of war, *Now Therefore*,

Be It Resolved by the Senate, the House Concurring, That the General Assembly of the State of Iowa commends the efforts of Mayor Donald Canney, Reverend Russell Schilling, Mr. William O. Wright, Mrs. Donald Canney, Mr. John Naughton, Mr. Charles Brown, Mr. Walter Hyink, Mrs. Muriel Kooiker, Mr. Richard Fellingham, Mr. Dwayne Hopkins, and Mrs. Jeleen Bargloff on behalf of American servicemen held as prisoners of war by the government of North Vietnam and the National Liberation Front; and

Be It Further Resolved, That the Secretary of State transmit copies of this resolution to each of the eleven Iowans who participated in the mercy mission to Paris, France.

BILLS ASSIGNED TO COMMITTEE

President Jepsen announced the assignment of the following bills to committee:

- S. F. 452 Human and industrial relations
- S. F. 453 Social services
- S. F. 454 Ways and means
- S. F. 455 State government
- S. F. 456 Ways and means
- S. F. 457 Conservation and recreation
- S. F. 458 Ways and means
- S. F. 459 Environmental preservation
- H.C.R. 22 State government
- H. F. 262 Law enforcement
- H. F. 505 Ways and means

On motion of Senator Lamborn, the Senate adjourned until 10:00 a.m., Monday, April 5, 1971.

JOURNAL OF THE SENATE

EIGHTY-FIFTH DAY

SENATE CHAMBER

DES MOINES, IOWA, MONDAY, APRIL 5, 1971

The Senate met in regular session, President Jepsen presiding.

Prayer was offered by the Reverend Robert McBain, pastor of the United Methodist Church, Atlantic, Iowa.

The Senate pledged allegiance to the flag.

The Journal of Friday, April 2, 1971, was approved.

PRESENTATION OF VISITORS

The Chair announced that the following visitors were present in the Senate gallery.

Fifty-five students from Fairmeadows Elementary School, West Des Moines, Iowa, accompanied by their instructors, Mrs. Hansen and Mrs. Briebach.

PETITIONS

The following petitions were presented and placed on file:

By Senator Shawver, from eight residents of Chickasaw County opposing House File 197, relating to taxation of rural electric co-operative property.

By Senator Kennedy, from forty-one residents of Dubuque County opposing House File 197, relating to taxation of rural electric co-operative property.

By Senator Van Drie, from five hundred ninety-five state employees **urging** that representatives of the Organization of Iowa Highway Commission Employees be permitted to meet and confer with the merit employment commission.

By Senator Messerly, from sixty-six residents of Black Hawk County favoring Senate File 52, relating to collective bargaining by public employees.

SPECIAL ORDERS

Senator Lamborn asked and received unanimous consent that **Senate File 427** be made a special order of business for Wednesday, April 7, 1971, at 9:30 a.m.

Senator Lamborn asked and received unanimous consent that **Senate File 335** be made a special order of business for Thursday, April 8, 1971, at 9:30 a.m.

ADOPTION OF CONFERENCE COMMITTEE REPORT

House File 12

Senator Messerly called up for consideration the following report and moved its adoption:

REPORT OF CONFERENCE COMMITTEE

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to consider the difference between the Senate and the House of Representatives on House File 12, a bill for an act relating to motor vehicle fees collected by county treasurers, and to the amount of such fees retained by the county, and to the filing of instruments pertaining to motor vehicles, respectfully submit the following recommendations:

1. That the Senate recede from division 6 of its amendment.
2. That the House concur in division 5 of the Senate amendment.

On the part of the Senate:

FRANCIS L. MESSERLY, Chairman
HAROLD A. THORDSEN
RICHARD L. STEPHENS
C. JOSEPH COLEMAN

On the part of the House:

RICHARD F. DRAKE, Chairman
C. RAYMOND FISHER
LUVERN W. KEHE
JAMES D. WELLS

The motion prevailed and the conference committee report and the recommendations contained therein were adopted.

Senator Messerly moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 12) the vote was:

Ayes, 45:

Anderson	Erskine	Lamborn	Rabedaux
Arbuckle	Gaudineer	Messerly	Rhodes
Balloun	Gilley	Miller	Riley
Bass	Glenn	Milligan	Robinson
Briles	Graham	Mowry	Shaff
Brownlee	Griffin	Neu	Shawver
Carlson	Gross	Nicholson	Smith
Coleman	Hill	Ollenburg	Stephens
Curran	Keith	Palmer	Tapscott
Davis	Kennedy	Potgeter	Thordsen
DeKoster	Kyhl	Potter	Van Gilst
Doderer			

Nays, 2:

Schaben

Walsh

Absent or not voting, 3:

Conklin

Laverty

Van Drie

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

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

The Senate resumed session, Senator Balloun presiding.

On motion of Senator Mowry, the Senate recessed until 1:30 p.m.

AFTERNOON SESSION

The Senate reconvened, President pro tempore Kyhl presiding.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate File 353, a bill for an act relating to powers of local authorities to designate snow routes.

Also: That the House has adopted the following concurrent resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 31, providing for a joint memorial session April 28, 1971.

WILLIAM R. KENDRICK, Chief Clerk

HOUSE CONCURRENT RESOLUTION 31

By Strand

Whereas, It has been customary over the years for the House of Representatives to hold a memorial session in recognition of the public services of departed members of the General Assembly, and

Whereas, the Senate has expressed a desire to participate in this observance, *therefore*,

Be It Resolved by the House, the Senate Concurring: That an evening session of the Sixty-fourth General Assembly be held in the House chamber, Wednesday, April 28, 1971, at 7:30 p.m.

Be It Further Resolved, That a joint committee of six members be appointed, three from the Senate, to be appointed by the President, and three from the House, to be appointed by the Speaker, to make suitable arrangements for a joint memorial session.

ASSIGNMENT OF BILL TO COMMITTEE

President Jepsen announced the assignment of the following bill to committee:

S. F. 447 Commerce

REPORTS OF COMMITTEE

Senator Walsh submitted the following reports:

MR. PRESIDENT: Your committee on transportation, to which was referred **Senate File 298**, a bill for an act relating to motor vehicle registration certificate containers, begs leave to report it has had the same under consideration and recommends the same **do pass**.

JOHN M. WALSH, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on transportation, to which was referred **Senate File 314**, a bill for an act relating to travel trailers, begs leave to report it has had the same under consideration and recommends the same **do pass**.

JOHN M. WALSH, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on transportation, to which was referred **House File 48**, a bill for an act relating to oversized homes and vehicles, begs leave to report it has had the same under consideration and recommends the same **do pass**.

JOHN M. WALSH, Chairman

Ordered passed on file.

AMENDMENTS FILED

- 1 Amend Senate File 195 as follows:
- 2 Page 2, line 17, by inserting after the word
- 3 "pollutants" the words "to a point equal to or".

JOHN M. WALSH

- 1 Amend Senate File 427, page 2, line 2, by striking the
- 2 word "eleven" and inserting in lieu thereof the word "five".

MARVIN W. SMITH

- 1 Amend Senate File 431, page 2, line 21, by striking the
- 2 period and adding the words "and pheasant which may be from
- 3 September first to the following December first."

CHARLES F. BALLOUN

1 Amend Senate 444 as follows:

2 1. Line 8, by striking “, and other objects” and inserting
3 in lieu thereof a period.

4 2. By striking all of lines 9 through 17, inclusive.

CHARLES F. BALLOUN

1 Amend House File 6 as follows:

2 1. Page 17, by adding the following new
3 section after line 22:

4 “Sec. 24. Section one hundred four A point two
5 (104A.2), Code 1971, is amended by adding the
6 following:

7 After the effective date of this Act, the standards
8 and specifications set forth in this chapter shall
9 apply to the construction, substantial alteration
10 or repair of any place of employment or public
11 accommodation subject to the provisions of chapter
12 one hundred five A (105A) of the Code, except that
13 this paragraph shall not apply to:

14 1. The construction, alteration, or repair of
15 rental or leased housing accommodations of less than
16 six units.

17 2. The construction, alteration, or repair of
18 places for employment which will regularly employ
19 less than four individuals.

20 3. The construction, alteration, or repair of
21 any place of employment or public accommodation
22 exempted by rules and regulations adopted by the
23 executive secretary of the governor’s committee on
24 employment of the handicapped, pursuant to the
25 provision of chapter seventeen A (17A) of the Code.

Page 2

1 The rules and regulations adopted shall exempt places
2 of employment and public accommodations where
3 handicapped persons cannot reasonably be expected
4 to be employed or make use of the public accommoda-
5 tion and where the burden of complying with this
6 section outweighs the expected benefits to handicapped
7 citizens of this state.”

8 2. By renumbering the sections to conform to this
9 amendment.

RALPH W. POTTER

On motion of Senator Balloun, the Senate adjourned until 9:00
a.m., Tuesday, April 6, 1971.

JOURNAL OF THE SENATE

EIGHTY-SIXTH DAY

SENATE CHAMBER

DES MOINES, IOWA, TUESDAY, APRIL 6, 1971

The Senate met in regular session, President pro tempore Kyhl presiding.

Prayer was offered by Father Raymond F. Schwank, pastor of the Saint Mary's Catholic Church, Albia, Iowa.

The Senate pledged allegiance to the flag.

The Journal of Monday, April 5, 1971, was approved.

PRESENTATION OF VISITORS

The Chair announced that the following visitors were present in the Senate gallery :

Fifty students from Durant High School, Durant, Iowa, accompanied by their instructors, Betty Paul and Steve Reinert.

Thirty-five students from five Fort Dodge schools, members of Girl Scout Troops 18 and 51, accompanied by Mrs. Stark, Mrs. Horrell, Mrs. Caffey, Mrs. Stratmoen and Ed Merrifield.

Forty-seven students from Midland High School, Wyoming, Iowa, accompanied by their instructor, Mrs. Irene Ridout.

Seventeen students from the Department of Political Science, University of Dubuque, Dubuque, Iowa, accompanied by their professor, David S. Roberts, and Mrs. Roberts.

Fifty-seven students from North-Linn Community School, Coggon, Iowa, accompanied by their instructor, Mr. Oberbroeckling.

PETITIONS

The following petitions were presented and placed on file :

By Senator Erskine, from thirty-two residents of Black Hawk County, members of the Campers and Hikers Association, Waterloo, Iowa, urging legislation to charge a fee for use of state recreational areas.

By Senator Curran, from twenty-six residents of Cerro Gordo County, members of the Iowa State Policeman's Association, requesting additional state aid to cities and towns.

By Senator Curran, from thirty-two residents of Cerro Gordo County, employed by Mason City, Iowa, favoring a one percent sales tax increase if one-half percent is used for additional state aid to cities and towns.

INTRODUCTION OF BILLS

Senate File 460, by committee on judiciary, a bill for an act providing for enactment of the uniform partnership act.

Read first time and placed on calendar.

Senate File 461, by committee on judiciary, a bill for an act relating to supreme court officers and employees and their duties, including court administration, as directed by the supreme court.

Read first time and placed on calendar.

ADOPTION OF HOUSE CONCURRENT RESOLUTIONS

House Concurrent Resolution 29

Senator Lamborn called up for consideration the following resolution and moved its adoption:

HOUSE CONCURRENT RESOLUTION 29

By Varley

Whereas, Both houses of the legislature see fit to open their day's work with prayer, and it is unseemly that they should work during the time in which is commemorated the passion and death of our Lord to whom they dedicate their daily efforts; now therefore,

Be It Resolved by the House, the Senate Concurring: That when adjournment is had on Thursday, April 8, 1971, it be to reconvene Monday, April 12, 1971, at 10:00 a.m., out of reverence to the passion and death of our Lord.

The motion prevailed and the resolution was adopted.

House Concurrent Resolution 31

Senator Stephens asked and received unanimous consent to take up for consideration the following resolution and moved its adoption:

HOUSE CONCURRENT RESOLUTION 31

By Strand

Whereas, It has been customary over the years for the House of Representatives to hold a memorial session in recognition of the public services of departed members of the General Assembly, and

Whereas, the Senate has expressed a desire to participate in this observance, *therefore*,

Be It Resolved by the House, the Senate Concurring: That an evening session of the Sixty-fourth General Assembly be held in the House chamber, Wednesday, April 28, 1971, at 7:30 p.m.

Be It Further Resolved, That a joint committee of six members be appointed, three from the Senate, to be appointed by the President, and three from the House, to be appointed by the Speaker, to make suitable arrangements for a joint memorial session.

The motion prevailed and the resolution was adopted.

President Jepsen took the chair at 9:38 a.m.

ANNOUNCEMENT BY PRESIDENT OF THE SENATE

President Jepsen announced the appointment of the following Senators to a committee to make arrangements for a joint memorial session:

Senator Stephens, Chairman
Senator Van Drie
Senator Miller

SPECIAL ORDER

Senator Lamborn asked and received unanimous consent that **Senate File 428** be made a special order of business for Wednesday, April 14, 1971, at 9:30 a.m.

CONSIDERATION OF BILLS

Senate File 297

On motion of Senator Kyhl, Senate File 297, a bill for an act relating to motor vehicle inspection and safety and providing penalties for violation of the act, was taken up and considered.

Senator Brownlee took the chair at 9:55 a.m.

Senator Erskine offered the amendment striking all after the enacting clause filed by him on March 29, 1971, and found on pages 639-642, inclusive, of the Senate Journal.

Senator Coleman offered the following amendment to the amendment and moved its adoption:

- 1 Amend the Erskine amendment, filed March 29, 1971, to Senate
- 2 File 297 as follows:

- 3 1. Page 6, line 13, by striking the words "and shall be displayed
4 in the" and inserting in lieu thereof ". [and shall be
5 displayed in the]".
6 2. Page 6 by striking lines 14, 15, 16 and inserting in lieu
7 thereof "[container furnished or approved by the department. Such
8 certificate container shall be attached to the vehicle in the
9 driver's compartment so that the same may]".
10 3. Page 6, line 17, by striking the words "be plainly seen
11 without entering the car." and inserting in lieu thereof "[be
12 plainly seen without entering the car.]".

The amendment to the amendment was adopted.

Senator Lavery offered the following amendment to the amendment and moved its adoption:

- 1 Amend the Erskine amendment, filed March 29,
2 1971, to Senate File 297, page 2, by adding the following
3 new paragraph after line 23:
4 "k. The Service Agent shall also inspect each motor
5 vehicle to ascertain that none of the factory installed
6 emission control devices have been removed or rendered
7 inoperable."

Division was called for.

The amendment to the amendment was adopted.

Senator Erskine moved the adoption of his amendment as amended and called for a division.

The amendment as amended lost.

Senator Kyhl offered the following amendment filed by him on March 9, 1971:

Division 1

- 1 Amend Senate File 297 as follows:
2 1. Page 2, by striking lines 1 through 17, inclusive.

Division 2

- 3 2. Page 2, by striking lines 20 through 25, inclusive.
4 3. Page 6, line 34, by inserting before the word
5 "vehicle" the word "motor".
6 4. By renumbering remaining sections consecutively.

Senator Doderer called for a division of the amendment, lines 1 and 2 to be considered as division 1, and lines 2 through 6, as division 2.

On motion of Senator Kyhl, division 1 of the amendment was adopted.

On motion of Senator Kyhl, division 2 of the amendment was adopted.

Senator Potgeter withdrew the amendment filed by him on March 29, 1971, and found on page 642 of the Senate Journal.

Senator Rabedaux offered the following amendment filed by Senators Rabedaux, Thordsen and Kyhl:

- 1 Amend Senate File 297 by adding thereto the following new
- 2 sections, and renumbering the remaining section:
- 3 Sec. 3. Section three hundred twenty-one point three hundred
- 4 eighty-one (321.381), Code 1971, is amended as follows:
- 5 321.381 Scope and effect of regulations. It is a misdemeanor,
- 6 punishable as provided in section 321.482, for any person to drive
- 7 or move or for the owner to cause or knowingly permit to be driven
- 8 or moved on any highway any vehicle or combination of vehicles which
- 9 is in such unsafe condition as to endanger any person, or which does
- 10 not contain those parts or is not at all times equipped with such
- 11 lamps and other equipment in proper condition and adjustment as
- 12 required in this chapter, *or which is equipped with one or more*
- 13 *unsafe tires*, or which is equipped in any manner in violation of
- 14 this chapter.
- 15 Sec. 4. Section three hundred twenty-one point four hundred
- 16 forty (321.440), Code 1971, is amended as follows:
- 17 321.440 Restrictions as to tire equipment. Every solid rubber
- 18 tire on a vehicle shall have rubber on its entire traction surface
- 19 at least one inch thick above the edge of the flange of the entire
- 20 periphery. [No pneumatic tire shall be used on a motor vehicle
- 21 when such tire is worn to the extent that more than two layers of
- 22 fabric or cords are exposed on the entire traction surface.] *Any*
- 23 *pneumatic tire on a vehicle shall be considered unsafe if it has:*

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- 1 1. Any part of the ply or cord exposed;
- 2 2. Any bump, bulge or separation;
- 3 3. A tread design depth of less than two thirty-seconds
- 4 (2/32nds) one-sixteenth (1/16th) of an inch measured in any
- 5 two or more adjacent tread grooves, exclusive of tie bars or
- 6 for those tires with tread wear indicators; been worn to the
- 7 level of the tread wear indicators in any two tread grooves;
- 8 4. A marking 'not for highway use', 'for racing purposes
- 9 only', 'unsafe for highway use';
- 10 5. Tread or sidewall cracks, cuts or snags deep enough to
- 11 expose the body cord;
- 12 6. Such other conditions as may be reasonably demonstrated
- 13 to render it unsafe;
- 14 7. Been regrooved or re-cut below the original tread design
- 15 depth, excepting special taxi tires which have extra undertread
- 16 rubber and are identified as such; or
- 17 Sec. 5. Section three hundred twenty-one point four hundred
- 18 ninety-two (321.492), Code 1971, is amended as follows:
- 19 321.492 Peace officers' authority. Any peace officer is
- 20 authorized to stop any vehicle to require exhibition of the driver's
- 21 operator or chauffeur license, to serve a summons or memorandum of
- 22 traffic violation, to inspect the condition of the vehicle, to
- 23 inspect the vehicle with reference to size, weight, cargo, bills

24 of lading or other manifest of employment, *tires* and safety equip-
25 ment, or to inspect the registration certificate, the compensation

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1 certificate, travel order, or permit of such vehicle.

Senator Rabedaux offered the following amendment to the amendment and moved its adoption:

1 Amend the Rabedaux, et al., amendment filed March 30, 1971,
2 to Senate File 297 as follows:

3 1. Page two, line three, by striking the words and figures
4 "*two thirty-seconds (2/32nds)*".

5 2. Page two, line five, by adding a "comma (,)" after the
6 second word "*or*".

7 3. Page two, line six, by striking the word "*; been*", and in-
8 serting in lieu thereof a "comma (,)"

The amendment to the amendment was adopted.

On motion of Senator DeKoster, the Senate recessed until 1:30 p.m.

AFTERNOON SESSION

The Senate reconvened, Senator Brownlee presiding.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File 242, a bill for an act relating to the date on which interest accrues on delinquent real property taxes.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 326, a bill for an act to insert in the Code the text of the probation and parole compact.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 522, a bill for an act relating to the regulation of explosive materials.

WILLIAM R. KENDRICK, Chief Clerk

INTRODUCTION OF BILLS

Senate File 462, by committee on ways and means (committee on schools), a bill for an act relating to property tax levies for the basic school tax in Ida, Johnson and Kossuth Counties.

Read first time and placed on calendar.

Senate File 463, by committee on ways and means, a bill for an act relating to registration fees for snowmobiles and the disposition of the fees.

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

Senate File 464, by Senator Conklin, a bill for an act relating to blood tests of persons dying as a result of motor vehicle accidents.

Read first time and **passed on file**.

Senate File 465, by Senator Conklin, a bill for an act relating to voluntary sterilization and to provide a penalty.

Read first time and **passed on file**.

Senate File 466, by committee on commerce, a bill for an act relating to the extension of credit.

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

Senate File 467, by Senators Potgeter and Potter, a bill for an act relating to railway improvements and crossings and to provide a penalty.

Read first time and **passed on file**.

HOUSE MESSAGES CONSIDERED

House File 242, a bill for an act relating to the date on which interest accrues on delinquent real property taxes.

Read first time and **passed on file**.

House File 326, a bill for an act to insert in the Code the text of the probation and parole compact.

Read first time and **passed on file**.

House File 522, a bill for an act relating to the regulation of the manufacture, sale, transportation, storage, possession, and use of explosive materials; providing penalties for violations of those regulations; and requiring prompt reporting of knowledge or discovery of explosive devices, and providing a penalty for failure to so report.

Read first time and **passed on file**.

CONSIDERATION OF BILLS

Senate File 297

The Senate resumed consideration of Senate File 297.

Senator Gaudineer offered the following amendment filed by Sena-

tors Gaudineer, Kyhl and Thordsen and moved its adoption:

1 Amend Senate File 297 by adding the following new
2 section thereto:

3 Sec. Section three hundred twenty-one point
4 eighty-eight (321.88), Code 1971, is hereby amended as
5 follows:

6 "321.88 Advertisement. If the owner does not appear
7 within that time, the officer having possession of same
8 shall make a determination based upon the condition of the
9 motor vehicle whether such motor vehicle should be sold as
10 a motor vehicle for use upon the highways or sold as junk and
11 shall advertise said motor vehicle for sale in a newspaper
12 published within the county at least once each week for
13 two consecutive weeks specifying whether it is to be sold as
14 a motor vehicle for use upon the highways or as junk. If
15 it is to be sold as a motor vehicle for use upon the high-
16 ways it shall first be inspected as provided in this Act and
17 have a valid certificate of inspection affixed.

18 If such vehicle is sold as junk and not sold to a
19 dealer licensed under chapter three hundred twenty-two (322)
20 of the Code such officer shall detach the registration plates
21 and registration card, if any, and deliver them to the depart-
22 ment and certify to the department that such motor vehicle
23 was sold for junk. Upon receipt of such certification the
24 department shall: if the vehicle is of record in the depart-
25 ment, cancel the registration and certificate of title for

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1 such vehicle on its records; notify the county treasurer of
2 the county where such vehicle was registered and, if differ-
3 ent the county treasurer of the title issuing county, that
4 the registration and certificate of title to such vehicle
5 have been cancelled; authorize the county treasurers to
6 cancel all records pertaining to such vehicle; and, if the
7 owner of such motor vehicle appears of record in the de-
8 partment notify the owner that the certificate of title to
9 such vehicle has been cancelled and to deliver such certi-
10 ficate of title to the department. No refunds of license
11 fees for such vehicle shall be made."

The amendment was adopted.

Senator Laverty offered the following amendment and moved its adoption:

1 Amend Senate File 297, on page 5, line 2, by insert-
2 ing after the period the following:

3 "The inspection station shall also inspect each motor
4 vehicle to ascertain that none of the factory installed
5 emission control devices have been removed or rendered
6 inoperable."

The amendment was adopted.

Senator Doderer offered the following amendment and moved its adoption:

- 1 Amend Senate File 297, page 6 by adding the following
- 2 new paragraph after line 32:
- 3 "After November 1, 1972 every motor vehicle subject
- 4 to registration under the laws of this state except
- 5 motor vehicles registered under section three hundred
- 6 twenty one point one hundred fifteen (321.115) of the
- 7 Code, shall be annually inspected at an authorized
- 8 inspection station not more than sixty days prior to the
- 9 date of application for registration.
- 10 No registration of a motor vehicle shall be renewed for
- 11 the year 1973 or any year thereafter unless the application
- 12 for renewal is accompanied by a completed inspection
- 13 certificate."

Roll call was requested.

On the question "Shall the Doderer amendment be adopted?"
(S.F. 297) the vote was:

Ayes, 9:

Arbuckle	Glenn	Gross	Miller
Doderer	Graham	Kennedy	Tapscott
Gaudineer			

Nays, 38:

Anderson	DeKoster	Milligan	Riley
Balloun	Erskine	Mowry	Schaben
Bass	Gilley	Nicholson	Shaff
Briles	Griffin	Ollenburg	Shawver
Brownlee	Hill	Palmer	Smith
Carlson	Keith	Potgeter	Stephens
Coleman	Kyhl	Potter	Van Drie
Conklin	Lamborn	Rabedeaux	Van Gilst
Curran	Laverty	Rhodes	Walsh
Davis	Messerly		

Absent or not voting, 3:

Neu	Robinson	Thordsen
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The amendment lost.

The Senate resumed consideration of the Rabedeaux, et al., amendment as amended.

Senator Gaudineer offered the following amendment to the amendment and moved its adoption:

- 1 Amend the Rabedeaux, et. al., amendment to Senate File
- 2 297, page 2, line 16, by inserting thereafter the follow-
- 3 ing new subsection:
- 4 "8. If a pneumatic tire was originally designed
- 5 without grooves or tread, the safety standards therefor
- 6 shall be established by the commissioner."

The amendment to the amendment was adopted.

Senator Rabedeaux moved the adoption of the amendment as amended.

Roll call was requested.

On the question "Shall the amendment as amended be adopted?" (S.F. 297) the vote was:

Rule 24 was invoked.

Ayes, 25:

Anderson	Gilley	Lamborn	Rabedeaux
Briles	Glenn	Mowry	Rhodes
Brownlee	Graham	Nicholson	Riley
Carlson	Keith	Ollenburg	Robinson
Curran	Kennedy	Palmer	Shawver
Doderer	Kyhl	Potter	Smith
Gaudineer			

Nays, 22:

Arbuckle	DeKoster	Messerly	Shaff
Balloun	Erskine	Miller	Stephens
Bass	Griffin	Milligan	Tapscott
Coleman	Gross	Potgeter	Van Drie
Conklin	Hill	Schaben	Van Gilst
Davis	Laverty		

Absent or not voting, 3:

Neu	Thordsen	Walsh
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The amendment as amended was adopted.

Senator Coleman offered the following amendment and moved its adoption:

- 1 Amend Senate File 297 as follows:
- 2 Page 7, by adding after line 35 the following new sec-
- 3 tion:
- 4 "Sec. 4. Section three hundred twenty-one point
- 5 thirty-two (321.32), Code 1971, is amended as follows:
- 6 321.32 REGISTRATION CARD SIGNED, CARRIED, AND EX-
- 7 HIBITED. Every owner upon receipt of a registration card
- 8 shall write his signature thereon with pen and ink in the
- 9 space provided. Every such registration card shall at all
- 10 times be carried in the vehicle to which it refers and
- 11 [shall be displayed in the container furnished or approved
- 12 by the department. Such certificate container shall be
- 13 attached to the vehicle in the driver's compartment so
- 14 that same may be plainly seen without entering the car]."

The amendment was adopted.

Senator Kyhl moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S. F. 297) the vote was:

Ayes, 37:

Anderson	Briles	Coleman	DeKoster
Arbuckle	Brownlee	Conklin	Doderer
Balloun	Carlson	Davis	Gaudineer

Gilley	Lamborn	Potter	Smith
Glenn	Lavery	Rabedeaux	Tapscott
Graham	Miller	Rhodes	Thordsen
Griffin	Nicholson	Riley	Van Drie
Keith	Ollenburg	Robinson	Van Gilst
Kennedy	Palmer	Schaben	Walsh
Kyhl			

Nays, 11:

Bass	Hill	Mowry	Shawver
Erskine	Messerly	Potgeter	Stephens
Gross	Milligan	Shaff	

Absent or not voting, 2:

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

MESSAGES FROM THE HOUSE

The following messages were received from the House:

Mr. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File 369, a bill for an act relating to fees for census searches charged by the Iowa department of history and archives.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 550, a bill for an act relating to information obtained by the department of revenue.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 551, a bill for an act relating to registration of motor vehicles.

WILLIAM R. KENDRICK, Chief Clerk

HOUSE MESSAGES CONSIDERED

House File 369, a bill for an act relating to fees for census searches charged by the Iowa department of history and archives.

Read first time and **passed on file**.

House File 550, a bill for an act relating to information obtained by the department of revenue.

Read first time and **passed on file**.

House File 551, a bill for an act relating to registration of motor vehicles.

Read first time and **passed on file**.

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on April 5, 1971, the Governor approved and transmitted to the Secretary of State the following bills:

H. F. 119—Relating to election precincts.

H. F. 130—Relating to brucellosis tests.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which House File 12 passed the Senate.

VERNON H. KYHL

REPORTS OF COMMITTEES

Senator Mowry submitted the following reports:

MR. PRESIDENT: Your committee on commerce, to which was referred **House File 24**, a bill for an act to exempt certain electric utility projects from petition requirements, begs leave to report it has had the same under consideration and recommends the same **do pass**.

JOHN L. MOWRY, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on commerce, to which was referred **House File 26**, a bill for an act relating to the use of eminent domain for the development or utilization of water or water power for manufacturing, power, industrial and recreational purposes, begs leave to report it has had the same under consideration and recommends the same **do pass**.

JOHN L. MOWRY, Chairman

Ordered passed on file.

Senator Conklin submitted the following report:

MR. PRESIDENT: Your committee on schools, to which was referred **Senate File 220**, a bill for an act relating to the tort liability of school districts and other governmental subdivisions, begs leave to report it has had the same under consideration and recommends the same **do pass**.

W. CHARLENE CONKLIN, Chairman

Ordered passed on file.

Senator Shaff submitted the following report:

MR. PRESIDENT: Your committee on ways and means, to which was referred **House File 505**, a bill for an act relating to the fees charged for insurance agent licenses and making the act retroactive, begs leave to report it has had the same under consideration and recommends the same **do pass**.

ROGER J. SHAFF, Chairman

Ordered passed on file.

AMENDMENTS FILED

1 Amend Senate File 128 as follows:

2 1. Page 1, line 11 by striking the words "car wash
3 and wax;" and inserting in lieu thereof "[car wash
4 and wax;]."

5 2. Page 2, lines 1 and 2 by striking the words "shoe
6 repair and shoeshine;" and inserting in lieu
7 thereof "[shoe repair and shoeshine;]."

8 3. Page 1, line 1, by inserting after the word
9 "laundries" the words, "car wash and wax, and
10 shoe repair and shoeshine establishments".

EUGENE M. HILL

1 Amend Senate File 223 as follows:

2 1. By striking lines 9 through 17, inclusive, and
3 by inserting in lieu thereof the following:

4 "to conduct boxing and wrestling matches to
5 any [person] *resident of this state or to any nonresident*
6 *of this state provided that the nonresident is either a*
7 *partner of an Iowa resident who is engaged in the business*
8 *of promoting professional boxing and wrestling matches with-*
9 *in this state or provided that the nonresident appoints an*
10 *Iowa resident to be his agent for service of process. A*
11 *license may be issued to a group, club, association or*
12 *corporation if it appoints an Iowa resident as its agent*
13 *for service of process. Nothing in this chapter shall be*
14 *construed".*

15 2. By adding the following after line 20:

16 "Sec. 2. Chapter seven hundred twenty-seven A (727A),
17 Code 1971, is amended by adding the following section there-
18 to:

19 "If the governor appoints an advisory committee, by
20 executive order, to assist the commissioner in the regula-
21 tion of professional boxing and wrestling matches within
22 the state, he may allow the members of such committee to
23 be reimbursed for their necessary and reasonable expenses
24 incurred in attendance at committee meetings and may also
25 allow committee members to be paid a per diem of not more

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1 than twenty-five dollars (\$25.00) for attendance at com-
2 mittee meetings."

LEE H GAUDINEER, JR.

1 Amend Senate File 259 as follows:

2 1. Page 3, line 22, by inserting after the word
3 "recorder" the words "a sales tax receipt or".

4 2. Page 3, by striking lines 26 to 35, inclusive, and
5 inserting in lieu thereof the following:

6 "For the registering of any motorboat or sailboat used
7 for recreational purposes, the county recorder shall col-
8 lect an annual fee based upon the length of motorboat or
9 sailboat and the horsepower rating of any motor used to
10 propel the motorboat or sailboat. The length of a boat
11 shall be determined by measuring along the center line

12 from its bow to its stern. The annual fee shall be com-
13 puted as follows:

- 14 1. For open cockpit boats having a length of:
 - 15 a. Sixteen feet or less, the fee is four dollars.
 - 16 b. More than sixteen feet but not more than eighteen
17 feet, the fee is ten dollars.
 - 18 c. More than eighteen feet, the fee is twelve dollars.
- 19 2. For enclosed cockpit boats and cabin cruisers
20 having a length of:
 - 21 a. Fourteen feet or less, the fee is eight dollars.
 - 22 b. More than fourteen feet but not more than sixteen
23 feet, the fee is ten dollars.
 - 24 c. More than sixteen feet but not more than eighteen
25 feet, the fee is twelve dollars.

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- 1 d. More than eighteen feet but not more than twenty
2 feet, the fee is fifteen dollars.
- 3 e. More than twenty feet but not more than twenty-two
4 feet, the fee is eighteen dollars.
- 5 f. More than twenty-two feet but not more than
6 twenty-four feet, the fee is twenty-one dollars.
- 7 g. More than twenty-four feet but not more than
8 twenty-six feet, the fee is twenty-five dollars.
- 9 h. More than twenty-six feet but not more than
10 twenty-eight feet, the fee is thirty dollars.
- 11 i. More than twenty-eight feet but not more than
12 thirty feet, the fee is thirty-five dollars.
- 13 j. More than thirty feet, the fee is forty dollars.
- 14 3. In addition to the fee based on their length, for
15 boats propelled by outboard motors having a horsepower
16 rating of:
 - 17 a. Five horsepower or less, the fee is two dollars.
 - 18 b. More than five horsepower but not more than twenty
19 horsepower, the fee is four dollars.
 - 20 c. More than twenty horsepower but not more than
21 thirty-five horsepower, the fee is six dollars.
 - 22 d. More than thirty-five horsepower but not more than
23 sixty horsepower, the fee is eight dollars.
 - 24 e. More than sixty horsepower, the fee is eighteen
25 dollars.

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- 1 4. In addition to the fee based on their length, for
2 boats propelled by inboard motors having a horsepower
3 rating of:
 - 4 a. One hundred horsepower or less, the fee is
5 eighteen dollars.
 - 6 b. More than one hundred horsepower but not more than
7 one hundred fifty horsepower, the fee is twenty-two
8 dollars.
 - 9 c. More than one hundred fifty horsepower but not more
10 than two hundred horsepower, the fee is twenty-six
11 dollars.
 - 12 d. More than two hundred horsepower, the fee is
13 thirty dollars.

14 If different motors are used to propel a boat at different
15 times, the registration fee shall be based on the motor
16 with the highest horsepower rating. If more than one
17 motor is used to propel a boat simultaneously, the com-
18 bined horsepower ratings of the motors shall be used to
19 determine the registration fee.

20 After the motorboat or sailboat has been registered
21 five years or upon a sworn statement of the registrant
22 that the motorboat or sailboat has been listed for per-
23 sonal property tax purposes for five years, the annual
24 registration fee shall be reduced by twenty-five percent
25 of fee determined in section five (5) of this Act.

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1 Sec. 6. For the registering of any motorboat or sail-
2 boat used for commercial purposes, the county recorder
3 shall collect an annual fee based upon the manufacturer's
4 list price of the motorboat or sailboat equal to one-half
5 of one percent of the manufacturer's list price.

6 Upon determination by the commission that no estab-
7 lished manufacturer's list price for any commercial
8 motorboat or sailboat exists, the commission shall
9 determine the fair market value of the motorboat or sail-
10 boat by mutual agreement with the owner or by the average
11 of two appraisals of the fair market value determined by
12 two qualified, disinterested appraisers.

13 The fair market value so determined shall be used in
14 lieu of a manufacturer's list price in determining the
15 registration fee for each motorboat or sailboat as pro-
16 vided in this section."

17 3. Page 4, line 15, by inserting before the word "Any"
18 the word and numeral "Sec. 7."

19 4. Page 4, by striking lines 1 to 11, inclusive.

20 5. Page 5, by striking lines 9 to 21, inclusive.

21 6. Page 5, line 27, by striking the word "sixty" and
22 inserting in lieu thereof the word "ninety".

23 7. By renumbering the sections and subsections to
24 conform to this amendment.

GEORGE L. SHAWVER
W. CHARLENE CONKLIN

1 Amend Senate File 335 as follows:

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

4 "Section 1. Section seven hundred sixty-three point
5 one (763.1), Code 1971, is amended as follows:

6 763.1 BAILABLE OFFENSES. All defendants are bail-
7 able [both] before [and after] conviction, by sufficient
8 surety, except for murder in the first degree and kid-
9 napping for ransom when the proof is evident or the
10 presumption great.

11 Sec. 2. Section seven hundred sixty-three point
12 nine (763.9), Code 1971, is amended by striking the
13 section and inserting in lieu thereof the following
14 new section:

15 'After the court accepts a plea of guilty or nolo

16 contendere or a finding of guilty is entered by the
17 jury or court, the court shall immediately make an
18 independent examination of the case to determine if
19 the defendant shall be admitted to bail pending post
20 trial motions, sentencing, and appeal. If upon such
21 examination the court finds:

22 1. An appeal or post trial motions would be
23 frivolous;

24 2. An appeal would be taken or post trial motions
25 made for the purpose of delay only;

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1 3. The release of the defendant would jeopardize
2 the community; or

3 4. The defendant is likely to flee or go into hiding;
4 bail shall be denied and the defendant immediately de-
5 livered to the custody of the sheriff to await the fur-
6 ther order of the court or to execute the sentence pro-
7 nounced by the court. Otherwise, the court shall proceed
8 to determine the amount of bail required and the terms
9 and conditions for providing such bail.

10 The amount of bail and the terms and conditions
11 thereof shall be such as in the discretion of the court
12 will insure that the defendant will surrender himself
13 in execution of the sentence of the district court or
14 judgment of the supreme court, and in all other respects
15 abide by the orders and judgment of the district or
16 supreme court, having regard to the nature and circum-
17 stances of the offense, the weight of evidence against
18 the defendant, the possible sentence, or the sentence
19 imposed, the financial ability of the defendant to give
20 bail, and the character of the defendant. The district
21 court having original jurisdiction of the cause and
22 any justice of the supreme court shall have jurisdiction
23 to subsequently revoke any bail allowed if at a later
24 time any of the grounds for denying bail shall be
25 present. The amount of and the terms and conditions

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1 of any bail set may subsequently be increased, decreased,
2 or modified in like manner. Any order respecting bail
3 made by the district court is subject to immediate
4 review, affirmance, or modification upon hearing by
5 a writ of certiorari by any justice of the supreme
6 court.'

7 Sec. 3. Section seven hundred eighty-nine point
8 nineteen (789.19), Code 1971, is amended as follows:

9 789.19 ALLOWANCE OF BAIL UPON APPEAL. In all cases,
10 except murder in the first degree and treason, the court
11 rendering judgment must [make an order fixing the amount
12 in which bail must be taken] *determine all matters re-*
13 *specting bail pursuant to chapter 763*, and there shall
14 be no execution of the judgment until such order is
15 made.

16 Sec. 4. Section seven hundred ninety-three point
17 four (793.4), Code 1971, is amended as follows:

18 793.4 TAKING AND PERFECTING. An appeal is taken
19 and perfected by the party or his attorney [serving on
20 the adverse party or his attorney of record in the
21 district court at the time of the rendition of the judg-
22 ment, a notice in writing of the taking of the appeal,
23 and filing the same with such clerk, with evidence of
24 service thereof endorsed thereon or annexed thereto]
25 *in the same manner as in civil cases.*

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1 Sec. 5. Section seven hundred ninety-three point
2 twenty-four (793.24), Code 1971, is amended as follows:
3 793.24 DECISION RECORDED AND TRANSMITTED. The de-
4 cision of the supreme court, with any opinion filed
5 or judgment rendered, must be recorded by its clerk,
6 and, after the expiration of the period allowed for
7 a rehearing, or as ordered by the court or provided
8 by its rules, a certified copy of the decision and
9 opinion shall be transmitted to the clerk of the trial
10 court, filed and entered of record by him, and thereafter
11 the jurisdiction of the supreme court shall cease, and
12 all proceedings necessary for executing the judgment
13 shall be had in the trial court, or by its clerk.

14 *The court may, pending the expiration of the period*
15 *allowed for rehearing, order the bail of the defendant*
16 *revoked and remand him to the custody of the sheriff*
17 *pending the filing of the certified copy of the decision*
18 *and opinion with the clerk of the trial court.*

19 Sec. 6. Section seven hundred ninety-three point
20 two (793.2), Code 1971, is repealed."

21 2. Page 1, by striking from lines 1 and 2 the words
22 "to require higher bail for persons accused of violent
23 crimes" and inserting in lieu thereof the words "relat-
24 ing to bail and appeals of criminal defendants".

LEE H. GAUDINEER, JR.

1 Amend Senate File 427 as follows:

2 Page 4, by striking all of lines 17 through 26 and inserting:

3 "1. The construction costs of regional correction centers
4 shall be paid from funds appropriated by the general assembly
5 to the department of social services for such purpose. The
6 department of social services may accept any private or pub-
7 lic funds available for the construction of regional correc-
8 tion centers.

9 2. The commissioner of social services and the director
10 of the division of corrections shall establish monetary rates
11 to be charged to political subdivisions and the state for
12 the detention of persons at a regional correction center.
13 The rates shall not exceed the average per diem cost for
14 operating the regional correction centers. The commissioner
15 of social services and the director of the division of
16 corrections shall establish billing procedures and an adequate
17 accounting system for the purpose of determining charges to
18 be made for the confinement of persons at a regional correction
19 center and making timely billings to the proper level of

20 government. In establishing the billing procedures and
21 accounting system the commissioner of social services and
22 director of the division of corrections shall consult with
23 the auditor of state.

24 3. Transportation costs for taking persons to and from
25 regional correction centers shall be the responsibility of

Page 2

1 the governmental unit responsible for the person being con-
2 fined".

MARVIN W. SMITH

1 Amend Senate File 459, page 2, line 16, by adding
2 after the word "compound" the words ", however nothing in
3 this Act shall apply to a detergent or cleaning compound
4 contained in fuel or lubricating oil".

TOM RILEY

1 Amend House File 172, as amended and passed by the House,
2 as follows:

3 1. Page 11, by striking lines 16 through 35, inclusive,
4 and by inserting in lieu thereof the following:

5 "Council members, officers, and employees of the
6 department shall not, while holding such office or posi-
7 tion, hold any other office or position under the laws of
8 this state, or any other state or territory of the United
9 States; nor engage in any occupation, business, endeavor,
10 or activity which would or does conflict with his duties
11 under this act; nor, directly or indirectly, use his office
12 or employment to influence, persuade, or induce any other
13 officer, employee, or person to adopt his political views
14 or favor any particular candidate for an elective or appoint-
15 ive public office; nor, directly or indirectly, solicit
16 or accept, in any manner or way, any money or other thing
17 of value for any person seeking an elective or appointive
18 public office, or to any political party or any group of
19 persons seeking to become a political party. Any officer or
20 employee violating this section or any other provision of
21 this Act shall, in addition to any other penalties provided
22 by law be subject to suspension or discharge from his employ-
23 ment. Any council member shall, in addition to any other
24 penalties provided by law, be subject to removal from office
25 as provided by law."

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1 2. Page 18, line 32, by inserting after the word
2 "Act." the following:

3 "The director shall, by rule and regulation, pre-
4 scribe the kind and type of seal that shall be placed up-
5 on each container, package, carton or box, containing
6 several bottles or other containers of alcoholic liquor
7 being transported within this state. The director shall
8 further prescribe the fee to be paid to the department for
9 such seals and the manner in which they are to be placed
10 upon each container, package, carton or box.

11 The director shall prescribe by such rule and regula-

tion, three methods of cross-checks and identification as between the seal affixed on the container, package, carton or box, and the bill of lading which is completed regarding alcoholic liquor being shipped into Iowa for resale by the state.

Such containers, packages, cartons, or boxes shall not be required to have this seal, if the individual bottles or containers of alcoholic liquor contained therein have thereon the identifying marker prescribed in section 26 of this Act. Alcoholic liquor transported in violation of this section, is contraband, and shall be immediately seized by any peace officer and forfeited to the state."

3. Page 35A, by striking lines 10 through 17 inclusive, and by inserting in lieu thereof the following:

Page 3

"f. Employ any person under legal age in the sale or serving of alcoholic liquor or beer for consumption on the premises where sold unless the person shall be at least 18 years old and the business of selling food or other services constitutes more than fifty percent of the gross business transacted therein and then only for the purpose of serving or clearing alcoholic beverages or beer as an incident to a meal. This paragraph shall not apply to Class "C" beer permit holders."

LEE H. GAUDINEER, JR.

Amend House File 217 by striking all after the enacting clause and inserting in lieu thereof the following:

Section 1. Section two hundred forty-seven point three (247.3), Code 1971, is amended as follows:

The board of parole shall be in the department of social services for administrative purposes, only. The commissioner shall provide the board with the necessary personnel, supplies and office space. *Any employee assigned to the board for six months or more shall not be reassigned by the department without the consent of the board, except to promote such employee to a higher classification within the merit system.*

JAMES A. POTGETER

LEE H. GAUDINEER, JR.

On motion of Senator Lamborn, the Senate adjourned until 9:00 a.m., Wednesday, April 7, 1971.

JOURNAL OF THE SENATE

EIGHTY-SEVENTH DAY

SENATE CHAMBER
DES MOINES, IOWA, WEDNESDAY, APRIL 7, 1971

The Senate met in regular session, President pro tempore Kyhl presiding.

Prayer was offered by Father J. W. McEleney, pastor of the Saint Paul's Catholic Church, Davenport, Iowa.

The Senate pledged allegiance to the flag.

The Journal of Tuesday, April 6, 1971, was approved.

PRESENTATION OF VISITORS

The Chair announced that the following visitors were present in the Senate gallery:

One hundred students from Vinton High School, Vinton, Iowa, accompanied by Elmo Baxter, Val Conner, Don Fleming and Don Holmes.

Forty-four students from Lowden Consolidated School, Lowden, Iowa, accompanied by their instructor, Mrs. Luepker.

Twenty-six fifth-grade students from West Marshall Community School, State Center, Iowa, accompanied by their instructor, Mrs. Helen German.

Twenty-two students from Oskaloosa Christian School, Oskaloosa, Iowa, accompanied by their instructors, Mr. Starkenberg and Mr. Bouman.

Sixty students from Pleasantville Community School, Pleasantville, Iowa, accompanied by their instructor, Mr. Martin.

Eight students from three Waterloo, Iowa schools, accompanied by Mrs. Junior Grim, Mrs. Mike Tovar, Mrs. Jack Lay and Mrs. Richard Ackerman.

INTRODUCTION OF BILL

Senate File 468, by committee on law enforcement (committee on judiciary), a bill for an act making additional amendments to the Code of Iowa in conformity to Senate File 1 of the Sixty-fourth Gen-

eral Assembly, updating certain references in the Code of Iowa, and making corrective amendments relating to the imposition of a penalty and other provisions in Senate File 1 of the Sixty-fourth General Assembly.

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

CONSIDERATION OF BILLS

Senator Lamborn asked and received unanimous consent to take up out of order Senate File 290.

Senate File 290

On motion of Senator Nicholson, Senate File 290, a bill for an act relating to fees for census searches charged by the Iowa department of history and archives, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Nicholson asked and received unanimous consent that **House File 369** be substituted for **Senate File 290.**

House File 369

On motion of Senator Nicholson, House File 369, a bill for an act relating to fees for census searches charged by the Iowa department of history and archives, was taken up and considered.

Senator Doderer offered the following amendment filed by Senators Doderer and Nicholson and moved its adoption :

- 1 Amend House File 369 as follows:
- 2 Page 1, by striking lines 17 and 18 and inserting in
- 3 in lieu thereof the following:
- 4 *"A fee of three dollars must accompany each request*
- 5 *for a search of census records. If the request for a*
- 6 *search of the census records is for the purpose of*
- 7 *determining genealogy, the curator shall charge to the*
- 8 *person requesting the search the actual cost of performing*
- 9 *the search if the cost is greater than the three dollar*
- 10 *fee accompanying the request. All fees collected".*

The amendment was adopted.

Senator Nicholson moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 369) the vote was:

Ayes, 40:

Anderson	Brownlee	Doderer	Keith
Arbuckle	Carlson	Gilley	Kennedy
Balloun	Curran	Graham	Kyhl
Bass	Davis	Griffin	Lamborn
Briles	DeKoster	Hill	Laverty

Messerly	Nicholson	Rabedaux	Shawver
Miller	Ollenburg	Rhodes	Smith
Milligan	Palmer	Riley	Stephens
Mowry	Potgeter	Schaben	Van Drie
Neu	Potter	Shaff	Van Gilst

Nays, 6:

Conklin	Glenn	Robinson	Tapscott
Gaudineer	Gross		

Absent or not voting, 4:

Coleman	Erskine	Thordsen	Walsh
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

SENATE FILE WITHDRAWN

Senator Nicholson asked and received unanimous consent that **Senate File 290** be **withdrawn** from further consideration of the Senate.

SPECIAL ORDER OF BUSINESS

The hour having arrived, the Chair announced the special order of business for the consideration of Senate File 427.

Senate File 427

On motion of Senator Brownlee, Senate File 427, a bill for an act relating to the establishment of area correction centers, their construction and programs, coordination of programs of area correction centers with other institutions under the control of the department of social services, and providing for amendment of certain penal statutes presently provided by law, was taken up and considered.

Senator Brownlee asked and received unanimous consent that Charles Larson, Deputy Director of the Iowa Crime Commission, be permitted to remain in the Senate chamber as a consultant during consideration of the bill.

Senator Potgeter offered the following amendment filed by him on March 30, 1971:

- 1 Amend Senate File 427, page 2, line 2, by striking the
- 2 word "eleven" and inserting in lieu thereof the word "three".

President Jepsen took the chair at 10:55 a.m.

Senator Van Drie moved that Senate File 427 be re-referred to the committee on judiciary.

Roll call was requested by Senator Brownlee.

On the question "Shall the motion to re-refer be adopted?" (S.F. 427) the vote was:

Ayes, 13:

Anderson	Kyhl	Messerly	Shaff
Balloun	Lamborn	Mowry	Stephens
Bass	Laverty	Ollenburg	Van Drie
Briles			

Nays, 35:

Arbuckle	Gaudineer	Milligan	Robinson
Brownlee	Gilley	Neu	Schaben
Carlson	Glenn	Nicholson	Shawver
Conklin	Graham	Palmer	Smith
Curran	Griffin	Potgeter	Tapscott
Davis	Gross	Potter	Thordsen
DeKoster	Hill	Rabedeaux	Van Gilst
Doderer	Keith	Rhodes	Walsh
Erskine	Kennedy	Riley	

Absent or not voting, 2:

Coleman	Miller
---------	--------

The motion lost.

Senator Potgeter moved the adoption of his amendment.

Division was called for.

The amendment lost.

Senator Smith offered the following amendment filed by him on April 5, 1971, and moved its adoption:

- 1 Amend Senate File 427, Page 2, line 2, by striking the
- 2 word "eleven" and inserting in lieu thereof the word "five".

The amendment lost.

Senator Smith offered the following amendment filed by him on April 6, 1971:

Division 1

- 1 Amend Senate File 427 as follows:
- 2 Page 4, by striking all of lines 17 through 26 and inserting:
- 3 "1. The construction costs of regional correction centers
- 4 shall be paid from funds appropriated by the general assembly
- 5 to the department of social services for such purpose. The
- 6 department of social services may accept any private or pub-
- 7 lic funds available for the construction of regional correc-
- 8 tion centers.
- 9 2. The commissioner of social services and the director
- 10 of the division of corrections shall establish monetary rates
- 11 to be charged to political subdivisions and the state for
- 12 the detention of persons at a regional correction center.
- 13 The rates shall not exceed the average per diem cost for
- 14 operating the regional correction centers. The commissioner

15 of social services and the director of the division of
16 corrections shall establish billing procedures and an adequate
17 accounting system for the purpose of determining charges to
18 be made for the confinement of persons at a regional correction
19 center and making timely billings to the proper level of
20 government. In establishing the billing procedures and
21 accounting system the commissioner of social services and
22 director of the division of corrections shall consult with
23 the auditor of state.

Division 2

24 3. Transportation costs for taking persons to and from
25 regional correction centers shall be the responsibility of

Page 2

1 the governmental unit responsible for the person being con-
2 fined”.

President pro tempore Kyhl took the chair at 11:35 a.m.

On motion of Senator Lamborn, the Senate recessed until 1:15 p.m.

AFTERNOON SESSION

The Senate reconvened, President pro tempore Kyhl presiding.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has amended Senate amendment to, concurred in Senate amendment as amended and repassed the following bill in which the concurrence of the House was asked:

House File 29, a bill for an act relating to the payment of subsequent damages to property owners.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 572, a bill for an act relating to the construction of an administration building for the state highway commission.

WILLIAM R. KENDRICK, Chief Clerk

HOUSE AMENDMENT TO SENATE AMENDMENT TO HOUSE FILE 29

1 Amend the Senate amendment to House File 29 by
2 striking from line 8 the word “three” and inserting
3 in lieu thereof the word “five”.

INTRODUCTION OF BILLS

Senate File 469, by committee on cities and towns, a bill for an act to legalize and validate the proceedings of the Town Council of the

Town of Bussey, in the County of Marion, State of Iowa, in amending a certain Resolution for the authorization and issuance of Water Revenue Bonds, dated April 1, 1961, to increase the maximum rates which may be charged to consumers of water.

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

Senate File 470, by Senator Doderer (Fisher of Greene, Grassley, Andersen, and Rex), a bill for an act relating to deferred compensation for governmental employees.

Read first time and **passed on file**.

Senate File 471, by committee on transportation, a bill for an act relating to the annual registration fee for urban transit company vehicles.

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

Senate File 472, by committee on transportation, a bill for an act to exempt the sales of tangible personal property to an urban transit company from the sales and use tax.

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

HOUSE MESSAGE CONSIDERED

House File 572, a bill for an act relating to the construction of an administration building for the state highway commission.

Read first time and **passed on file**.

SPECIAL ORDER CONTINUED

Senate File 427

The Senate resumed consideration of Senate File 427 and the amendment by Senator Smith.

Senator Brownlee called for a division of the amendment, lines 1 through 23 to be considered as division 1, and lines 24-25 and page 2, lines 1 and 2, considered as division 2.

Senator Smith moved the adoption of division 1 of his amendment and called for a division.

Division 1 of the amendment was adopted.

President Jepsen took the chair at 1:55 p.m.

Senator Smith moved the adoption of division 2 of his amendment.

The Chair called for a division.

Division 2 of the amendment was adopted.

(Senate File 427 pending.)

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 297 passed the Senate.

LEE H. GAUDINEER, JR.

MR. PRESIDENT: I move to reconsider the vote by which the Coleman amendment to Senate File 297 was adopted by the Senate.

JAMES A. POTGETER

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Rhodes, from the joint committee on enrolled bills, submitted the following report and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate Files 250 and 365.

JOHN C. RHODES
Chairman, Senate Committee
ELIZABETH R. MILLER
Chairman, House Committee

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate the following bills: Senate Files 250 and 365.

BILLS SENT TO THE GOVERNOR

Senator Rhodes, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 7th day of April, 1971, sent to the Governor for his approval: Senate Files 250 and 365.

JOHN C. RHODES, Chairman

Passed on file.

REASSIGNMENT OF BILL

President Jepsen announced the reassignment of **Senate File 461** from the calendar to the committee on **state government**, under Rule 37.

PROOF OF PUBLICATION

Published copy of Senate File 469 and verified proof of publication of

said bill in The Knoxville Express for one week, commencing March 25, 1971, was filed with the Secretary of the Senate prior to the time said bill was placed on passage in the Senate.

CARROLL A. LANE
Secretary of the Senate

ASSIGNMENT OF BILLS TO COMMITTEE

President Jepsen announced the assignment of the following bills to committee:

- S. F. 85 Appropriations (under Rule 37)
- S. F. 464 Law enforcement
- S. F. 465 Social services
- S. F. 467 Transportation
- S. F. 470 State government
- H. F. 242 Ways and means
- H. F. 326 Social services
- H. F. 522 Law enforcement
- H. F. 550 Ways and means
- H. F. 551 Transportation
- H. F. 572 Appropriations

SENATE CONCURRENT RESOLUTION 30

By Van Drie

Whereas, Ed Gagnier has coached the Iowa State University Gymnastics Team to its first National Collegiate Athletic Association Championship, and *Whereas*, three Cyclone performers: Brent Simmons, Russ Hoffman, and Dave Butzman won All-American Honors, and

Whereas, Brent Simmons was elected by a vote of the tournament coaches winner of the Nissen Award as the outstanding senior gymnast based on athletic ability, scholarship, and good sportsmanship, and

Whereas, this 1971 Cyclone Team has carried the Cardinal and Gold to twenty-three straight victories in dual meets and is ranked number one nationally; *therefore*,

Be It Resolved by the Senate, the House Concurring, that the Iowa legislature in regular session April 8, 1971, in behalf of all Iowans, does hereby congratulate Coach Ed Gagnier and the Iowa State University Gymnastics Team on their several achievements and for reflecting great honor upon themselves, the Iowa State University and the State of Iowa and its people.

REPORTS OF COMMITTEES

Senator Briles submitted the following reports:

MR. PRESIDENT: Your committee on county government, to which was referred **Senate File 132**, a bill for an act relating to the compensation of

appointive jury commissioners, begs leave to report it has had the same under consideration and recommends the same **do pass**.

JAMES E. BRILES, Chairman

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on county government, to which was referred **House File 122**, a bill for an act relating to the number of official county newspapers, begs leave to report it has had the same under consideration and recommends the same **do pass**.

JAMES E. BRILES, Chairman

Ordered passed on file.

Senator Potgeter submitted the following reports :

MR. PRESIDENT: Your committee on state government, to which was referred **Senate File 85**, a bill for an act creating a department of environmental quality, specifying its powers, duties, and functions, and providing penalties for violations thereof, begs leave to report it has had the same under consideration and **returns the bill without recommendation**.

JAMES A. POTGETER, Chairman

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on state government, to which was referred **Senate File 288**, a bill for an act to establish the office of ombudsman for the investigation of citizen complaints and certain acts of government within the state, to define his powers and duties, and to provide penalties, begs leave to report it has had the same under consideration and **returns the bill without recommendation**.

JAMES A. POTGETER, Chairman

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on state government, to which was referred **Senate File 354**, a bill for an act relating to the issuance of new birth certificates for persons born outside the United States and adopted in Iowa, begs leave to report it has had the same under consideration and recommends the same **do pass**.

JAMES A. POTGETER, Chairman

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on state government, to which was referred **House File 172**, a bill for an act relating to a reorganization of the Iowa liquor control commission; creating an Iowa beer and liquor control department; providing for the appointment of an Iowa beer and liquor control council and a director of beer and liquor control and designating their powers and duties; amending provisions concerning liquor control, licenses, special liquor permits, beer permits, and fees charged therefor; abolishing special distributors; altering dram shop liability; requiring cer-

tificates of compliance from distillers and brewers; declaring certain acts to be unlawful and providing penalties for violations; and otherwise amending current statutory provisions relating to the sale and possession of alcoholic liquor and beer in this state, begs leave to report it has had the same under consideration and recommends the same **be amended as follows; and returns the bill without recommendation:**

1 Amend House File 172, as amended, passed and re-
2 printed by the House, as follows:

3 1. Page 7, line 27, by striking the word and
4 numbers "July 1, 1971" and inserting in lieu thereof
5 the word and numbers "January 1, 1972".

6 2. Page 7, line 32, by striking the words "At
7 least three members" and inserting in lieu thereof
8 the word "Members".

9 3. Page 7, line 35 and page 8, line 1, by strik-
10 ing the words "a retainer" and inserting in lieu
11 thereof the words "full compensation for their
12 services".

13 4. Page 8, lines 1 and 2, by striking the words
14 "payable in twenty-four equal payments throughout
15 the year".

16 5. Page 8, line 18, by inserting after the comma
17 the words "in such amount and".

18 6. Page 8, lines 28 and 29, by striking the words
19 and numbers "on July 1, 1971" and inserting in lieu
20 thereof the words and numbers "as soon after January
21 1, 1972 as is possible".

22 7. Page 9, line 5, by inserting before the word
23 "twenty-five" the words "not more than".

24 8. Page 9, by striking lines 26 and 27 and
25 inserting in lieu thereof the words "Sec. 12. RE-

Page 2

1 MOVAL. Any council member shall be removed".

2 9. Page 10, by striking lines 2 through 18, inclu-
3 sive, and inserting in lieu thereof the following:

4 "Sec. 14. BEER AND LIQUOR LAW ENFORCEMENT.

5 1. The division of beer and liquor law enforcement
6 of the department of public safety, created pursuant
7 to section one hundred forty-five (145) of this Act,
8 shall be the primary beer and liquor law enforcement
9 authority for this state.

10 2. The other law enforcement divisions of the
11 department of public safety, the county attorney,
12 the county sheriff and his deputies, and the police
13 department of every city, including the day and night
14 marshal of any incorporated town, shall be
15 supplementary aids to the division of beer and liquor
16 law enforcement. Any neglect, misfeasance, or
17 malfeasance shown by any peace officer included in
18 this section shall be sufficient cause for his removal
19 as provided by law. Nothing in this section shall
20 be construed to affect the duties and responsibilities
21 of any county attorney or peace officer with respect
22 to law enforcement.

23 3. The division of beer and liquor law enforcement
24 shall be allowed full access to all records, reports,
25 audits, tax reports and all other documents and papers

Page 3

1 in the department pertaining to liquor licensees and
2 beer permittees and their business."

3 10. Page 10, by striking lines 28 through 31,
4 inclusive, and inserting in lieu thereof the following:
5 "and one member shall be the commissioner of public
6 safety or his designee. The hearing board shall
7 establish and adopt rules and procedures for conducting
8 departmental hearings under this Act."

9 11. Page 11, by striking lines 16 through 35,
10 inclusive, and inserting in lieu thereof the following:
11 "Council members, officers, and employees of the
12 department shall not, while holding such office or
13 position, hold any other office or position under
14 the laws of this state, or any other state or territory
15 or of the United States; nor engage in any occupation,
16 business, endeavor, or activity which would or does
17 conflict with his duties under this Act; nor, directly
18 or indirectly, use his office or employment to
19 influence, persuade, or induce any other officer,
20 employee, or person to adopt his political views or
21 to favor any particular candidate for an elective
22 or appointive public office; nor, directly or
23 indirectly, solicit or accept, in any manner or way,
24 any money or other thing of value for any person
25 seeking an elective or appointive public office, or

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1 to any political party or any group of persons seeking
2 to become a political party. Any officer or employee
3 violating this section or any other provisions of
4 this Act shall, in addition to any other penalties
5 provided by law be subject to suspension or discharge
6 from his employment. Any council member shall, in
7 addition to any other penalties provided by law, be
8 subject to removal from office as provided by law."

9 12. Page 12, line 35, by inserting after the word
10 "department" the words "the name and address of its
11 authorized agent for service of process which shall
12 remain effective until changed for another and".

13 13. Page 13, line 11, by inserting after the word
14 "Act" the words "or of rules and regulations of the
15 department or of any other provision of law".

16 14. Page 13, by inserting after line 28 the
17 following new subsection:

18 "6. The attorney general may also proceed pursuant
19 to the provisions of section seven hundred thirteen
20 point twenty-four (713.24) of the Code in order to
21 gain compliance with subsection three (3) of this
22 section and may obtain an injunction prohibiting any
23 further violations of this Act or other provisions
24 of law. Any violation of that injunction shall be

25 punished as contempt of court pursuant to chapter

Page 5

1 six hundred sixty-five (665) of the Code except that
2 the maximum fine that may be imposed shall not exceed
3 fifty thousand dollars."

4 15. Page 14, lines 13 and 14, by striking the
5 words "the director and enforcement agents in the
6 enforcement division" and inserting in lieu thereof
7 the words "and the director".

8 16. Page 15, line 22, by striking the word "should"
9 and inserting in lieu thereof the word "shall".

10 17. Page 16A, by striking lines 7 through 9,
11 inclusive.

12 18. Page 16A, line 17, by striking the words
13 "United States" and inserting in lieu thereof the
14 words "territorial limits of any state of the United
15 States and for which the owner has in his possession
16 a valid sales receipt".

17 19. Page 18, by striking lines 18 through 20,
18 inclusive, and renumbering the remaining subsection.

19 20. Page 18, line 30, by striking the words "or
20 depot" and inserting in lieu thereof the words "depot
21 or point of purchase by the state".

22 21. Page 19, line 2, by striking the words "a
23 container which has" and inserting in lieu thereof
24 the words "individual bottles or containers of
25 alcoholic liquor exempted pursuant to section twenty-

Page 6

1 two (22) of this Act and individual bottles or
2 containers bearing the identifying mark prescribed
3 in section twenty-six (26) of this Act which have".

4 22. Page 25, line 3, by striking the word
5 "registered" and inserting in lieu thereof the words
6 "restricted certified".

7 23. Page 25, line 14, by striking the word "may"
8 and inserting in lieu thereof the word "shall".

9 24. Page 25, line 18, by striking the word "may"
10 and inserting in lieu thereof the words "shall reduce
11 the period of suspension or".

12 25. Page 26, by striking line 6 and inserting
13 in lieu thereof the words "agents of the division
14 of beer and liquor law enforcement of the department
15 of public safety during".

16 26. Page 28, line 32, by striking all after the
17 word "beer" and lines 33 through 35, inclusive, and
18 on page 29, lines 1 and 2 and inserting in lieu thereof
19 the following:

20 "or require the obtaining of an additional license
21 or permit for such sale in any establishment. Local
22 authorities may, by ordinance, provide for the
23 licensing of individuals, as a condition precedent
24 to his employment, for the sale, serving, or handling
25 of alcoholic beverages or beer in an establishment

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1 operating under a license or permit issued pursuant
2 to this Act."

3 27. Page 30, line 7, by inserting after the word
4 "revoked" the words "or suspended".

5 28. Page 30, line 9, by inserting after the word
6 "revoked" the words "or suspended".

7 29. Page 30, line 25, by striking the words "sixty
8 days" and inserting in lieu thereof the words "one
9 year".

10 30. Page 31A, line 24, by inserting after the
11 word "Iowa" the words "for a period of two years from
12 the date of such revocation".

13 31. Page 31A, line 31, by inserting after the
14 word "interest" the words "for a period of two years
15 from the date of such revocation".

16 32. Page 32, line 19, by adding after the period
17 the following: "No manufacturer, vinter, wholesaler,
18 importer, licensee, permittee or any other person
19 dealing in alcoholic liquor or beer subject to this
20 Act shall offer or give any thing of value to any
21 council member, official or employee of the department
22 or directly or indirectly contribute in any manner
23 any money or thing of value to any person seeking
24 a public or appointive office or any recognized
25 political party or a group of persons seeking to

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1 become a recognized political party."

2 33. Page 35A, line 16, by inserting after the
3 letter "C" the word "beer".

4 34. Page 36A, lines 12 and 13, by striking the
5 words "or to both such fine and imprisonment".

6 35. Page 48A, line 15, by striking the word
7 "thuosend" and by inserting in lieu thereof the word
8 "thousand".

9 36. Page 49, by striking lines 3 through 16, in-
10 clusive.

11 37. Page 49, by striking line 26 and inserting
12 in lieu thereof the words ", retail beer permittee,
13 or any other person who sells or gives any alcoholic".

14 38. Page 49, line 32, by striking all after the
15 word "dollars" and all of line 33 and inserting in
16 lieu thereof a period.

17 39. Page 50, lines 5 and 6, by striking the words
18 "by certified mail, return receipt requested," and
19 inserting in lieu thereof the words "or such licensee's
20 or permittee's insurance carrier".

21 40. Page 50, line 8, by inserting after the period
22 the following: "Such six month period shall be ex-
23 tended if the injured party is incapacitated at the
24 expiration thereof or unable, through reasonable
25 diligence, to discover the name of the licensee,

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1 permittee, or person until such time as such incapacity
2 is removed or such person has had a reasonable time
3 to discover the name of the licensee, permittee, or
4 person."

5 41. Page 50, by striking lines 14 and 15 and
6 inserting in lieu thereof the following:

7 "from a company licensed to do business in this
8 state or by posting bond in the minimum limits herein
9 set. Any such insurance policy shall not be canceled
10 until the director has been given at least ten days
11 written notice thereof by restricted certified mail.
12 Each licensee and permittee shall post proof of
13 financial responsibility as herein required as a
14 condition to obtaining and keeping a license or permit
15 pursuant to this Act. Actual notice of a claim to
16 an insurance company shall obviate the requirement
17 of giving written notice."

18 42. Page 54, by striking lines 27 through 31,
19 inclusive.

20 43. Page 55, line 6, by striking the words "and
21 prima facie".

22 44. Page 56, line 20, by inserting after the word
23 "destruction" the words "or forfeiture to the state".

24 45. Page 56, line 22, by striking the words "prima
25 facie".

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1 46. Page 56, line 31, by striking the words "prima
2 facie" and by inserting in lieu thereof the word
3 "competent".

4 47. Page 57, line 2, by striking the words "prima
5 facie" and by inserting in lieu thereof the word
6 "competent".

7 48. Page 61, by striking lines 6 through 9, inclu-
8 sive, and inserting in lieu thereof the words "less
9 than twenty-five persons at one time."

10 49. Page 62A, by striking lines 3 through 7, in-
11 clusive, and inserting in lieu thereof the words "be
12 two hundred fifty dollars."

13 50. Page 63, line 3, by inserting after the period
14 the following:

15 "Any brewer whose plant is located in Iowa and
16 who otherwise holds a class 'A' beer permit to sell
17 beer at wholesale shall be exempt from the fee, but
18 not of the terms and conditions, as herein provided."

19 51. Page 66, by striking lines 15 through 23,
20 inclusive, and inserting in lieu thereof the following:

21 "1. All retail beer permit fees collected by any
22 local authority at the time application for the permit
23 is made, and remitted with the permit application
24 to the department, shall be refunded by the department
25 to the local authority at the time the permit is is-

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1 sued."

2 52. Page 67, by striking lines 23 through 28,
3 inclusive.

4 53. Page 67, by adding after line 28 the follow-
5 ing:

6 "Sec. 145. Chapter eighty (80), Code 1971, is
7 amended by adding the following section thereto:

8 The commissioner of public safety shall establish
9 a division of beer and liquor law enforcement and
10 appoint a chief enforcement officer to head the
11 division and the other agents needed in the division
12 as are necessary to enforce the provisions of Title
13 VI of the Code. All enforcement officers, assistants,
14 and agents of the division, excluding clerical workers,
15 shall be subject to the provisions of section eighty
16 point fifteen (80.15) of the Code."

17 54. Page 68, by striking lines 12 and 13 and
18 inserting in lieu thereof the words "*the division*
19 *of beer and liquor law enforcement of the department*
20 *of public safety, except clerical workers.*"

21 55. Page 68, by adding after line 13 the following:

22 "Sec. 147. Section ninety-seven A point three
23 (97A.3), subsection one (1), Code 1971, is amended
24 as follows:

25 1. All members of the division of highway safety

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1 and uniformed force and the division of criminal
2 investigation and bureau of identification in the
3 department of public safety, excepting the members
4 of the clerical force, who are employed by the state
5 of Iowa when this chapter becomes effective, and all
6 persons thereafter employed as members of such
7 divisions in the department of public safety or
8 division of drug law enforcement *or division of beer*
9 *and liquor law enforcement* in said department except
10 the members of the clerical force, shall be members
11 of this system. Such members shall not be required
12 to make contributions under any other pension or
13 retirement system of the state of Iowa, anything to
14 the contrary notwithstanding."

15 56. Page 68, by adding after line 13 the follow-
16 ing:

17 "Sec. 148. Only those agents who qualify for
18 appointment under chapter eighty (80) of the Code
19 upon the effective date of this Act who are transferred
20 to the division of beer and liquor law enforcement
21 shall become members of the peace officers retirement
22 system under chapter ninety-seven A (97A) of the Code.
23 All other agents shall be exempt from such chapter
24 and remain members of the Iowa public employees
25 retirement system. All agents of the enforcement

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1 division of the liquor control commission and the
2 appropriation to sustain them are, on the effective
3 date of this Act, transferred to the department of
4 public safety as agents of the division of beer and
5 liquor law enforcement, whether or not they qualify
6 as such under chapter eighty (80) of the Code,
7 notwithstanding the provisions of section one hundred
8 forty-five (145) of this Act. This section shall
9 only be printed in the session laws and not made a
10 permanent part of the Code."

11 57. Page 8, by adding after line 13 the follow-
12 ing:

13 "Sec. 149. Section seven hundred thirteen point
14 twenty-four (713.24), subsection two (2), Code 1971,
15 is amended by adding the following new paragraph:

16 'e. Any violations of this Act or any other provi-
17 sions of law by a manufacturer, distiller, vintner,
18 importer, or any other person participating in the
19 distribution of alcoholic liquor or beer as defined
20 in this Act.' "

21 58. Page 68, line 14, by striking the word
22 "Chapters" and inserting in lieu thereof the words
23 and numerals "Section eighty point twenty-five (80.25),
24 and chapters".

25 59. Page 68, by adding after line 20 the follow-

Page 14

1 ing:

2 "Sec. 151. 1. The effective date of this Act
3 shall be January 1, 1972, however, the appointments
4 which are required to be made pursuant to sections
5 six (6) and ten (10) of this Act may be made prior
6 to that date for transitional purposes.

7 2. The Iowa liquor control commission, created
8 pursuant to section one hundred twenty-three point
9 six (123.6) of the Code, shall continue to discharge
10 its duties under Title VI of the Code, and its members
11 be entitled to full salary and other benefits, through
12 December 31, 1971, at which time the commission shall
13 be abolished and all rights, functions, and duties
14 pertaining to the commission and its members shall
15 cease.

16 3. On January 1, 1972 all unexpended funds of
17 the Iowa liquor control commission, from whatever
18 source obtained, all real and personal property,
19 including buildings, offices, furniture, fixtures,
20 and supplies of the commission, and all personnel
21 of the commission not otherwise affected by this Act,
22 shall be transferred to the Iowa beer and liquor
23 control department created by this Act. Any
24 appropriation previously made to the Iowa liquor
25 control commission shall, after January 1, 1972, be

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- 1 deemed to have been made to the Iowa beer and liquor
- 2 control department.
- 3 4. This section shall only be printed in the
- 4 session laws and not made a permanent part of the
- 5 Code."
- 6 60. Page 1, amend the title by inserting in line
- 7 6 after the semicolon the words "creating a division
- 8 of beer and liquor law enforcement in the department
- 9 of public safety;".
- 10 61. By making any renumbering and internal refer-
- 11 ence changes required by this amendment.

JAMES A. POTGETER, Chairman

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on state government, to which was referred **House File 399**, a bill for an act relating to exemptions from the merit system and providing for work test appointments, begs leave to report it has had the same under consideration and recommends the same **do pass**.

JAMES A. POTGETER, Chairman

Ordered passed on file.

AMENDMENTS FILED

- 1 Amend Senate File 199, line 8, by striking the word "improper,".
- CHARLES P. MILLER
- 1 Amend the Bass amendment filed March 11, 1971, to
- 2 Senate File 296 as follows:
- 3 Line 6, by striking the word "five" and inserting
- 4 the word "ten".
- CHARLES O. LAVERTY
- 1 Amend Senate File 335, page 3, line 2, by inserting after the
- 2 word "be" the word "otherwise".
- TOM RILEY
- 1 Amend Senate File 418 as follows:
- 2 Page 2, by adding after line 31 the following:
- 3 "Sec. 4. Chapter seventy (70), Code 1971, is
- 4 amended by adding the following new section:
- 5 A person who has been employed by the state for
- 6 a period of more than one year and resigns because he
- 7 has been recalled or has been inducted into the armed
- 8 forces of the United States for active military duty,
- 9 shall upon release from such active duty, be rein-
- 10 stated in the employment position he held at the time
- 11 of being recalled or inducted. The request shall be
- 12 filed with the appropriate office not more than sixty
- 13 days following the release from active duty.

JOHN E. TAPSCOTT

1 Amend Senate File 427 as follows:

2 1. Page 2, by striking from line 3 the words "at
3 locations determined by the commis-".

4 2. Page 2, by striking lines 4 through 6, inclusive,
5 and inserting in lieu thereof the following:

6 "the first three to be located in the counties of
7 Carroll, Linn, and Polk. The remaining eight area cor-
8 rection centers shall be constructed at locations de-
9 termined by the commissioner of social services subject
10 to the approval of the Sixty-fifth General Assembly
11 pursuant to legislation appropriating funds for such
12 area correction centers. However, the area correction
13 centers to be located in the counties of Carroll, Linn,
14 and Polk shall not be authorized until the general
15 assembly appropriates funds for their construction."

CLIFTON C. LAMBORN

1 Amend Senate File 427, page 2, line 29, by striking
2 the second word "or" and inserting in lieu thereof
3 the word "and".

LUCAS J. DeKOSTER

1 Amend Senate File 427, page 4, line 26, by adding
2 thereafter the following new subsection:

3 "3. Charges made to the various counties shall be
4 levied as part of and paid out of the court fund estab-
5 lished by section four hundred forty-four point ten
6 (444.10), of the Code. Initially the county shall issue
7 anticipatory warrants to pay such charges, if payment of
8 such charges was not included in the county budget. Pay-
9 ment for such anticipatory warrants shall be part of the
10 next levy only, pursuant to this subsection."

LEE H. GAUDINEER, JR.

1 Amend Senate File 427, page 4, before line 27, by
2 inserting the following new subsection:

3 "4. Leasing of suitable existing facilities shall be
4 specifically authorized and the cost of such leasing
5 shall be considered in determining the rates to be charged
6 under subsection 2 of this section."

LUCAS J. DeKOSTER

1 Amend Senate File 466 as follows:

2 1. Page 2, line 16, by striking the words "one and
3 one-half" and inserting in lieu thereof the words "three-
4 fourths of one".

5 2. Page 2, line 29, by striking the words "one and one-
6 quarter" and inserting in lieu thereof the words "three-
7 fourths of one".

8 3. Page 3, line 1, by striking the words "one and one-
9 half" and inserting in lieu thereof the words "three-fourths
10 of one".

GENE W. GLENN

1 Amend Senate File 466 as follows:

2 1. Page 3, by adding the following new section

3 after line 17:

4 "Sec. Every person or firm engaged in the
5 extension of credit pursuant to the provisions of this Act
6 in order to avail themselves of the benefits of this Act
7 shall post in a conspicuous position at said place of
8 business a sign at least three feet high and three feet
9 wide containing the following provisions:

10 NOTICE

11 CREDIT CHARGES AUTHORIZED BY LAW ALLOW UP TO 18
PERCENT

12 ANNUAL INTEREST ON CHARGE ACCOUNTS.

13 2. By renumbering the remaining sections to conform
14 with this amendment.

GENE W. GLENN

1 Amend Senate File 466 as follows:

2 1. Page 3, by adding the following new section
3 following line 17:

4 "Sec. It shall be unlawful for any person engaged
5 in the business of extension of credit as hereinbefore
6 provided to knowingly charge any customer or purchaser a
7 finance charge in excess of the amounts authorized in this
8 Act, and upon conviction thereof said offender shall be
9 punished by a fine of not more than one thousand dollars or
10 imprisonment in the county jail for not to exceed six
11 months, or by both such fine and imprisonment."

12 2. By renumbering the remaining sections to conform
13 with this amendment.

14 3. Page 1, line 1, by adding after the word "credit"
15 the words "and provide a penalty".

GENE W. GLENN

On motion of Senator Lamborn, the Senate adjourned until 9:00
a.m., Thursday, April 8, 1971.

JOURNAL OF THE SENATE

EIGHTY-EIGHTH DAY

SENATE CHAMBER

DES MOINES, IOWA, THURSDAY, APRIL 8, 1971

The Senate met in regular session, President pro tempore Kyhl presiding.

Prayer was offered by the Reverend Carl Wilson, pastor of the First United Methodist Church, Mount Pleasant, Iowa.

The Senate pledged allegiance to the flag.

The Journal of Wednesday, April 8, 1971, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Rhodes for the day to attend a funeral on request of Senator Gilley.

PRESENTATION OF VISITORS

Senator Rabedaux rose on a point of personal privilege and presented to the Senate the Honorable David Stanley, former member of the Senate and House of Representatives from Muscatine County. Senator Stanley served as majority floor leader during the Sixty-third General Assembly.

The Chair announced that the following visitors were present in the Senate gallery:

Sixty-five eighth-grade students from North Mahaska Community School, New Sharon, Iowa, accompanied by their instructors, Dale Schwekiel and Mr. Weber.

Fifty students from Parkersburg High School, Parkersburg, Iowa, accompanied by their instructors, Mr. Englebert, Mr. Hoch and Mr. Merritt.

Ninety-two students from Rockford Senior High School, Rockford, Iowa, accompanied by their instructors, Mrs. Losee, Mr. Achebach and Mr. Geilenfeld.

Thirty-eight students from Madrid Community School, Madrid, Iowa, accompanied by their instructor, Mr. Steward.

Fifty-two fifth-grade students from Nevada Community School, Nevada, Iowa, accompanied by their instructors, Mrs. Gallagher, Mrs. Tullis and Mr. Lytten.

Fifteen students and members of Girl Scout Troop 219 from Cattell Elementary School, Des Moines, Iowa, accompanied by Mrs. Good.

PETITIONS

The following petitions were presented and placed on file:

By Senator Hill, from twenty residents of Poweshiek County opposing House File 185, prohibiting wives of veterans from living at the Iowa Soldiers Home, Marshalltown, Iowa, and House File 126, relating to the soldiers relief commission.

By Senator Robinson, from forty-four residents of Linn County opposing the Iowa meat and poultry inspection law.

RESOLUTIONS

Senator Potgeter presented resolutions from the city councils of Buckeye and Iowa Falls, Iowa, which read as follows:

Whereas, the City Council has been and is deeply concerned with the increasing problems of financing the provision of local government services for the three of four people in the State of Iowa living in cities and towns, and

Whereas, there are 670 cities and towns levying 28 mills or over and an additional 35 cities and towns levying an emergency mill, and

Whereas, the total debt for cities and towns rose \$96 million in 1969, bringing the total debt for cities and towns to above \$378 million, or 97 percent of total operating budgets of \$390 million, and

Whereas, there is a demonstrated need for additional non-property tax revenues to adequately finance local governments, and

Whereas, the urban population has risen from 53.0 percent of the total state population in 1960 to 73.2 percent in 1970, and

Whereas, any tax reform must provide equitable tax treatment to rural and urban citizens alike

Now Therefore Be It Resolved that the City Council in reaffirmation of the policy adopted at the annual meeting of the League of Iowa Municipalities in September of 1970, urges the Iowa General Assembly to increase the state sales tax from 3 percent to 4 percent with the proceeds being returned to cities, towns and counties on a per capita basis.

Be It Further Resolved that the City Council will strongly oppose any increase in state sales or income tax, unless the equivalent of one-half of one cent of sales tax is returned to the cities and towns *only* on a per capita basis for the benefit of their citizens.

Be It Further Resolved that copies of this resolution be forwarded to our State Representatives and Senators and the League of Iowa Municipalities requesting their vocal and active support of these measures.

Senator Curran presented a resolution from the city council of Clear Lake, Iowa, which reads as follows:

Whereas, on the 5th day of April, A. D., 1971, at the meeting of the City Council, they approved unanimously to oppose any sales tax or personal income tax or any increase in taxes.

Approved by the City Council of the City of Clear Lake, Iowa, on April 5, 1971.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File 327, a bill for an act relating to the election of officers in school districts.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 406, a bill for an act relating to use tax.

WILLIAM R. KENDRICK, Chief Clerk

INTRODUCTION OF BILL

Senate File 473, by committee on judiciary, a bill for an act relating to remedies for the dilution of the distinctiveness of a mark.

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

HOUSE MESSAGES CONSIDERED

House File 327, a bill for an act relating to the election of officers in school districts.

Read first time and **passed on file**.

House File 406, a bill for an act relating to use tax.

Read first time and **passed on file**.

SPECIAL ORDER CONTINUED

Senate File 427

Senator Lamborn asked and received unanimous consent that the Senate resume consideration of Senate File 427, a bill for an act relating to the establishment of area correction centers, their construction and programs, coordination of programs of area correction centers with other institutions under the control of the department of social services, and providing for amendment of certain penal statutes presently provided by law.

Senator DeKoster offered the following amendment filed by him and moved its adoption:

- 1 Amend Senate File 427, page 2, line 29, by striking
- 2 the second word "or" and inserting in lieu thereof
- 3 the word "and".

The amendment was adopted.

Senator DeKoster offered the following amendment filed by him and moved its adoption:

- 1 Amend Senate File 427, page 4, before line 27, by
- 2 inserting the following new subsection:
- 3 "4. Leasing of suitable existing facilities shall be
- 4 specifically authorized and the cost of such leasing
- 5 shall be considered in determining the rates to be charged
- 6 under subsection 2 of this section."

The amendment was adopted.

Senator Gaudineer offered the following amendment filed by him and moved its adoption:

- 1 Amend Senate File 427, page 4, line 26, by adding
- 2 thereafter the following new subsection:
- 3 "3. Charges made to the various counties shall be
- 4 levied as part of and paid out of the court fund estab-
- 5 lished by section four hundred forty-four point ten
- 6 (444.10), of the Code. Initially the county shall issue
- 7 anticipatory warrants to pay such charges, if payment of
- 8 such charges was not included in the county budget. Pay-
- 9 ment for such anticipatory warrants shall be part of the
- 10 next levy only, pursuant to this subsection."

The amendment was adopted.

Senator Lamborn offered the following amendment filed by him and moved its adoption:

- 1 Amend Senate File 427 as follows:
- 2 1. Page 2, by striking from line 3 the words "at
- 3 locations determined by the commis-"
- 4 2. Page 2, by striking lines 4 through 6, inclusive,
- 5 and inserting in lieu thereof the following:
- 6 "the first three to be located in the counties of
- 7 Carroll, Linn, and Polk. The remaining eight area cor-
- 8 rection centers shall be constructed at locations de-
- 9 termined by the commissioner of social services subject
- 10 to the approval of the Sixty-fifth General Assembly
- 11 pursuant to legislation appropriating funds for such
- 12 area correction centers. However, the area correction
- 13 centers to be located in the counties of Carroll, Linn,
- 14 and Polk shall not be authorized until the general
- 15 assembly appropriates funds for their construction."

Roll call was requested.

On the question "Shall the Lamborn amendment be adopted?" (S.F. 427) the vote was:

Rule 24 was invoked.

Ayes, 27:

Anderson	Davis	Kyhl	Potter
Balloun	Erskine	Lamborn	Riley
Bass	Gilley	Lavery	Shawver
Briles	Graham	Messerly	Smith
Coleman	Griffin	Mowry	Stephens
Conklin	Hill	Nicholson	Thordsen
Curran	Keith	Ollenburg	

Nays, 21:

Arbuckle	Glenn	Neu	Schaben
Brownlee	Gross	Palmer	Tapscott
Carlson	Kennedy	Potgeter	Van Drie
DeKoster	Miller	Rabedaux	Van Gilst
Doderer	Milligan	Robinson	Walsh
Gaudineer			

Absent or not voting, 2:

Rhodes	Shaff
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The amendment was adopted.

Senator Bass offered the following amendment by Senators Bass and Hill:

1 Amend Senate File 427 by adding thereto the following
 2 new section:
 3 "Sec. There is appropriated from the general
 4 fund of the state to the department of social services
 5 for the construction, salaries, support, and maintenance
 6 of area correction centers to be constructed in Dubuque,
 7 Polk, and Pottawattamie counties, the sums herein desig-
 8 nated, or so much thereof as may be necessary:
 9 1. CAPITAL EXPENDITURES-FISCAL BIENNIUM 1971-73
 10 Dubuque County\$174,000.00
 11 Polk County\$730,000.00
 12 Pottawattamie County\$219,000.00
 13 2. OPERATIONAL COSTS-FISCAL YEAR 1972-73
 14 For salaries, support, and maintenance:
 15 Dubuque area correction center\$174,000.00
 16 Polk area correction center\$730,000.00
 17 Pottawattamie area correction
 18 center\$219,000.00
 19 Total capital appropriations\$3,170,000.00
 20 Total operational appropriations\$1,123,000.00
 21 Total appropriations\$4,293,000.00"

Senator Neu raised a point of order on the amendment for the reason that it was not germane to the bill.

The Chair ruled the point not well taken and the amendment in order.

Action on the amendment was temporarily deferred.

Senator Griffin moved to reconsider the vote by which the Lamborn amendment to **Senate File 427**, found on page 757 of the Senate Journal dated April 7, 1971, was adopted by the Senate.

Roll call was requested by Senator Griffin.

On the question "Shall the motion to reconsider the Lamborn amendment be adopted?" (S.F. 427) the vote was:

Ayes, 27:

Arbuckle	Doderer	Miller	Robinson
Brownlee	Gaudineer	Milligan	Schaben
Carlson	Glenn	Neu	Tapscott
Coleman	Griffin	Palmer	Van Drie
Conklin	Gross	Potgeter	Van Gilst
Davis	Kennedy	Rabedeaux	Walsh
DeKoster	Laverty	Riley	

Nays, 18:

Anderson	Erskine	Lamborn	Potter
Balloun	Gilley	Mowry	Shawver
Bass	Graham	Nicholson	Smith
Briles	Hill	Ollenburg	Stephens
Curran	Kyhl		

Absent or not voting, 5:

Keith	Rhodes	Shaff	Thordsen
Messerly			

The motion prevailed and the amendment was reconsidered.

Roll call on the amendment was requested by Senator Griffin.

On the question "Shall the Lamborn amendment be adopted?" (S.F. 427) the vote was:

Ayes, 19:

Anderson	Erskine	Lamborn	Potter
Balloun	Gilley	Messerly	Shawver
Bass	Graham	Mowry	Smith
Briles	Hill	Nicholson	Stephens
Curran	Kyhl	Ollenburg	

Nays, 27:

Arbuckle	Doderer	Miller	Robinson
Brownlee	Gaudineer	Milligan	Schaben
Carlson	Glenn	Neu	Tapscott
Coleman	Griffin	Palmer	Van Drie
Conklin	Gross	Potgeter	Van Gilst
Davis	Kennedy	Rabedeaux	Walsh
DeKoster	Laverty	Riley	

Absent or not voting, 4:

Keith	Rhodes	Shaff	Thordsen
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The amendment lost.

The Senate resumed consideration of the Bass-Hill amendment.

Senator Bass offered the following amendment to the amendment by Senators Bass and Hill and moved its adoption:

- 1 Amend the Bass-Hill amendment filed April 8, 1971 to Senate File
- 2 427 by striking lines 10 through 12 and inserting in lieu thereof
- 3 the following:
- 4 Pottawattamie County\$ 663,000.00
- 5 Polk County 2,027,000.00
- 6 Dubuque County 480,000.00

The amendment to the amendment was adopted.

Senator Bass moved the adoption of the amendment as amended.

Roll was requested.

On the question "Shall the Bass-Hill amendment as amended be adopted?" (S.F. 427) the vote was:

Ayes, 22:

Balloun	Gross	Messerly	Shaff
Bass	Hill	Mowry	Shawver
Briles	Keith	Nicholson	Smith
Erskine	Kyhl	Ollenburg	Stephens
Gilley	Lamborn	Potter	Van Drie
Graham	Laverty		

Nays, 26:

Arbuckle	DeKoster	Milligan	Robinson
Brownlee	Doderer	Neu	Schaben
Carlson	Gaudineer	Palmer	Tapscott
Coleman	Glenn	Potgeter	Thordsen
Conklin	Griffin	Rabedaux	Van Gilst
Curran	Kennedy	Riley	Walsh
Davis	Miller		

Voting present, 1:

Anderson

Absent or not voting, 1:

Rhodes

The amendment as amended lost.

On motion of Senator Lamborn, the Senate recessed until 1:15 p.m.

AFTERNOON SESSION

The Senate reconvened, President pro tempore Kyhl presiding.

MESSAGE FROM THE HOUSE

The following message was received from the House :

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File 527, a bill for an act relating to inspection fees for weights and measures.

WILLIAM R. KENDRICK, Chief Clerk

INTRODUCTION OF BILLS

Senate File 474, by committee on law enforcement, a bill for an act relating to disabled and retired policemen and firemen and disabled elected and appointed officials.

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

Senate File 475, by Senator Potgeter, a bill for an act to provide for a procedure allowing public employees and public employers to meet and confer to resolve disputes regarding wages, hours, and other terms and conditions of employment.

Read first time and **passed on file**.

HOUSE MESSAGE CONSIDERED

House File 527, a bill for an act relating to inspection fees for weights and measures.

Read first time and **passed as file**.

SPECIAL ORDER CONTINUED

Senate File 427

The Senate resumed consideration of Senate File 427.

Senator Arbuckle offered the following amendment by Senators Arbuckle and Bass and moved its adoption:

- 1 Amend Senate File 427, page 3, line 13, by striking the
- 2 word "shall" and inserting in lieu thereof the word
- 3 "may".

The Chair called for a division.

The amendment was adopted.

President Jepsen took the chair at 2:05 p.m.

Senator Brownlee moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 427) the vote was:

Rule 24 was invoked.

Ayes, 23:

Arbuckle	DeKoster	Milligan	Schaben
Brownlee	Doderer	Neu	Tapscott
Carlson	Gaudineer	Palmer	Thordsen
Coleman	Glenn	Potgeter	Van Gilst
Conklin	Gross	Riley	Walsh
Curran	Kennedy	Robinson	

Nays, 23:

Anderson	Griffin	Messerly	Shaff
Balloun	Hill	Miller	Shawver
Bass	Keith	Mowry	Smith
Briles	Kyhl	Nicholson	Stephens
Gilley	Lamborn	Ollenburg	Van Drie
Graham	Laverty	Rabedeaux	

Absent or not voting, 4:

Davis	Erskine	Potter	Rhodes
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The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 427 failed to pass the Senate.

JAMES W. GRIFFIN, SR.

CONSIDERATION OF BILLS

Senator Lamborn asked and received unanimous consent to take up for consideration House File 505.

House File 505

On motion of Senator Potgeter, House File 505, a bill for an act relating to the fees charged for insurance agent licenses and making the act retroactive, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Potgeter moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 505) the vote was:

Ayes, 35:

Anderson	Doderer	Milligan	Shawver
Arbuckle	Gilley	Mowry	Smith
Balloun	Griffin	Neu	Stephens
Bass	Hill	Nicholson	Tapscott
Briles	Keith	Ollenburg	Thordsen
Brownlee	Kyhl	Potgeter	Van Drie
Carlson	Lamborn	Rabedeaux	Van Gilst
Curran	Laverty	Riley	Walsh
DeKoster	Messerly	Shaff	

Nays, 9:

Coleman
Conklin
Gaudineer

Glenn
Graham

Gross
Kennedy

Palmer
Schaben

Absent or not voting, 6:

Davis
Erskine

Miller
Potter

Rhodes

Robinson

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

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which House File 505 passed the Senate.

JAMES W. GRIFFIN, SR.

ADOPTION OF SENATE CONCURRENT RESOLUTION 30

Senator Van Drie asked and received unanimous consent to take up for consideration Senate Concurrent Resolution 30, found on page 747 of the Senate Journal, and moved its adoption.

The motion prevailed and the resolution was adopted.

SPECIAL ORDER

Senator Lamborn asked and received unanimous consent that House File 172 be made a special order of business for Thursday, April 15, 1971, at 9:30 a.m.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File 46, a bill for an act relating to slow-moving vehicle warning devices.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 342, a bill for an act relating to tort liability of governmental subdivisions.

Also: That the House has refused to concur in the Senate amendment to the following bill in which the concurrence of the House was asked:

House File 369, a bill for an act relating to fees for census searches charged by the Iowa department of history and archives.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 188, a bill for an act to define criminal trespass and to prescribe the penalty.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 225, a bill for an act relating to the definition of nonresident for purpose of making service of process.

WILLIAM R. KENDRICK, Chief Clerk

HOUSE AMENDMENT TO SENATE FILE 188

1 Amend Senate File 188, as passed by the Senate and
2 reprinted, by striking everything after the enacting clause
3 and inserting the following:

4 Section 1. Criminal Trespass. Any person who shall
5 trespass upon the property of another, whether publicly
6 or privately owned, is guilty of a public offense and upon
7 conviction shall be punished by a fine not to exceed one
8 hundred dollars or by imprisonment in the county jail for
9 a term not to exceed thirty days. For the purposes of this
10 Act, the following definitions shall apply:

11 a. The term "trespass" shall mean one or more of the
12 following acts:

13 1. Willfully entering upon or in the property without
14 legal justification upon or without the implied or actual
15 permission of the owner or occupier with the intent to commit
16 a public offense or to use, remove therefrom, alter, damage,
17 harass, or place thereon or therein anything tangible,
18 animate or inanimate, without the implied or actual permission
19 of the owner or occupier.

20 2. Willfully entering or remaining upon or in the property
21 without legal justification after being notified to remove
22 therefrom by the owner or occupier or by any peace officer,
23 magistrate, or public employee whose duty it is to supervise
24 the use of the property.

25 3. Willfully entering upon or in the property for the

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1 purpose or with the effect of unduly interfering with the
2 lawful use of the property by others.

3 4. Being upon or in the property and using, removing
4 therefrom, altering, damaging, harassing, or placing
5 thereon or therein anything tangible, animate or inanimate,
6 without the implied or actual permission of the owner or
7 occupier.

8 b. The term "publicly owned" shall mean any property
9 owned, used or under the control of the state or any agency
10 or political subdivision thereof.

11 c. The term "property" shall mean any land, dwelling,
12 building, conveyance, vehicle, or other temporary or
13 permanent structure.

14 Sec. 2. Sections seven hundred fourteen point
15 twenty-five (714.25), seven hundred forty-four point three
16 (744.3), and seven hundred forty-six point four (746.4),
17 Code 1971, are hereby repealed.

18 Sec. 3. This Act, being deemed of immediate importance,
19 shall take effect and be in force from and after its

- 20 publication in the Evening Democrat, a newspaper published
21 in Fort Madison, Iowa, and in the Oskaloosa Daily Herald,
22 a newspaper published in Oskaloosa, Iowa.

INTRODUCTION OF BILL

Senate File 476, by Senator Riley, a bill for an act relating to property unlawfully placed on public or private property.

Read first time and **passed on file**.

HOUSE MESSAGES CONSIDERED

House File 46, a bill for an act relating to slow-moving vehicle warning devices.

Read first time and **passed on file**.

House File 342, a bill for an act relating to tort liability of governmental subdivisions.

Read first time and **passed on file**.

MOTION TO RECONSIDER AND LAY ON TABLE

I move to reconsider the vote by which House File 505 passed the Senate and the motion to reconsider be laid upon the table.

JAMES A. POTGETER

BILLS ASSIGNED TO COMMITTEE

President Jepsen announced the assignment of the following bills to committee:

- S.C.R. 27 State government
S. F. 475 Human and industrial relations
S. F. 476 Judiciary
H. F. 46 Transportation
H. F. 327 Schools
H. F. 342 Cities and towns
H. F. 406 Ways and means
H. F. 527 Agriculture

REPORT OF COMMITTEE

Senator Potgeter submitted the following report:

MR. PRESIDENT: Your committee on state government, to which was re-

ferred **House File 14**, a bill for an act relating to leasing of property by the state conservation commission, begs leave to report it has had the same under consideration and recommends the same **be amended as follows; and when so amended the bill do pass:**

1 Amend House File 14 as follows:

2 1. Page 1, line 6, by striking the words “, with
3 the approval of the executive council,” and inserting
4 in lieu thereof the words “[, with the approval of the
5 executive council,] *recommend that the executive coun-*
6 *cil*”.

7 2. Page 1, line 8, by striking the words “its” and
8 inserting in lieu thereof the words “[its] *the commis-*
9 *sion’s*”.

10 3. Page 1, line 11, by inserting after the word
11 “purpose,” the following:

12 “*The council may, if it approves the recommenda-*
13 *tion and the lease to be entered into is for five years*
14 *or less, execute the lease in behalf of the state and*
15 *commission. If the recommendation is for a lease in*
16 *excess of five years, the council shall advertise for*
17 *bids therefor as provided in section 19.20. If a bid*
18 *is accepted, the lease shall be let or executed by the*
19 *council as provided in section 19.21, except that the*
20 *lease shall be let or executed in accordance with the*
21 *most desirable bid. The lease shall not be executed*
22 *for a term longer than fifty years. Any such lease-*
23 *hold interest, including any improvements placed thereon,*
24 *shall be listed on the tax rolls as provided in chap-*
25 *ters 428 and 443; assessed and valued as provided in*

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1 *chapter 441; taxes levied thereon as provided in chap-*
2 *ter 444; collected as provided in chapter 445; and sub-*
3 *ject to tax sale, redemption, and apportionment of taxes*
4 *as provided in chapters 446, 447, and 448. It shall*
5 *be the duty of the lessee to discharge and pay all such*
6 *taxes.”*

JAMES A. POTGETER, Chairman

Ordered passed on file.

AMENDMENTS FILED

1 Amend Senate File 356 as follows:

2 1. Page 3, line 19, by inserting after the word
3 “weapon” the following:

4 “; or to a person who by his prior record of convic-
5 tions for misdemeanors has demonstrated a flagrant disrespect
6 for the law, unless a period of five years has expired from
7 the date of his last conviction”.

8 2. Page 3, line 23, by striking the words “GENERAL
9 PERMITS FOR CERTAIN COMPANIES.” and inserting in lieu
10 thereof the words “PERMIT REVOKED AFTER FELONY CON-
VICTION.”.

11 3. Page 4, line 15, by striking the word "prima-facie"
12 and inserting in lieu thereof the word "[prima-facie] *compe-*
13 *tent*".

LEE H. GAUDINEER, JR.

1 Amend Senate File 428 as follows:

- 2 1. Page 2, line 3, by striking the word "one" and
3 inserting in lieu thereof the words "a unified".
- 4 2. Page 2, lines 12 and 13, by striking the words
5 "and, during the transition to the unified trial court,
6 by Iowa district associate judges".
- 7 3. Page 2, lines 17 and 18, by striking the words
8 "district associate" and inserting in lieu thereof the
9 word "municipal".
- 10 4. Page 7, lines 34 and 35, by striking the words
11 "superior courts, and municipal courts" and inserting in
12 lieu thereof the words "and superior courts".
- 13 5. Page 8, by striking lines 17 through 35, inclu-
14 sive.
- 15 6. Page 9, by striking lines 1 through 35, inclu-
16 sive.
- 17 7. Page 10, by striking lines 1 through 35, inclu-
18 sive.
- 19 8. Page 11, by striking lines 1 through 35, inclu-
20 sive.
- 21 9. Page 12, by striking lines 1 through 35, inclu-
22 sive.
- 23 10. Page 13, by striking line 1 through 17, inclu-
24 sive.
- 25 11. Page 13, line 19, by striking the word "Iowa".

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- 1 12. Page 18, by striking lines 4 through 8,
2 inclusive, and inserting in lieu thereof the following:
3 "the plaintiff. Costs collected by traffic viola-
4 tions offices shall be remitted monthly to the county
5 treasurer and be credited to the general fund of the
6 county."
- 7 13. Page 19, line 1, by striking the word
8 "district" and inserting in lieu thereof the word
9 "municipal".
- 10 14. Page 19, line 7, by striking the word
11 "district" and inserting in lieu thereof the word
12 "municipal".
- 13 15. Page 19, lines 18 and 19, by striking the words
14 "or under the statutes relating to probate
15 proceedings,".
- 16 16. Page 19, lines 23 and 24, by striking the words
17 "and probate".
- 18 17. Page 19, lines 27 and 28, by striking the words
19 "or probate docket, as appropriate" and inserting in
20 lieu thereof the word "docket".
- 21 18. Page 20, line 13, by striking the words
22 "DISTRICT COURT OF IOWA" and inserting in lieu thereof
23 the words "MUNICIPAL COURT".

24 19. Page 20, line 14, by striking the words ".....
25 COUNTY" and inserting in lieu thereof the words "THE

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1 CITY OF".

2 20. Page 21, line 28, by striking the word "district"
3 and inserting in lieu thereof the word "municipal".

4 21. Page 24, line 24, by striking the word
5 "district" and inserting in lieu thereof the word
6 "municipal".

7 22. Page 24, line 32, by striking the word
8 "district" and inserting in lieu thereof the word
9 "municipal".

10 23. Page 24, line 34, by striking the word
11 "district" and inserting in lieu thereof the word
12 "municipal".

13 24. Page 25, by striking lines 14 through 17,
14 inclusive, and inserting in lieu thereof the following:
15 "list of state officers and deputies, judges of the
16 supreme, district, [superior,] and municipal courts and
17 members of the general assembly."

18 25. Page 25, by striking lines 21 through 24,
19 inclusive, and inserting in lieu thereof the following:
20 "5. To each judge of the supreme, district,
21 [superior,] and municipal courts of Iowa.....1 copy".

22 26. Page 25, by striking lines 28 through 32,
23 inclusive, and inserting in lieu thereof the following:
24 "superintendent of each county in the state, to the
25 clerk of each [superior or] municipal court in the state,

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1 and also for use in each courtroom of the district[,
2 superior,] or municipal court.....1 copy".

3 27. Page 26, by striking lines 2 through 5, inclu-
4 sive, and inserting in lieu thereof the following:
5 "supreme, district, [superior,] and municipal courts,
6 and of the federal courts in Iowa.....1 copy".

7 28. Page 26, by striking lines 8 through 10, inclu-
8 sive, and inserting in lieu thereof the following:
9 "supreme, district, [superior] and municipal courts of
10 this state.....1 copy".

11 29. Page 26, by striking line 12 and inserting in
12 lieu thereof the words [superior,] and municipal court
131 copy".

14 30. Page 26, by striking lines 24 through 35,
15 inclusive.

16 31. Page 27, by striking lines 1 through 35, inclu-
17 sive.

18 32. Page 28, by striking lines 1 through 13, inclu-
19 sive.

20 33. Page 28, line 25, by striking the word
21 "constables" and inserting in lieu thereof the word
22 "[constables]".

23 34. Page 29, lines 23 and 24, by striking the words
24 "district associate" and inserting in lieu thereof the
25 word "municipal".

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- 1 35. Page 30, by striking lines 30 through 32, inclu-
2 sive, and inserting in lieu thereof the following:
3 "1. Judges of the supreme, district, [superior,
4 municipal, and police] *and municipal courts.*"
5 36. Page 30, lines 33 and 34, by striking the words
6 "[and municipal]" and inserting in lieu thereof the words
7 "and municipal".
8 37. Page 31, by striking lines 1 and 2, and insert-
9 ing in lieu thereof the following:
10 "3. Clerks and deputy clerks of the supreme,
11 district, [superior, police,] and municipal courts."
12 38. Page 31, by striking lines 12 through 21, inclu-
13 sive.
14 39. Page 32, line 23, by striking the words "[or
15 municipal]" and inserting in lieu thereof the words "or
16 municipal".
17 40. Page 35, by striking lines 15 through 24, inclu-
18 sive.
19 41. Page 35, line 26, by striking the number
20 "(22.16)" and inserting in lieu thereof the number
21 "(222.16)", and line 31, by striking the words "[or
22 municipal]" and inserting in lieu thereof the words "or
23 municipal".
24 42. Page 36, line 5, by striking the words "[or
25 municipal]" and inserting in lieu thereof the words "or

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- 1 municipal".
2 43. Page 40, by striking lines 5 through 22, inclu-
3 sive, and inserting in lieu thereof the following:
4 "Sec. 94. Section two hundred thirty-one point two
5 (231.2), subsection two (2), Code 1971, is amended as
6 follows:
7 2. In counties wherein there is a [superior or]
8 municipal court, of the [judges] *judge* thereof[,
9 respectively,] when designated as [judges] *judges* of the
10 juvenile court by the judges of the district court.
11 Sec. 95. Section two hundred thirty-one point three
12 (231.3), unnumbered paragraph one (1), Code 1971, is
13 amended as follows:
14 "The judges of the district court may designate one
15 of their number to act as judge of the juvenile court in
16 any county or counties, and may designate a [superior or]
17 municipal court judge to act as judge of the juvenile
18 court in cases arising in any city in which any such
19 court is organized and in cases arising in any part of
20 any county convenient thereto. In counties having a
21 population of one hundred thousand or over, unless said
22 district judges designate a [superior or] municipal court
23 judge to act as juvenile judge, they shall after each
24 election, designate one of their number to act as juve-
25 nile judge for the ensuing four years.'"

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- 1 44. Page 41, by striking line 7 and inserting in

- 2 lieu thereof the words "of the supreme, district,
3 [superior,] and municipal courts,".
4 45. Page 45, line 32, by striking the words
5 "*associate judges*,".
6 46. Page 47, line 4, by striking the words "district
7 associate" and inserting in lieu thereof the word
8 "municipal".
9 47. Page 47, by striking lines 30 through 35, inclu-
10 sive.
11 48. Page 48, by striking lines 1 through 27, inclu-
12 sive.
13 49. Page 51, line 14, by striking the words "[or
14 municipal]" and inserting in lieu thereof the words "or
15 municipal".
16 50. Page 51, lines 25 and 26, by striking the words
17 "[or municipal]" and inserting in lieu thereof the words
18 "or municipal".
19 51. Page 51, by striking lines 31 through 35, inclu-
20 sive, and page 52, by striking lines 1 through 6, inclu-
21 sive.
22 52. Page 54, by striking lines 16 through 35, inclu-
23 sive.
24 53. Page 56, by striking from lines 18 and 19 the
25 words "district associate" and inserting in lieu thereof

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- 1 the word "municipal".
2 54. Page 56, by striking lines 20 through 35, inclu-
3 sive.
4 55. Page 57, by striking lines 1 through 10, inclu-
5 sive, and inserting in lieu thereof the following new
6 sections:
7 (1) Section six hundred two point seven (602.7), Code
8 1971, is amended as follows:
9 602.7 QUALIFICATION AND DUTIES OF OFFICERS. Each
10 officer of the court shall be a qualified elector resid-
11 ing in the municipal court district. The judge shall be
12 a practicing lawyer, and shall subscribe to the oath
13 required of judges of the district court, which shall be
14 filed with the city clerk. The duties of the clerk and
15 the bailiff shall be the same, so far as applicable, as
16 those of the clerk of the district court, and of
17 [constables and] sheriffs, respectively. All regular
18 police officers shall be ex officio special bailiffs
19 when so ordered by a judge, without other compensation
20 than that paid for their services as police officers.
21 (2) Section six hundred two point fifteen (602.15),
22 Code 1971, is repealed and the following enacted in lieu
23 thereof:
24 "In all criminal matters the court shall exercise the
25 jurisdiction conferred on the district court and dis-

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- 1 trict magistrates for the prosecution of misdemeanors."
2 (3) Section six hundred two point twenty-eight
3 (602.28), Code 1971, is repealed and the following

4 enacted in lieu thereof:

5 "All criminal actions for nonindictable misdemeanors
6 shall be governed by the procedure employed by district
7 magistrates. Prisoners may be committed to either the
8 city or county jail. The judge shall have the same
9 powers of parole and suspension of sentence as are
10 possessed by the judges of the district court. All
11 criminal actions for indictable misdemeanors shall be
12 governed by the procedure employed in like cases in
13 district court."

14 (4) Section six hundred two point thirty-two (602.32),
15 Code 1971, is amended as follows:

16 602.32 FEES, COSTS, AND EXPENSES. If no provision
17 is made in the laws applicable to the district court for
18 fees, costs, and expenses, [they shall be the same as in
19 justice of the peace courts except that] the clerk of the
20 municipal court shall charge and collect as fees one-half
21 the amount charged and collected by the clerk of the
22 district court in that county. The bailiff may retain
23 the amounts allowed to him by law for mileage and
24 necessary actual expenses in addition to his salary.
25 All other fees, fines, forfeitures, costs, and expenses

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1 shall be turned over to the city treasurer by the
2 officer collecting the same on or before the tenth day
3 of each succeeding month, and the city treasurer shall
4 forthwith pay to the county treasurer, for the benefit
5 of the school fund, the portion of the fines and for-
6 feitures collected for the violation of state laws.

7 (5) Section six hundred two point forty-four (602.44),
8 Code 1971, is amended as follows:

9 602.44 APPEALS. The laws relating to appeals from
10 judgments or orders of the district court, or judge
11 thereof, to the supreme court shall apply to judgments
12 or orders of the municipal court, or a judge thereof, in
13 all civil actions. In class "C" actions, appeals shall
14 be taken direct to the supreme court the same as from
15 the district court. In class "D" actions, appeals shall
16 be taken to the district court as provided in the case of
17 appeals from [justice] *district magistrates'* courts.

18 (6) CREATION OF NEW MUNICIPAL COURTS TERMINATED.

19 After July 1, 1971, no new municipal courts shall be
20 established.

21 56. Page 59, line 7, by striking lines 6 through 11,
22 inclusive.

23 57. Page 59, by striking lines 12 through 35, inclu-
24 sive.

25 58. Page 60, by striking lines 1 through 35, inclu-

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1 sive.

2 59. Page 61, by striking lines 1 through 31, inclu-
3 sive.

4 60. Page 62, line 7, by striking the words "[or

5 municipal court]" and inserting in lieu thereof the words
6 "or municipal court".

7 61. Page 62, by striking lines 12 through 14, inclu-
8 sive.

9 62. Page 64, by striking lines 6, 7, and 8.

10 63. Page 65, line 12, by striking the word
11 "[municipal,]" and inserting in lieu thereof the word
12 "municipal,".

13 64. Page 65, line 35, by striking the words "[, except
14 in a class B case in]" and inserting in lieu thereof the
15 words "[, except in a class B case in".

16 65. Page 66, by striking lines 1 through 3, and
17 inserting in lieu thereof the following:

18 "municipal court, less than two hundred fifty dollars
19 in a court of record, or less than fifty dollars if in [a
20 justice court or] a class B case in municipal court,
21 conditioned that".

22 66. Page 67, line 21, by striking the words
23 "*district associate*" and inserting in lieu thereof the
24 word "municipal".

25 67. Page 67, line 33, by striking the words

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1 "*district associate*" and inserting in lieu thereof the
2 word "*municipal*".

3 68. Page 69, line 3, by striking the words
4 "*associate district*" and inserting in lieu thereof the
5 word "*municipal*".

6 69. Page 69, line 8, by striking the words
7 "*associate district*" and inserting in lieu thereof the
8 word "*municipal*".

9 70. Page 69, by striking lines 27 through 30, inclu-
10 sive, and inserting in lieu thereof the following:

11 "648.5 JURISDICTION—TRANSFER—APPEAL. The
12 district [,] and municipal[, and superior] courts within the
13 county[, and justices of the peace within the township
14 where the subject matter of the action is situated,] shall
15 have".

16 71. Page 69, line 35, and page 70, line 1, by
17 striking the words "[or municipal]" and inserting in lieu
18 thereof the words "or municipal".

19 72. Page 70, by striking lines 8 through 13, inclu-
20 sive, and inserting in lieu thereof the following:

21 "for hearing. By agreement of the parties, it may be
22 transferred from [a justice's court to a municipal,
23 superior, or the district court, or from a superior or]
24 a municipal court to the district court[, and all such
25 actions in which the judgment is rendered in a justice's

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1 court may be appealed to the district or superior court,
2 as provided by law]."

3 73. Section six hundred forty-eight point thirteen
4 (648.13), Code 1971, is amended as follows:

5 "648.13 TITLE IN ISSUE. The question of title can
6 only be investigated in the district court, and can be

7 pleaded in a municipal court [or a justice's court] only
8 as provided in subsection 4 of section 648.1."

9 74. Section six hundred forty-eight point fourteen
10 (648.14), Code 1971, is amended as follows:

11 "648.14 TRANSFER TO DISTRICT COURT. When [so] *title*
12 *is* put in issue in a [justice's court or] municipal court,
13 the [justice or the] judge of the municipal court shall
14 forthwith, without further proceedings, certify the
15 cause and the papers with a transcript of his docket,
16 showing the reason of such transfer to the district
17 court, where the same shall be tried on the merits, as
18 an equitable action. Such cause shall not be dismissed
19 because of error in transferring the same."

20 75. Page 71, by striking line 15 and inserting in
21 lieu thereof the words "by the supreme, district, or
22 municipal[, or superior] court,".

23 76. Page 71, by striking lines 27 and 28, and
24 inserting in lieu thereof the words "*and* municipal,
25 [superior, and police courts, mayors of cities and towns,

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1 and justices of the peace] *courts* shall, on the first".
2 77. Page 73, line 6, by striking the words "*district*
3 *associate judges*,".

4 78. Page 73, line 19, by inserting after the number
5 "(685.9)" the words "of the Code".

6 79. Page 73, line 20, by inserting after the word
7 "district" the words "and municipal".

8 80. Page 73, line 24, by striking the word
9 "[municipal]" and inserting in lieu thereof the word
10 "municipal".

11 81. Page 73, line 25, by striking the word "[or]"
12 and inserting in lieu thereof the word "or".

13 82. Page 77, lines 1 and 2, by striking the words
14 "*district associate*" and inserting in lieu thereof the
15 word "*municipal*".

16 83. Page 77, line 32, by striking the words
17 "*district associate*" and inserting in lieu thereof the
18 word "*municipal*".

19 84. Page 81, line 1, by inserting before the period
20 the words "of the Code".

21 85. Page 82, line 34, by striking the words
22 "*district associate*" and inserting in lieu thereof the
23 word "*municipal*".

24 86. Page 83, line 14, by inserting before the period
25 the words "*of the Code*".

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1 87. Page 86, lines 27 and 28, by striking the words
2 and numerals "four hundred twenty point thirty-four
3 (420.34), six hundred four point one (604.1)" and
4 inserting in lieu thereof the words and numerals "six
5 hundred two point seventeen (602.17) through six hundred
6 two point twenty-one (602.21), inclusive,".

7 88. Page 86, lines 32, 33, and 34, by striking the

- 8 words and numerals "six hundred forty-eight point six
9 (648.6),".
- 10 89. Page 87, lines 1, 2, and 3, by striking the
11 words and numerals "six hundred forty-eight point thir-
12 teen (648.13), six hundred forty-eight point fourteen
13 (648.14),".
- 14 90. Page 87, lines 12 and 13, by striking the words
15 and numerals "seven hundred sixty-nine point thirty-
16 three (769.33), seven hundred sixty-nine point thirty-
17 four (769.34),".
- 18 91. Page 87, lines 14 and 15, by striking the words
19 and numerals "six hundred two (602),".
- 20 92. By renumbering the remaining sections
21 accordingly.
- 22 93. Page 1, amend the title by striking lines 2
23 through 4, inclusive, and inserting in lieu thereof the
24 words "court judges and district court magistrates; to
25 discontinue superior, justice of the peace, and police

Page 16

- 1 courts; and to".

JOHN L. MOWRY

- 1 Amend Senate 428 as follows:

- 2 1. Page 10, by striking line 9 and inserting "general fund
3 of the county of residence of the district associate judge,
4 shall be eighty-five percent".
- 5 2. Page 10, by striking in lines 17 and 18 the words
6 "state of Iowa" and inserting the words "county of residence".

TOM RILEY
ARTHUR A. NEU

On motion of Senator Lamborn and pursuant to House Con-
current Resolution 29, duly adopted, the Senate adjourned until
10:00 a.m., Monday, April 12, 1971.

JOURNAL OF THE SENATE

NINETY-SECOND DAY

SENATE CHAMBER
DES MOINES, IOWA, MONDAY, APRIL 12, 1971

The Senate met in regular session, President pro tempore Kyhl presiding.

Prayer was offered by the Reverend Daniel Knipper, pastor of Saint Joseph's Catholic Church, Bellevue, Iowa.

The Senate pledged allegiance to the flag.

The Journal of Thursday, April 8, 1971, was approved.

LEAVE OF ABSENCE

On request of Senator Lamborn, a two-day leave of absence was granted to Senator Potter because of the death of his father.

PRESENTATION OF VISITORS

The Chair announced that the following visitors were present in the Senate gallery :

Sixty students from Jackson School, Des Moines, Iowa, accompanied by their instructors, Mrs. Keil and Miss Norris.

Twenty Girl Scouts from Saint John's School, Burlington, Iowa.

Thirty students, members of the Mahaska County 4-H Girls' Club, Oskaloosa, Iowa.

Six students from Hoover Junior High School, Waterloo, Iowa, accompanied by Mr. Bachtel.

PETITIONS

The following petitions were presented and placed on file :

By Senator Bass, from four residents of Fremont County urging consideration of the Governor's economy committee recommendations before increasing sales and income taxes.

By Senator Balloun, from eighteen residents of Tama County favoring Senate Files 60, 107, 276 and 307, providing for tax exemptions and credits to veterans and widows of veterans; opposing

House Files 126 and 185, relating to the Soldiers' Relief Commission and the Iowa Soldiers' Home.

The following petitions, opposing the repeal of the Iowa Meat and Poultry Inspection Law, were received and placed on file by:

Senator Lavery, from forty-one residents of Marion County.

Senator Conklin, from twenty-four residents of Black Hawk County.

Senator Shawver, from thirty-six residents of Howard County.

Senator Potgeter, from twenty-two residents of Hamilton County.

MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 417, a bill for an act relating to judicial redistricting and judicial nominating commission.

WILLIAM R. KENDRICK, Chief Clerk

HOUSE AMENDMENT TO SENATE FILE 417

- 1 Amend Senate File 417, as passed by the Senate, as
- 2 follows:
- 3 1. Page 2, line 7, by striking the word "Butler,".
- 4 2. Page 2, line 8, by striking the word "Bremer,".
- 5 3. Page 2, by striking line 10 and inserting in lieu
- 6 thereof the words "Mitchell, Floyd, Butler, Bremer,
- 7 Worth, Winnebago, Hancock, Cerro".
- 8 4. Page 2, line 14, by inserting before the word
- 9 "Emmet" the word "Kossuth,".
- 10 5. Page 3, line 5, by striking the word "Butler,".
- 11 6. Page 3, line 6, by striking the word "Bremer,".
- 12 7. Page 3, by striking line 8 and inserting in
- 13 lieu thereof the words "Mitchell, Floyd, Butler, Bremer,
- 14 Worth, Winnebago, Hancock, Cerro".
- 15 8. Page 3, line 13, by inserting after the words
- 16 "counties of" the word "Kossuth".

UNFINISHED BUSINESS

Senate File 335

Senator Lamborn asked and received unanimous consent to take up Senate File 335, which was set for a special order of business on Thursday, April 8, 1971.

On motion by Senator Mowry, Senate File 335, a bill for an act to require higher bail for persons accused of violent crimes, with report

of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Mowry offered the following amendment as recommended by the committee on law enforcement and moved its adoption :

- 1 Amend Senate File 335 as follows:
- 2 1. Page 2, by striking lines 3 and 4 and inserting
- 3 in lieu thereof the words "bodily harm; or property was
- 4 stolen or damaged in the amount of one thousand dollars
- 5 or more; or an attempt was made to do damage to property
- 6 by fire or any explosive substance, shall".
- 7 2. Page 2, line 23, by striking the word "damaged,"
- 8 and inserting in lieu thereof the words "stolen or
- 9 damaged in the amount of one thousand dollars or more;".
- 10 3. Page 2, line 24, by striking the word "an" and
- 11 inserting in lieu thereof the word "any" and by striking
- 12 the comma and inserting in lieu thereof a semicolon.
- 13 4. Page 2, line 30, by striking the period and
- 14 inserting in lieu thereof "; or".
- 15 5. Page 2, following line 30, by inserting the
- 16 following paragraph:
- 17 "c. The defendant at the time of the crime charged
- 18 as specified in this section was free on bail pending an
- 19 appeal of a conviction on a charge of felony".

The amendment was adopted.

Senator Gaudineer offered the following amendment:

- 1 Amend Senate File 335 as follows:
- 2 1. By striking all after the enacting clause and
- 3 inserting in lieu thereof the following:
- 4 "Section 1. Section seven hundred sixty-three point
- 5 one (763.1), Code 1971, is amended as follows:
- 6 763.1 BAILABLE OFFENSES. All defendants are bail-
- 7 able [both] before [and after] conviction, by sufficient
- 8 surety, except for murder in the first degree and kid-
- 9 napping for ransom when the proof is evident or the
- 10 presumption great.
- 11 Sec. 2. Section seven hundred sixty-three point
- 12 nine (763.9), Code 1971, is amended by striking the
- 13 section and inserting in lieu thereof the following
- 14 new section:
- 15 'After the court accepts a plea of guilty or nolo
- 16 contendere or a finding of guilty is entered by the
- 17 jury or court, the court shall immediately make an
- 18 independent examination of the case to determine if
- 19 the defendant shall be admitted to bail pending post
- 20 trial motions, sentencing, and appeal. If upon such
- 21 examination the court finds:
- 22 1. An appeal or post trial motions would be
- 23 frivolous;
- 24 2. An appeal would be taken or post trial motions
- 25 made for the purpose of delay only;

Page 2

1 3. The release of the defendant would jeopardize
2 the community; or

3 4. The defendant is likely to flee or go into hiding;
4 bail shall be denied and the defendant immediately de-
5 livered to the custody of the sheriff to await the fur-
6 ther order of the court or to execute the sentence pro-
7 nounced by the court. Otherwise, the court shall proceed
8 to determine the amount of bail required and the terms
9 and conditions for providing such bail.

10 The amount of bail and the terms and conditions
11 thereof shall be such as in the discretion of the court
12 will insure that the defendant will surrender himself
13 in execution of the sentence of the district court or
14 judgment of the supreme court, and in all other respects
15 abide by the orders and judgment of the district or
16 supreme court, having regard to the nature and circum-
17 stances of the offense, the weight of evidence against
18 the defendant, the possible sentence, or the sentence
19 imposed, the financial ability of the defendant to give
20 bail, and the character of the defendant. The district
21 court having original jurisdiction of the cause and
22 any justice of the supreme court shall have jurisdiction
23 to subsequently revoke any bail allowed if at a later
24 time any of the grounds for denying bail shall be
25 present. The amount of and the terms and conditions

Page 3

1 of any bail set may subsequently be increased, decreased,
2 or modified in like manner. Any order respecting bail
3 made by the district court is subject to immediate
4 review, affirmance, or modification upon hearing by
5 a writ of certiorari by any justice of the supreme
6 court.'

7 Sec. 3. Section seven hundred eighty-nine point
8 nineteen (789.19), Code 1971, is amended as follows:

9 789.19 ALLOWANCE OF BAIL UPON APPEAL. In all cases,
10 except murder in the first degree and treason, the court
11 rendering judgment must [make an order fixing the amount
12 in which bail must be taken] *determine all matters re-*
13 *specting bail pursuant to chapter 763*, and there shall
14 be no execution of the judgment until such order is
15 made.

16 Sec. 4. Section seven hundred ninety-three point
17 four (793.4), Code 1971, is amended as follows:

18 793.4 TAKING AND PERFECTING. An appeal is taken
19 and perfected by the party or his attorney [serving on
20 the adverse party or his attorney of record in the
21 district court at the time of the rendition of the judg-
22 ment, a notice in writing of the taking of the appeal,
23 and filing the same with such clerk, with evidence of
24 service thereof endorsed thereon or annexed thereto]
25 *in the same manner as in civil cases.*

Page 4

- 1 Sec. 5. Section seven hundred ninety-three point
2 twenty-four (793.24), Code 1971, is amended as follows:
3 793.24 DECISION RECORDED AND TRANSMITTED. The de-
4 cision of the supreme court, with any opinion filed
5 or judgment rendered, must be recorded by its clerk,
6 and, after the expiration of the period allowed for
7 a rehearing, or as ordered by the court or provided
8 by its rules, a certified copy of the decision and
9 opinion shall be transmitted to the clerk of the trial
10 court, filed and entered of record by him, and thereafter
11 the jurisdiction of the supreme court shall cease, and
12 all proceedings necessary for executing the judgment
13 shall be had in the trial court, or by its clerk.
14 *The court may, pending the expiration of the period*
15 *allowed for rehearing, order the bail of the defendant*
16 *revoked and remand him to the custody of the sheriff*
17 *pending the filing of the certified copy of the decision*
18 *and opinion with the clerk of the trial court.*
19 Sec. 6. Section seven hundred ninety-three point
20 two (793.2), Code 1971, is repealed.”
21 2. Page 1, by striking from lines 1 and 2 the words
22 “to require higher bail for persons accused of violent
23 crimes” and inserting in lieu thereof the words “relat-
24 ing to bail and appeals of criminal defendants”.

Senator Glenn offered the following amendment to the amend-
ment:

- 1 Amend the Gaudineer amendment to Senate File 335, filed
2 April 6, 1971, as follows:
3 1. Page 1, by striking all of lines 22 through 25.
4 2. Page 2, by renumbering subsections 3 and 4 to
5 conform with this amendment.

Senator Glenn moved the adoption of the amendment to the
amendment and called for a division.

The amendment to the amendment lost.

Senator Glenn called for a division of the Gaudineer amendment
as follows:

- Division 1—Lines 1 through 3, and 11 through 25 on page 1.
 All of page 2.
 Lines 1 through 6 on page 3.

- Division 2—Lines 4 through 10 on page 1.
 Lines 7 through 25 on page 3.
 All of page 4.

President Jepsen took the chair at 11:40 a.m.

Senator Gaudineer moved the adoption of division 1 of his amendment and requested a roll call.

On the question "Shall division 1 of the amendment be adopted?" (S.F. 335) the vote was:

Ayes, 17:

Carlson	Hill	Potgeter	Tapscott
Coleman	Lavery	Riley	Van Drie
DeKoster	Neu	Robinson	Van Gilst
Gaudineer	Palmer	Schaben	Walsh
Gross			

Nays, 30:

Anderson	Doderer	Lamborn	Rabedeaux
Arbuckle	Erskine	Messerly	Rhodes
Balloun	Gilley	Miller	Shaff
Bass	Glenn	Milligan	Shawver
Briles	Graham	Mowry	Smith
Brownlee	Keith	Nicholson	Stephens
Conklin	Kennedy	Ollenburg	Thordsen
Curran	Kyhl		

Absent or not voting, 3:

Davis	Griffin	Potter
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Division 1 of the amendment lost.

Senator Gaudineer offered the following amendment to division 2 of the amendment and moved its adoption:

- 1 Amend the Gaudineer amendment, filed April 6, 1971, page 1,
- 2 by inserting before line 4 the following:
- 3 "Amend Senate File 335 as follows:
- 4 1. By striking all after the enacting clause and inserting
- 5 in lieu thereof the following:".

The amendment to division 2 was adopted.

Senator Gaudineer moved the adoption of division 2 of the amendment as amended.

Division 2 of the amendment as amended lost.

Senator Riley offered the following amendment and moved its adoption:

- 1 Amend Senate File 335, page 3, line 2, by inserting after the
- 2 word "be" the word "otherwise".

The amendment was adopted.

(Senate File 335 pending.)

COMMUNICATIONS

The following communication was presented:

OFFICE OF THE GOVERNOR
State Capitol
Des Moines, Iowa 50319

April 9, 1971

The Honorable Roger W. Jepsen
Lieutenant Governor of Iowa
State Capitol
Local

Dear Governor Jepsen:

It is my pleasure to submit to the Senate for their consideration the name of Michael M. Sellers of Des Moines, Polk County, Iowa, for appointment as Commissioner of Public Safety for the State of Iowa under the provisions of section 80.2, 1971 Code of Iowa, as recently amended by Senate File 170, Sixty-fourth General Assembly, to serve at the pleasure of the Governor.

This letter supersedes my letter to you of March 9, 1971, listing the appointment of Mr. Sellers as Commissioner of Public Safety for a specified term.

Sincerely,

ROBERT D. RAY
Governor

ANNOUNCEMENT OF INVESTIGATING COMMITTEE
ON GOVERNOR'S APPOINTMENT

President Jepsen, in accordance with section 2.32, Code 1971, announced the reappointment of the following Senators to investigate the qualifications of Michael M. Sellers of Des Moines, Polk County, Iowa, for appointment as Commissioner of Public Safety for the State of Iowa to serve at the pleasure of the Governor, pursuant to Governor Robert D. Ray's letter of April 9, 1971:

Senator Laverty, Chairman
Senator Thordsen
Senator Arbuckle
Senator Palmer
Senator Balloun

INTRODUCTION OF BILLS

Senate File 477, by committee on ways and means, a bill for an act relating to the collection of sales and use taxes and providing for waiver of civil penalty.

Read first time and placed on calendar.

Senate File 478, by committee on conservation and recreation, a bill for an act relating to fish and game licenses and fees.

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

Senate File 479, by Senator Walsh (Tieden and Menefee), a bill for an act relating to area school boards.

Read first time and **passed on file.**

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate File 257, a bill for an act relating to fish which may be taken with licensed commercial fishing gear.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 312, a bill for an act relating to the organization of corporations.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 347, a bill for an act relating to private foundations and charitable trusts.

Also: That the House has adopted the following concurrent resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 32, requesting the Governor to review the present policy of the state regarding insurance.

Also: That the House has adopted the following concurrent resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 33, requesting the Governor to request the state comptroller and the auditor of state to review statutory bonding provisions for state employees.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 78, a bill for an act to establish a program to permit doctors' assistants to work under a doctor's supervision.

WILLIAM R. KENDRICK, Chief Clerk

HOUSE CONCURRENT RESOLUTION 32

By Welden, Fisher of Greene, Shaw and Drake

Whereas, the Governor's Economy Committee recognized the need to review insurance requirements of state departments; and

Whereas, the Governmental Reorganization Study Committee was unable to fully review insurance requirements; and

Whereas, governmental liability is being increasingly broadened by judicial interpretation and the expansion of governmental functions; and

Whereas, the duplication of effort by governmental agencies to obtain insurance increases the cost of state government, *Now Therefore*,

Be It Resolved by the House, the Senate Concurring, That the governor be requested to review the present policy of the state regarding insurance, to study the alternatives to the present policy and procedures, and to recommend guidelines to be used in the future. The study shall include a review of the coverages, exposures, and premiums in effect within the various state departments; and the principle of risk management in determining whether the risks which must be assumed can be counterbalanced against the total cost if the state is not to assume any risk or if a certain amount of deductibles is included in the insurance; and

Be It Further Resolved, That the governor be directed to suggest legislation to the General Assembly which will implement the recommended guidelines; and

Be It Further Resolved, That the director of the department of general services, if legislation approving such a department is enacted, be given the duty of purchasing whatever insurance is deemed necessary and of coordinating and controlling the insurance purchase program; and

Be It Further Resolved, That a copy of this resolution be transmitted to the governor.

HOUSE CONCURRENT RESOLUTION 33

By Welden, Fisher of Greene, Shaw and Drake

Whereas, the Governor's Economy Committee recommended that bonding procedures for state employees be reviewed and standardized; and

Whereas, the cost of bonding state employees can be reduced from the present annual fee of eighty-five thousand dollars; and

Whereas, the Governmental Reorganization Study Committee recognized the need to review and standardize the presently inadequate bonding procedures for state employees but was unable to do so because of lack of time, *Now Therefore*,

Be It Resolved by the House, the Senate Concurring, That the Governor request the state comptroller or the auditor of state to review statutory bonding provisions for state employees and recommend changes designed to standardize practices while providing adequate protection in an economic manner. The review of bonding provisions should include a study of the feasibility of an overall public employees' bond covering state personnel and the revision of bonding requirements for certain state officials; and

Be It Further Resolved, That the necessary legislative proposals to implement the standardization and revision of bonding provisions be suggested to the General Assembly; and

Be It Further Resolved, That a copy of this resolution be transmitted to the governor.

HOUSE AMENDMENT TO SENATE FILE 78

- 1 Amend Senate File 78 as amended, passed and reprinted
- 2 by the Senate as follows:
- 3 1. Page 2, by striking lines 10 through 13, inclusive,
- 4 and inserting in lieu thereof the following:

5 5. "Physician" means a person who is currently licensed
6 in Iowa to practice medicine and surgery, osteopathic
7 medicine and surgery, or osteopathy.

8 6. "Physician's assistant" means a person who has
9 successfully completed an approved program or is otherwise
10 found to be qualified as a physician's assistant and is
11 approved by the board to perform medical services under
12 the supervision of one or more physicians approved by
13 the board to supervise such assistant. The term
14 "supervision" shall not be construed as requiring the
15 personal presence of a supervising physician at the place
16 where such services are rendered except insofar as the
17 personal presence is required by the rules and regulations
18 adopted pursuant to this Act or as is expressly required in
19 this Act.

20 2. Page 2, by inserting after line 28 a new paragraph
21 as follows:

22 If the board determines that a person has sufficient
23 knowledge and experience to qualify as a physician's
24 assistant, the board may approve an application to supervise
25 such person as a physician's assistant without requiring

Page 2

1 the completion of an approved program.

2 3. Page 3, by inserting a paragraph after line 13
3 as follows:

4 The board may modify the proposed utilization of a
5 physician's assistant as detailed in any application and
6 then approve the application as modified. A physician's
7 assistant shall perform only those services for which he
8 is qualified by training, and shall not perform any service
9 that is not permitted to be performed by the board.

10 Approval of an application to supervise a physician's
11 assistant may be revoked or suspended at any time upon such
12 grounds and pursuant to such procedure as the board shall
13 establish by regulation.

14 4. By adding the following new sections after Section 7:

15 Sec. 8. REGULATIONS. Regulations adopted by the board
16 to implement the provisions of this Act shall be designed
17 to encourage the utilization of physicians' assistants in
18 a manner that is consistent with the provision of quality
19 health care and medical services for the citizens of Iowa
20 through better utilization of available physicians and
21 the development of sound programs for the education and
22 training of skilled physicians' assistants well qualified
23 to assist physicians in providing health care and medical
24 services.

25 Sec. 9. RIGHT TO DELEGATE. Nothing in this Act shall

Page 3

1 affect or limit a physician's existing right to delegate
2 various medical tasks to aides, assistants or others acting
3 under his supervision or direction. Aides, assistants
4 or others who perform only those tasks which can be so
5 delegated shall not be required to qualify as physicians'

6 assistants hereunder.

7 Sec. 10. No physician's assistant shall be permitted
8 to prescribe lenses, prisms or contact lenses for the aid,
9 relief or correction of human vision. No physician's
10 assistant shall be permitted to measure the visual power
11 and visual efficiency of the human eye, as distinguished
12 from routine visual screening, except in the personal
13 presence of a supervising physician at the place where
14 such services are rendered.

15 5. Page 5A, line 20, by striking the number "8" and
16 inserting in lieu thereof the number "11", and in line 24,
17 by striking the number "9" and inserting in lieu thereof
18 the number "12".

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Rhodes, from the joint committee on enrolled bills, submitted the following report and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate Files 122, 133, 209, 249 and 353.

JOHN C. RHODES
Chairman, Senate Committee
ELIZABETH R. MILLER
Chairman, House Committee

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate the following bills: Senate Files 122, 133, 209, 249 and 353.

BILLS SENT TO THE GOVERNOR

Senator Rhodes, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on the 12th day of April, 1971, sent to the Governor for his approval: Senate Files 122, 133, 209, 249 and 353.

JOHN C. RHODES, Chairman

Passed on file.

On motion of Senator Lamborn, the Senate recessed until 1:15 p.m.

AFTERNOON SESSION

The Senate reconvened, President pro tempore Kyhl presiding.

UNFINISHED BUSINESS

Senate File 335

The Senate resumed consideration of Senate File 335.

Senator Kennedy moved to reconsider the vote by which division 2 of the Gaudineer amendment as amended to Senate File 335 failed to be adopted by the Senate.

Senator Walsh moved as a substitute motion that Senate File 335 be referred to the committee on judiciary, and called for a division.

The motion lost.

President Jepsen took the chair at 2:15 p.m.

Senator Kennedy renewed his motion to reconsider division 2 of the Gaudineer amendment as amended.

Roll call was requested.

On the question "Shall the motion to reconsider division 2 of the Gaudineer amendment as amended be adopted?" (S.F. 335) the vote was:

Rule 24 was invoked.

Ayes, 24:

Brownlee	Gaudineer	Miller	Robinson
Carlson	Glenn	Milligan	Schaben
Coleman	Gross	Neu	Tapscott
Davis	Hill	Palmer	Van Drie
DeKoster	Kennedy	Potgeter	Van Gilst
Doderer	Laverty	Riley	Walsh

Nays, 24:

Anderson	Curran	Lamborn	Rhodes
Arbuckle	Erskine	Messerly	Shaff
Balloun	Gilley	Mowry	Shawver
Bass	Graham	Nicholson	Smith
Briles	Griffin	Ollenburg	Stephens
Conklin	Keith	Rabedeaux	Thordsen

Absent or not voting, 2:

Kyhl	Potter
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The motion lost.

ASSIGNMENT OF BILL TO COMMITTEE

President Jepsen announced the assignment of the following bill to committee:

S. F. 479 Higher education

COMMUNICATION FROM THE SECRETARY OF STATE

April 8, 1971

Mr. Carroll Lane
Secretary of the Senate
State Capitol Building
Des Moines, Iowa 50319

I hereby certify that House File 177 was published in the Newton Daily News, Newton, Iowa, March 12, 1971, and in The Sheldon Mail, Sheldon, Iowa, March 10, 1971.

I further certify that Senate File 171 was published in the Waterloo Daily Courier, Waterloo, Iowa, March 23, 1971, and in the Jackson Sentinel, Maquoketa, Iowa, March 20, 1971.

Respectfully submitted,
MELVIN D. SYNHORST
Secretary of State

REPORTS OF COMMITTEES

Senator Stephens submitted the following report:

MR. PRESIDENT: Your committee on agriculture, to which was referred **House File 382**, a bill for an act relating to labeling of foreign meats, begs leave to report it has had the same under consideration and recommends the same **do pass**.

RICHARD L. STEPHENS, Chairman

Ordered passed on file.

Senator Potgeter submitted the following report:

MR. PRESIDENT: Your committee on state government, to which was referred **Senate File 214**, a bill for an act relating to the liability for costs resulting in the contest of election results, begs leave to report it has had the same under consideration and recommends the same **be amended as follows; and when so amended the bill do pass**:

- 1 Amend Senate File 214 as follows:
- 2 1. Page 2, line 4, by striking the word "contests"
- 3 and inserting in lieu thereof the words "who is unsuccessful in contesting".
- 4 2. Page 2, line 6, by inserting after the word "is"
- 5 the word "unsuccessfully".
- 6

JAMES A. POTGETER, Chairman

Ordered passed on file.

Senator Walsh submitted the following report:

MR. PRESIDENT: Your committee on transportation, to which was referred **House File 551**, a bill for an act relating to registration of motor

vehicles, begs leave to report it has had the same under consideration and recommends the same **do pass**.

JOHN M. WALSH, Chairman

Ordered passed on file.

AMENDMENTS FILED

1 Amend Senate File 300, page 5, line 8, by adding after the
2 word "commission" the following:

3 " ; provided, however, that the aggregate liability of
4 the surety for all breaches of the conditions of the bond
5 shall, in no event, exceed the sum of such bond".

JAMES W. GRIFFIN, SR.

1 Amend Senate File 335, page 2, by striking in line
2 19 the word, " ; or" and lines 20 through 30, inclusive,
3 and by inserting in lieu thereof a period (.).

JOHN E. TAPSCOTT

1 Amend Senate File 335, page 3 after line 9 by adding the
2 following new section:

3 "Sec. 5. Section seven hundred eighty-nine point nineteen
4 (789.19), Code 1971, is amended as follows:

5 789.19 ALLOWANCE OF BAIL UPON APPEAL. In all cases,
except
6 murder in the first degree [and], treason *and special bail defendants*,
7 the court rendering judgment [must] *may* make an order fixing the
8 amount in which bail [must] *may* be taken, and there shall be no
9 execution of the judgment until such order is made."

JOHN L. MOWRY

1 Amend the Mowry amendment to Senate File 428, filed
2 April 8, 1971, page 10, line 21, by striking the word and
3 figure "line 7,".

JOHN L. MOWRY

1 Amend Senate File 430 as follows:

2 1. Page 2, line 34, by striking the word "qualified"
3 and inserting in lieu thereof the word "qualify".

4 2. Page 4, line 23, by striking the word "qualified"
5 and inserting in lieu thereof the word "qualify".

6 3. Page 5, line 35, by striking the words "of the".

7 4. Page 8, line 31, by striking the word and figure
8 "twenty-one (21)" and inserting in lieu thereof the word
9 and figure "sixteen (16)".

10 5. Page 11, line 34, by striking the word and
11 figure "twenty (20)" and inserting in lieu thereof the
12 word and figure "twenty-one (21)".

JAMES W. GRIFFIN, SR.

1 Amend Senate File 468 as follows:

2 Page 11, by adding after line 11 the following sec-
3 tions:

4 "Sec. 22. Senate File one (1), section two hundred
5 ten (210), subsection two (2), Acts of the Sixty-fourth
6 General Assembly, First Session, is amended by adding

7 the following:
8 'l. Librium.
9 m. Valium.'
10 Sec. 23. Senate File one (1), section four hundred
11 seven (407), Acts of the Sixty-fourth General Assembly,
12 First Session, is amended by adding after unnumbered
13 paragraph two (2) the following unnumbered paragraph:
14 'Any person who violates this section and where the
15 controlled substance is any one other than marijuana is
16 guilty of a public offense and upon conviction shall be
17 punished by imprisonment in the penitentiary for not to
18 exceed five years or by a fine of not to exceed ten
19 thousand dollars or by both such imprisonment and fine.'

LEE H. GAUDINEER, JR.
JOHN L. MOWRY

1 Amend House File 172, as amended, passed and reprinted by the
2 House as follows:

3 1. Page 6, by striking line 35, and page 7, by striking
4 lines 1 through 6, inclusive, and inserting in lieu thereof
5 the following:
6 32. "Hotel" or "motel" means a premise licensed by the
7 state department of agriculture and regularly or seasonally
8 kept open in a bona fide manner for the lodging of transient
9 guests, and with twenty or more sleeping rooms.
10 2. Page 22, by striking all of lines 18 and 19 and inserting
11 in lieu thereof the following: "in the application."

JAMES A. POTGETER

1 Amend House File 172, as amended, passed and reprinted by
2 the House as follows:
3 1. Page 33A, by striking line 26, and inserting in lieu thereof
4 the following: "for medicinal purposes. After July 1, 1971, a
5 person".

6 2. Page 35A, by striking line 10, and inserting in lieu thereof
7 the following:
8 "f. After July 1, 1972, any person under legal age shall
9 not be employed in the handling of".

JAMES A. POTGETER

1 Amend the state government committee amendment filed April 7,
2 1971 to House File 172, page 14, by striking all of line 2
3 and inserting in lieu thereof the following:
4 "Sec. 151. 1. Unless otherwise provided the effective
5 date of this Act".

JAMES A. POTGETER

1 Amend the Gaudineer amendment filed April 6, 1971 to House
2 File 172, page 3, by striking all of line 1 and inserting
3 in lieu thereof the following:
4 "f. After July 1, 1972, and person under legal age
5 shall not be employed in the sale".

JAMES A. POTGETER

On motion of Senator Lamborn, the Senate adjourned until 9:00
a.m., Tuesday, April 13, 1971.

JOURNAL OF THE SENATE

NINETY-THIRD DAY

SENATE CHAMBER

DES MOINES, IOWA, TUESDAY, APRIL 13, 1971

The Senate met in regular session, President pro tempore Kyhl presiding.

Prayer was offered by the Reverend Eugene Kramer, pastor of the Emmanuel Lutheran Church, Waterloo, Iowa.

The Senate pledged allegiance to the flag.

The Journal of Monday, April 12, 1971, was approved.

PRESENTATION OF VISITORS

The Chair announced that the following visitors were present in the Senate gallery:

Seventy-five students from Highland Community School, Ainsworth, Iowa, accompanied by Mrs. Bowman, Mrs. Bainbridge, Mrs. Curley and Mr. Brissman.

Fifty-two students from Clive Elementary School, West Des Moines, Iowa, accompanied by Mrs. Daubenberger and Mrs. Sauerman.

Seventy-five students from Corning Community School, Corning, Iowa, accompanied by their principal, Marvin Steppen.

Fifty-four students from Earlham Community School, Earlham, Iowa, accompanied by Mrs. Birk and Mrs. Brown.

Fifteen students from Saint Joseph's School, Neola, Iowa, accompanied by Mrs. Alice Masker.

One hundred twenty students from Clark Community School, Osceola, Iowa.

Nine students from Fox Valley School, Milton, Iowa.

Eighty students from Prairie Junior High School, Callender, Iowa.

Senator Gilley asked and received unanimous consent to record in the Journal the presence in the balcony of nine students from

Oelwein High School, Oelwein, Iowa, accompanied by Mrs. Jaggard and Mr. and Mrs. David Strang.

PETITIONS

The following petitions were presented and placed on file:

By Senator DeKoster, from forty-seven residents of Plymouth County favoring legislation requiring negotiations between public employees and their employers.

By Senator Lamborn, from thirty-nine residents of Jones County favoring the sale of alcoholic liquor and beer by food establishments and bona fide clubs on Sunday.

By Senator Lamborn, from thirty-seven residents of Jackson County favoring the sale of alcoholic beverages on Sunday.

By Senator Lamborn, from twenty-seven residents of Jackson and Clinton Counties opposing repeal of the Iowa meat and poultry law.

RESOLUTIONS

Senator DeKoster presented the following resolution from the Sioux County Municipal League, Sioux Center, Iowa:

Whereas, there has been legislation introduced in the Iowa legislature legalizing Sunday sale of liquor.

Now Therefore Be It Resolved by the Sioux County Municipal League that it opposes any legislation which would legalize Sunday sale of alcoholic beverages.

Passed and unanimously approved on the 19th day of March, 1971.

Senator Lamborn presented the following resolution from the town council, Green Island, Iowa:

Whereas, the Town Council of Green Island, Iowa, has been and is deeply concerned with the increasing problems of financing the provision of local government services for the three of four people in the State of Iowa living in cities and towns, and

Whereas, there are 670 cities and towns levying 28 mills or over and an additional 35 cities and towns levying an emergency mill, and

Whereas, the total debt for cities and towns rose \$96 million in 1969, bringing the total debt for cities and towns to above \$378 million, or 97 percent of total operating budgets of \$390 million, and

Whereas, there is a demonstrated need for additional nonproperty tax revenues to adequately finance local governments, and

Whereas, the urban population has risen from 53 percent of the total state population in 1960 to 73.2 percent in 1970, and

Whereas, any tax reform must provide equitable tax treatment to rural and urban citizens alike,

Now Therefore Be It Resolved that the Town Council of Green Island, Iowa, in reaffirmation of the policy adopted at the annual meeting of the League of Iowa Municipalities in September, 1970, urges the Iowa General Assembly to increase the state sales tax from 3 percent to 4 percent with the proceeds being returned to cities, towns and counties on a per capita basis.

Be It Further Resolved that the Town Council of Green Island, Iowa, will strongly oppose any increase in state sales or income tax unless the equivalent of one-half of one cent of sales tax is returned to the cities and towns only on a per capita basis for the benefit of their citizens.

Be It Further Resolved that copies of this resolution be forwarded to our state Representatives and Senators and the League of Iowa Municipalities requesting their vocal and active support of these measures.

UNFINISHED BUSINESS

Senate File 335

The Senate resumed consideration of Senate File 335, a bill for an act to require bail for persons accused of violent crimes.

Senator Mowry offered the following amendment filed by him on April 12, 1971:

- 1 Amend Senate File 335, page 3 after line 9 by adding the
- 2 following new section:
- 3 "Sec. 5. Section seven hundred eighty-nine point nineteen
- 4 (789.19), Code 1971, is amended as follows:
- 5 789.19 ALLOWANCE OF BAIL UPON APPEAL. In all cases,
- 6 murder in the first degree [and], treason *and special bail defendants*,
except
- 7 the court rendering judgment [must] *may* make an order fixing the
- 8 amount in which bail [must] *may* be taken, and there shall be no
- 9 execution of the judgment until such order is made."

Senator Glenn offered the following amendment to the amendment:

- 1 Amend the Mowry amendment to Senate File 335, filed
- 2 April 12, 1971, by striking on line 6 the words "and special
- 3 bail defendants,".

Senator Glenn moved the adoption of the amendment to the amendment and called for a division.

The amendment to the amendment lost.

Senator Mowry moved the adoption of his amendment and called for a division.

The amendment was adopted.

Senator Mowry offered the following amendment:

- 1 Amend Senate File 335, page 3 after line 9 by adding the
- 2 following new section:
- 3 "Sec. Section seven hundred sixty-three point nine

- 4 (763.9), Code 1971, is amended as follows:
5 763.9 BAIL ON APPEAL—CONDITIONS. After conviction, upon
6 an appeal to the supreme court, the defendant must be admitted
7 to bail, if it be from a judgment imposing a fine, upon the
8 undertaking of bail that he will, in all respects, abide the
9 orders and the judgment of the supreme court upon the appeal;
10 if from a judgment of imprisonment *may be admitted to bail*,
11 upon the undertaking of bail that the defendant will surrender
12 himself in execution of the judgment and direction of the
13 supreme court, and in all respects abide the orders and
14 judgment of the supreme court upon the appeal.”

Senator Glenn offered the following amendment to the amendment:

- 1 Amend the Mowry amendment to Senate File 335, filed
- 2 April 13, 1971, as follows: Line 10, by striking the word
- 3 “*may*” and inserting in lieu thereof the word “*must*”.

Senator Mowry raised a point of order that the amendment to the amendment was out of order.

The Chair ruled the point not well taken and the amendment to the amendment in order.

Senator Glenn moved the adoption of the amendment to the amendment and called for a division.

The amendment to the amendment lost.

On motion of Senator Mowry, his amendment was adopted.

Senator Tapscott offered the following amendment:

- 1 Amend Senate File 335, page 2, by striking in line
- 2 19 the word, “; or” and lines 20 through 30, inclusive,
- 3 and by inserting in lieu thereof a period (.).

Senator Tapscott moved the adoption of his amendment and called for a division.

The amendment lost.

Senator Glenn offered the following amendment:

- 1 Amend Senate File 335, page 3, as follows:
- 2 1. Line 8, by striking the words “not be allowed bail
- 3 pending any appeal or other proceed-”, and line 9, by
- 4 striking the letters “ings.”
- 5 2. Line 8, by inserting following the word “shall”
- 6 the words: “be allowed bail pending appeal or other
- 7 proceedings in the same manner as bail is permitted prior to
- 8 conviction or plea of guilty.”

Senator Mowry raised a point of order on the amendment for the reason that the same subject matter had already been considered.

The Chair ruled the point well taken and the amendment improper.

Senator Mowry offered the following amendment:

- 1 Amend Senate File 335, page 3 after line 9 by adding the
- 2 following new section:
- 3 "Sec. Section seven hundred sixty-three point one
- 4 (763.1), Code 1971, is amended as follows:
- 5 763.1 BAILABLE OFFENSES. All defendants are bailable
- 6 both before and after conviction, by sufficient surety, except
- 7 for murder in the first degree and kidnapping for ransom *and*
- 8 *except as otherwise provided by law*, when the proof is evident
- 9 or the presumption great."

Senator Mowry moved the adoption of his amendment and called for a division.

The amendment was adopted.

Senator Gaudineer offered the following amendment and moved its adoption:

- 1 Amend Senate File 335 as follows:
- 2 1. Page 2, by striking lines 9 through 11, inclu-
- 3 sive, and by inserting in lieu thereof the following:
- 4 "1. Where the proof is evident or the presumption
- 5 great."
- 6 2. Page 2, line 29, by striking all after the word
- 7 "section" and all of line 30 and by inserting in lieu
- 8 thereof the following:
- 9 "is established by proof that is evident or the pre-
- 10 sumption is great."

The amendment was adopted.

Senator Smith took the chair at 10:50 a.m.

President pro tempore Kyhl took the chair at 11:08 a.m.

Senator Mowry moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

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

Rule 24 was invoked.

Ayes, 23:

Anderson	Erschine	Messerly	Shawver
Arbuckle	Gilley	Mowry	Smith
Balloun	Graham	Nicholson	Stephens
Bass	Keith	Ollenburg	Thordsen
Briles	Kyhl	Rhodes	Van Drie
Conklin	Lamborn	Shaff	

Nays, 23:

Brownlee	Gaudineer	Miller	Robinson
Carlson	Glenn	Milligan	Schaben
Curran	Griffin	Neu	Tapscott
Davis	Gross	Palmer	Van Gilst
DeKoster	Hill	Potgeter	Walsh
Doderer	Kennedy	Riley	

Absent or not voting, 4:

Coleman	Laverty	Potter	Rabedeaux
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The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

HOUSE AMENDMENT TO SENATE AMENDMENT CONSIDERED

House File 29

Senator Briles called up for consideration House File 29, a bill for an act relating to subsequent damages to property owners, amended by the Senate and further amended by the House, and moved that the Senate concur in the following House amendment to the Senate amendment:

- 1 Amend the Senate amendment to House File 29 by
- 2 striking from line 8 the word "three" and inserting
- 3 in lieu thereof the word "five".

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

Senator Briles moved that the bill as amended by the Senate, further amended by the House and concurred in by the Senate be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 29) the vote was:

Ayes, 45:

Anderson	Gaudineer	Laverty	Robinson
Arbuckle	Gilley	Messerly	Schaben
Balloun	Glenn	Miller	Shaff
Bass	Graham	Milligan	Shawver
Briles	Griffin	Mowry	Smith
Brownlee	Gross	Neu	Stephens
Carlson	Hill	Ollenburg	Tapscott
Conklin	Keith	Palmer	Thordsen
Curran	Kennedy	Potgeter	Van Drie
Davis	Kyhl	Rhodes	Van Gilst
DeKoster	Lamborn	Riley	Walsh
Erskine			

Nays, none.

Absent or not voting, 5:

Coleman	Nicholson	Potter	Rabedeaux
Doderer			

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

HOUSE AMENDMENTS CONSIDERED

Senate File 78

Senator Tapscott called up for consideration Senate File 78, a bill for an act to establish a program to permit doctors' assistants to work under a doctor's supervision, amended by the House, and moved that the Senate concur in the House amendment found on pages 788-790, inclusive, of the Senate Journal.

The motion prevailed and the Senate concurred in the House amendment.

Senator Tapscott moved that the bill as amended by the House and concurred in by the Senate be read the last time now, which motion prevailed, and the bill was read the last time.

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

Ayes, 44:

Anderson	Gaudineer	Laverty	Robinson
Arbuckle	Gilley	Messerly	Schaben
Balloun	Glenn	Miller	Shaff
Briles	Graham	Milligan	Shawver
Brownlee	Griffin	Mowry	Smith
Carlson	Gross	Neu	Stephens
Conklin	Hill	Nicholson	Tapscott
Davis	Keith	Palmer	Thordsen
DeKoster	Kennedy	Potgeter	Van Drie
Doderer	Kyhl	Rhodes	Van Gilst
Erskine	Lamborn	Riley	Walsh

Nays, none.

Absent or not voting, 6:

Bass	Curran	Potter	Rabedeaux
Coleman	Ollenburg		

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

Senate File 188

Senator Mowry called up for consideration Senate File 188, a bill for an act to define criminal trespass and to prescribe the penalty for such trespass, amended by the House, and moved that the Senate refuse to concur in the following amendment:

- 1 Amend Senate File 188, as passed by the Senate and
- 2 reprinted, by striking everything after the enacting clause
- 3 and inserting the following:
- 4 Section 1. Criminal Trespass. Any person who shall
- 5 trespass upon the property of another, whether publicly
- 6 or privately owned, is guilty of a public offense and upon
- 7 conviction shall be punished by a fine not to exceed one
- 8 hundred dollars or by imprisonment in the county jail for

- 9 a term not to exceed thirty days. For the purposes of this
10 Act, the following definitions shall apply:
11 a. The term "trespass" shall mean one or more of the
12 following acts:
13 1. Willfully entering upon or in the property without
14 legal justification or without the implied or actual
15 permission of the owner or occupier with the intent to commit
16 a public offense or to use, remove therefrom, alter, damage,
17 harass, or place thereon or therein anything tangible,
18 animate or inanimate, without the implied or actual permission
19 of the owner or occupier.
20 2. Willfully entering or remaining upon or in the property
21 without legal justification after being notified to remove
22 therefrom by the owner or occupier or by any peace officer,
23 magistrate, or public employee whose duty it is to supervise
24 the use of the property.
25 3. Willfully entering upon or in the property for the

Page 2

- 1 purpose or with the effect of unduly interfering with the
2 lawful use of the property by others.
3 4. Being upon or in the property and using, removing
4 therefrom, altering, damaging, harassing, or placing
5 thereon or therein anything tangible, animate or inanimate,
6 without the implied or actual permission of the owner or
7 occupier.
8 b. The term "publicly owned" shall mean any property
9 owned, used or under the control of the state or any agency
10 or political subdivision thereof.
11 c. The term "property" shall mean any land, dwelling,
12 building, conveyance, vehicle, or other temporary or
13 permanent structure.
14 Sec. 2. Sections seven hundred fourteen point
15 twenty-five (714.25), seven hundred forty-four point three
16 (744.3), and seven hundred forty-six point four (746.4),
17 Code 1971, are hereby repealed.
18 Sec. 3. This Act, being deemed of immediate importance,
19 shall take effect and be in force from and after its
20 publication in the Evening Democrat, a newspaper published
21 in Fort Madison, Iowa, and in the Oskaloosa Daily Herald,
22 a newspaper published in Oskaloosa, Iowa.

Division was called for.

The motion prevailed and the Senate refused to concur in the House amendment.

On motion of Senator Lamborn, the Senate recessed until 1:15 p.m.

AFTERNOON SESSION

The Senate reconvened, President pro tempore Kyhl presiding.

MESSAGES FROM THE HOUSE

The following messages were received from the House :

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File 393, a bill for an act relating to waiver of right to jury trial in indictable misdemeanor cases.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 470, a bill for an act relating to sale or transfer of livestock brands.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 570, a bill for an act relating to the collection of sales and use taxes.

WILLIAM R. KENDRICK, Chief Clerk

INTRODUCTION OF BILLS

Senate File 480, by committee on agriculture, a bill for an act prohibiting the sale, offer for sale, and distribution of teasel or seeds, making teasel a noxious weed, and providing a penalty.

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

Senate File 481, by Senator Gaudineer, a bill for an act relating to the accounting procedure for school corporations.

Read first time and **passed on file**.

Senate File 482, by Senators Shawver, Hill, Rabedeaux, Briles, Stephens, Kennedy and Schaben, a bill for an act relating to the payment of damages caused by hunters, and providing penalties for violations.

Read first time and **passed on file**.

HOUSE MESSAGES CONSIDERED

House File 393, a bill for an act relating to waiver of right to jury trial in indictable misdemeanor cases.

Read first time and **passed on file**.

House File 470, a bill for an act relating to sale or transfer of livestock brands.

Read first time and **passed on file**.

House File 570, a bill for an act relating to the collection of sales and use taxes.

Read first time and **passed on file**.

SENATE INSISTS

House File 369

Senator Nicholson called up House File 369, a bill for an act relating to fees for census searches charged by the Iowa department of history and archives, amended by the Senate, and moved that the Senate insist on its amendment.

The motion prevailed and the Senate insisted on its amendment.

Senator Smith took the chair at 1:35 p.m.

MOTIONS TO RECONSIDER WITHDRAWN

Senate File 305

Senator Miller asked and received unanimous consent to withdraw the following motion filed by him on April 1, 1971:

MR. PRESIDENT: I move to reconsider the vote by which Senate File 305 failed to pass the Senate.

House File 12

Senator Kyhl asked and received unanimous consent to withdraw the following motion filed by him on April 6, 1971:

MR. PRESIDENT: I move to reconsider the vote by which House File 12 passed the Senate.

CONSIDERATION OF BILLS

Senate File 306

On motion of Senator Tapscott, Senate File 306, a bill for an act relating to the licensing of funeral homes, was taken up and considered.

Senator Bass offered the following amendment filed by him and moved its adoption:

- 1 Amend Senate File 306, page 3, by striking in line 22
- 2 the words "and to prescribe and enforce [such]" and by striking
- 3 lines 23, 24 and 25 and inserting in lieu thereof the following:
- 4 "[and to prescribe and enforce such rules and regulations
- 5 in connection therewith as should be necessary for the pres-
- 6 ervation of public health.] *shall employ a person who currently*
- 7 *holds a funeral director or embalmers' license in this state and*
- 8 *is knowledgeable in the operations of a funeral home and branches*
- 9 *of funeral homes, thereby protecting the health of the public."*

President pro tempore Kyhl took the chair at 1:48 p.m.

The amendment was adopted.

Senator Gaudineer offered the following amendment filed by Senators Gaudineer, Tapscott and Bass:

- 1 Amend Senate File 306 as follows:
- 2 1. Page 3, line 6, by striking the word, "license."
- 3 and by inserting in lieu thereof the following:
- 4 "current license. A violation thereof shall be
- 5 punishable by imprisonment in the county jail for
- 6 not more than thirty (30) days or fined not more
- 7 than one hundred dollars (\$100.00). In addition
- 8 thereto the department may seek an injunction
- 9 against such person, fiduciary, firm, cooperative
- 10 burial association or corporation."
- 11 2. Page 3, line 20, by striking the word, "annually"
- 12 and by inserting in lieu thereof the words "at least
- 13 annually and not less than thirty days before the date for
- 14 renewal of such license,".
- 15 3. Page 3, line 25, by inserting after the word, "health."
- 16 the following:
- 17 "Initially the department may waive the inspection
- 18 and license a funeral home for more than one year
- 19 but not to exceed two years in order to place the
- 20 inspection and licensing of the various funeral
- 21 homes on a staggered basis throughout the year.
- 22 Thereafter, such inspection and licensing shall be
- 23 upon an annual basis."
- 24 4. Page 4, line 9, by inserting after the word "homes."
- 25 the following:

Page 2

- 1 "If such fund upon June 30th of any year after
- 2 June 30, 1973, exceeds five thousand dollars, the
- 3 amount in excess thereof shall be paid into the
- 4 general fund."
- 5 5. Page 1, line 1, by adding after the word "homes."
- 6 the words, "and to provide a penalty."

Senator DeKoster called for a division of the amendment, sections 1, 3, 4 and 5 to be considered as division 1, and section 2 to be considered as division 2.

On motion of Senator Gaudineer, division 1 of the amendment was adopted.

Action on division 2 of the amendment was temporarily deferred.

Senator Tapscott offered the following amendment and moved its adoption:

- 1 Amend Senate File 306, page 4, lines 8 and 9, by
- 2 striking, "and shall be used exclusively for paying
- 3 the costs for inspecting funeral homes".

The amendment was adopted.

(Senate File 306 pending.)

SENATE CONCURRENT RESOLUTION 31

By Committee on Environmental Preservation

Whereas, the people of Iowa have a fundamental interest in the orderly development of the state, consistent with the protection and enhancement of its land, air, and water resources; and

Whereas, it is prudent that limited natural resources be placed under a management system that seeks the most efficient use of resources while protecting reserves for the future; and

Whereas, the interdependency of air, water, land, and related environmental issues requires closely coordinated programs and development to prevent, abate, and control pollution problems; and

Whereas, the environmental preservation study committee, created by the Sixty-third General Assembly, studied pollution problems in this state and recommended legislation to broaden the scope of pollution control laws and programs and to coordinate and consolidate existing pollution control programs, but due to time limitations and recent changes in federal pollution control programs and guidelines, was unable to thoroughly study and evaluate related natural resource programs, to consider new federal pollution control guidelines and programs, nor recommend additional consolidation of state environmental programs; and

Whereas, the environmental preservation study committee recommends the continued examination and evaluation of state environmental conditions and the capacities of existing state agencies to effectively deal with these conditions, *Now Therefore*,

Be It Resolved by the Senate, the House of Representatives Concurring, That the legislative council is requested to create a study committee to continue the study of state environmental programs and agencies including, but not limited to, an inventory and evaluation of existing programs, a determination of their effectiveness, and the need for further coordination and consolidation of these programs and agencies, the need for additional pollution control programs, and the implementation of federally-sponsored environmental pollution control programs; and

Be It Further Resolved, That a report of the study including proposed legislation to implement the recommendations of the study committee, be prepared and submitted to the legislative council and the members of the General Assembly.

BILLS ASSIGNED TO COMMITTEE

President Jepsen announced the assignment of the following bills to committee:

S.C.R. 31 State government

S. F. 481 Schools

- S. F. 482 County government
- H. F. 236 Appropriations (under Rule 37)
- H. F. 393 Judiciary
- H. F. 470 Agriculture
- H. F. 570 Ways and means

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which the Bass amendment to Senate File 306, filed April 1, 1971, was adopted by the Senate.

GENE V. KENNEDY

CONFERENCE COMMITTEE APPOINTED

President Jepsen announced the appointment of the following conference committee on House File 369, on the part of the Senate: Senators Nicholson, chairman; Potgeter, Doderer and Shaff.

BILLS SIGNED BY THE GOVERNOR

Communications were received announcing that on April 1, 1971, the Governor approved and transmitted to the Secretary of State the following joint resolution:

H.J.R. 15—Relating to extending the right to vote to citizens eighteen years of age or older.

Also: That on April 9, 1971, the Governor approved and transmitted to the Secretary of State the following bills:

S. F. 250—Relating to the changing and regulation of mileage measurements contained on motor vehicle odometers and providing penalties for violating the act.

S. F. 365—To provide for this state to enter into the midwest nuclear compact.

REPORTS OF COMMITTEES

Senator DeKoster submitted the following reports:

MR. PRESIDENT: Your committee on judiciary, to which was referred **Senate File 325**, a bill for an act relating to escheat of unclaimed postal savings system accounts, begs leave to report it has had the same under consideration and recommends the same **do pass**.

LUCAS J. DeKOSTER, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary, to which was referred **Senate File 426**, a bill for an act to legalize and validate the proceedings of

the board of directors of the Des Moines Independent Community School District, in the County of Polk, State of Iowa, confirming and authorizing the sale of certain property, begs leave to report it has had the same under consideration and recommends the same **do pass**.

LUCAS J. DeKOSTER, Chairman

Ordered passed on file.

Senator Thordsen submitted the following reports:

MR. PRESIDENT: Your committee on law enforcement, to which was referred **Senate File 237**, a bill for an act to provide that the unauthorized possession of credit cards or other credit devices is a crime, begs leave to report it has had the same under consideration and recommends the same **be amended in accordance with the Conklin amendment, filed March 1, 1971, and found on page 397 of the Senate Journal, and when so amended, the bill do pass.**

HAROLD A. THORDSEN, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on law enforcement, to which was referred **House File 262**, a bill for an act relating to traffic control signals, begs leave to report it has had the same under consideration and recommends the same **do pass**.

HAROLD A. THORDSEN, Chairman

Ordered passed on file.

Senator Potgeter submitted the following reports:

MR. PRESIDENT: Your committee on state government, to which was referred **Senate File 184**, a bill for an act relating to licensing and regulation of hearing aid dealers, appropriating license fees for purposes of administration and providing penalties for a violation, begs leave to report it has had the same under consideration and recommends the same **be amended as follows; and returns the bill without recommendation:**

- 1 Amend Senate File 184 as follows:
- 2 1. Page 2, by striking lines 4 and 5.
- 3 2. Page 2, line 14, by striking the word "board" and
- 4 inserting in lieu thereof the word "department".
- 5 3. Page 2, line 16, by striking the word "or" and
- 6 inserting in lieu thereof the word "and".
- 7 4. Page 2, line 17, by inserting after the word
- 8 "impressions" the words "as part of the sale of hearing
- 9 aids".
- 10 5. Page 2, by striking lines 22 to 35, inclusive,
- 11 and inserting in lieu thereof the following:
- 12 "Sec. 2. The department shall be the state agency
- 13 for the licensing and regulation of hearing aid dealers.
- 14 The department shall prepare examinations, develop
- 15 guidelines, and prescribe rules and regulations to carry
- 16 out the provisions of this Act."
- 17 6. Page 3, by striking lines 1 to 28, inclusive.

- 18 7. Page 3, lines 29 and 30, by striking the words
19 “, with the advice and assistance of the board.”.
20 8. Page 4, line 14, by striking the word “fifty” and
21 inserting in lieu thereof the word “twenty”.
22 9. Page 5, line 6, by striking the word “medical”
23 and inserting in lieu thereof the word “professional”.
24 10. Page 5, line 7, by striking the word “profes-
25 sional”.

Page 2

- 1 11. Page 6, line 6, by striking the word “board” and
2 inserting in lieu thereof the word “department”.
3 12. Page 6, line 20, by striking the word “fifty”
4 and inserting in lieu thereof the word “twenty”.
5 13. Page 6, line 22, by striking the word “fifty-
6 five” and inserting in lieu thereof the word “twenty-
7 five”.
8 14. Page 6, line 24, by striking the word “sixty”
9 and inserting in lieu thereof the word “thirty”.
10 15. Page 7, line 9, by striking the word “board” and
11 inserting in lieu thereof the word “department”.
12 16. Page 7, line 12, by striking the word “board”
13 and inserting in lieu thereof the word “department”.
14 17. Page 7, line 13, by striking the word “board”
15 and inserting in lieu thereof the word “department”.
16 18. Page 7, line 15, by striking the word “deems”
17 and inserting in lieu thereof the word “deem”.
18 19. Page 8, line 19, by striking the word “or” and
19 inserting in lieu thereof the word “and”.
20 20. Page 8, by striking lines 30 through 35, inclu-
21 sive.
22 21. Page 9, by striking lines 1 through 6, inclusive,
23 and inserting in lieu thereof the following:
24 “Sec. 13. The department shall deposit all fees
25 collected under the provisions of this Act in the general

Page 3

- 1 fund of the state. Compensation and travel expenses of
2 members and employees of the board, and other expenses
3 necessary for the board to administer and carry out the
4 provisions of this Act shall be paid from funds appro-
5 priated from the general fund of the state.”
6 22. Page 12, line 2, by striking everything after
7 the word “days” and inserting in lieu thereof the follow-
8 ing:
9 “in the county jail, or by both such fine and
10 imprisonment.”.

JAMES A. POTGETER, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on state government, to which was referred **Senate File 461**, a bill for an act relating to supreme court officers and employees and their duties, including court administration, as directed

by the supreme court, begs leave to report it has had the same under consideration and recommends the same **do pass**.

JAMES A. POTGETER, Chairman

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on state government, to which was referred **House File 236**, a bill for an act relating to the establishment of rest areas or rest area buildings on interstate highways, begs leave to report it has had the same under consideration to recommends the same **do pass**.

JAMES A. POTGETER, Chairman

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on state government, to which was referred **House File 274**, a bill for an act relating to military leave of absence for civil employees, begs leave to report it has had the same under consideration and recommends the same **do pass**.

JAMES A. POTGETER, Chairman

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on state government, to which was referred **House File 283**, a bill for an act relating to the payment of claims, begs leave to report it has had the same under consideration and recommends the same **do pass**.

JAMES A. POTGETER, Chairman

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on state government, to which was referred **House File 429**, a bill for an act relating to preparation of ballots and voting machines for constitutional questions, amendments and public measures, begs leave to report it has had the same under consideration and recommends the same **do pass**.

JAMES A. POTGETER, Chairman

Ordered passed on file.

AMENDMENTS FILED

- 1 Amend the Coleman amendment to Senate File 297, filed
- 2 April 6, 1971, line 10, by inserting after the word, "and"
- 3 the words, "*shall be shown to any peace officer upon his*
- 4 *request*".

LEE H. GAUDINEER, JR.

1 Amend the Gaudineer, Tapscott and Bass amendment filed
2 March 30, 1971, to Senate File 306, line 13, by striking
3 the word "less" and inserting in lieu thereof the word
4 "more".

LUCAS J. DeKOSTER
LEE H. GAUDINEER, JR.

1 Amend Senate File 329 as follows:
2 1. Page 1, line 4, by striking the word "section" and inserting
3 the word "sections".
4 2. Page 1, by adding the following new section after line 14.
5 "Implied consent to test. 1. Any person who operates an
6 aircraft in this state, shall be deemed to have given consent to
7 the withdrawal from his body of specimens of his blood, breath,
8 saliva, or urine, and to a chemical test or tests thereof, for
9 the purpose of determining the alcoholic content of his blood, sub-
10 ject to the provisions hereinafter set out. The withdrawal of
11 such body substances, and the test or tests thereof, shall be
12 administered at the written request of a peace officer invest-
13 igating an aircraft accident. If such person requests that a
14 specimen of his blood not be withdrawn, then a specimen of his
15 breath, saliva, or urine shall be withdrawn at the written
16 request of such peace officer; provided, however, that if such
17 person refuses to submit to any chemical testing, no test shall
18 be given, and section 1 of this Act shall not apply and the
19 relationship of pilot to his passengers shall be one of bailment
20 and any injury or death to a passenger shall be presumed to have
21 risen from negligent operation of the aircraft.
22 2. Any person who is dead, unconscious or who is otherwise
23 in a condition rendering him incapable of consent or refusal
24 shall be deemed not to have withdrawn the consent provided in
25 subsection 1 of this section, and the test may be given; provided

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1 that a licensed physician shall certify in advance of such test
2 that such person is dead, unconscious or otherwise in a condition
3 tendering him incapable of consent or refusal.
4 3. Upon the trial of any civil or criminal action or pro-
5 ceeding arising out of acts alleged to have been committed by any
6 person while operating an aircraft in this state while under the
7 influence of an alcoholic beverage, evidence of the amount of
8 alcohol in the person's blood at the time of the act alleged as
9 shown by a chemical analysis of his blood, breath, saliva or
10 urine is admissible.
11 4. If the person under arrest refuses to submit to the
12 test or tests, proof or refusal shall be admissible in any civil
13 or criminal action or proceeding arising out of acts alleged to
14 have been committed while the person was operating an aircraft in
15 this state while under the influence of an alcoholic beverage.
16 5. The provisions of this section shall not be construed as
17 limiting the introduction of any other competent evidence bearing
18 on the question of whether the person was under the influence of
19 an alcoholic beverage."

TOM RILEY

- 1 Amend Senate File 397 as follows:
- 2 1. Page 63, by striking lines 17 through 19 inclusive.
- 3 2. Page 87, by striking lines 1 through 3 inclusive.
- 4 3. Page 99, by striking lines 19 through 21 inclusive.
- 5 4. Page 110, line 34, by striking all after the word
- 6 "created." and all of line 35 and page 111, line 1.
- 7 5. Page 115, by striking lines 2 through 4, inclusive.
- 8 6. Page 177, line 32, by adding thereafter the follow-
- 9 ing new sentence:
- 10 "Revenue bonds issued by the authority and the interest
- 11 thereon shall be subject to taxation."
- 12 7. By renumbering the sections and internal references
- 13 to conform with this amendment.

LEE H. GAUDINEER, JR.

- 1 Amend Senate File 397 as follows:
- 2 1. Page 102, line 15, by inserting after the word
- 3 "private" the words, "non-profit".
- 4 2. Page 103, lines 34 and 35, by striking the words
- 5 "five percent, but may not exceed".
- 6 3. Page 104, line 29, by inserting after the word
- 7 "damages" the words, "or cashed and held in escrow to apply
- 8 against the actual damages sustained for such breach of
- 9 contract".
- 10 4. Page 105, line 1, by inserting after the word
- 11 "damages" the words, "or retained and held in escrow to
- 12 apply against the actual damages sustained for such breach
- 13 of contract".
- 14 5. Page 106, line 1, by striking the words, ", con-
- 15 struction, or reconstruction".
- 16 6. Page 110, line 33, by striking the words, "or
- 17 useful".
- 18 7. Page 112, line 35, by inserting after the word,
- 19 "authority" the words, "or acted arbitrarily or capriciously".
- 20 8. Page 121, line 30, by inserting after the word
- 21 "private" the words, "non-profit".
- 22 9. Page 129, lines 32 and 33, by striking the words
- 23 "useful and convenient" and by inserting in lieu thereof the
- 24 word "necessary".
- 25 10. Page 131, line 21, by striking the word "quali-

Page 2

- 1 fied" and by inserting in lieu thereof the word "[qualified]
- 2 eligible".
- 3 11. Page 131, line 30, by striking the words "or town,"
- 4 and inserting the words "[or town,]".
- 5 12. Page 132, line 5, by striking the words ", city or
- 6 town," and by inserting in lieu thereof the words "[city or
- 7 town] or city".
- 8 13. Page 133, line 33, by striking the word "five"
- 9 and by inserting in lieu thereof the word "three".
- 10 14. Page 134, line 31, by adding thereafter the
- 11 following new paragraph:
- 12 "All such election precincts shall be established with-
- 13 in the boundaries of a representative district as established

14 *by law.*"

15 15. Page 158, lines 5 and 6, by striking the word,
16 "qualified" and by inserting in lieu thereof the word "[qual-
17 ified] eligible".

18 16. Page 162, line 27, by striking the words "useful
19 and convenient" and by inserting in lieu thereof the word
20 "necessary".

21 17. Page 165, line 1, by striking the words "useful
22 and convenient" and by inserting in lieu thereof the word
23 "necessary".

24 18. Page 173, line 31, by striking the word "legal"
25 and by inserting in lieu thereof the word "eligible".

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1 19. Page 194, line 3, by striking the word ", tax"
2 and by inserting the word "[, tax]".

3 20. Page 194, line 5, by striking the word ", taxing"
4 and by inserting the word "[, taxing]".

5 21. Page 194, line 20, by inserting after the word
6 "a" the words "*mayor, council,*".

7 22. Page 194, line 21, by striking the words "police
8 magistrate and marshall" and by inserting in lieu thereof
9 the words "[police magistrate and marshall] *police and fire*
10 *chief*".

LEE H. GAUDINEER, JR.

1 Amend Senate File 468, page 1, by striking all of the title
2 after the word "Act" in line 1 and inserting in lieu thereof
3 the following: "relating to the regulation and control of
4 certain drugs and providing procedures for enforcement and
5 penalties and making additional amendments to the Code in
6 conformity with Senate file one (1), Acts of the Sixty-fourth
7 General Assembly, First Session."

HAROLD A. THORSEN

1 Amend the committee on state government amendment to
2 House File 172, as amended, passed, and reprinted by the
3 House, filed April 7, 1971, and found on pages 749
4 through 756 of the Senate Journal, as follows:

5 1. Page 8, by striking lines 11 through 25, inclusive.

6 2. Page 9, by striking lines 1 through 17, inclusive,
7 and inserting in lieu thereof the following:

8 "Page 49, by striking lines 17 through 35, inclusive.

9 Page 50, by striking lines 1 through 15, inclusive,
10 and inserting in lieu thereof the following:

11 'CIVIL LIABILITY APPLICABLE TO SALE OR GIFT OF BEER
OR

12 INTOXICANTS BY LICENSEES. Every husband, wife, child,
13 parent, guardian, employer or other person who shall be
14 injured in person or property or means of support by any
15 intoxicated person or resulting from the intoxication of
16 any such person, shall have a right of action, severally
17 or jointly against any licensee or permittee who shall
18 sell or give any beer or intoxicating liquor to any such
19 person while he is intoxicated, or serve any such person

20 to a point where such person is intoxicated for all
21 damages actually sustained.
22 Every liquor control licensee shall furnish proof of
23 financial responsibility either by the existence of a
24 liability insurance policy or by posting bond in such
25 amount as determined by the department.' "

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1 3. By renumbering the remaining items accordingly.

LUCAS J. DeKOSTER
LEE H. GAUDINEER, JR.
JAMES A. POTGETER
RICHARD L. STEPHENS
JOHN E. TAPSCOTT
GENE W. GLENN
VERNON H. KYHL
MINNETTE DODERER

On motion of Senator Lamborn, the Senate adjourned until 9:00
a.m., Wednesday, April 14, 1971.

JOURNAL OF THE SENATE

NINETY-FOURTH DAY

SENATE CHAMBER
DES MOINES, IOWA, WEDNESDAY, APRIL 14, 1971

The Senate met in regular session, President pro tempore Kyhl presiding.

Prayer was offered by the Reverend Emmett Bush, pastor of the Lutheran Church, Bellevue, Iowa.

The Senate pledged allegiance to the flag.

The Journal of Tuesday, April 13, 1971, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Potter for the day on request of Senator Balloun.

PRESENTATION OF VISITORS

Senator Shawver rose on a point of personal privilege to present the Honorable Robert R. Rigler, former member of the Senate from Chickasaw County and Republican Floor Leader during the Sixtieth, Sixtieth Extraordinary, Sixty-first, Sixty-second and Sixty-third General Assemblies; appointed by the Governor to serve on the Iowa Highway Commission beginning July 1, 1971.

The Chair announced that the following visitors were present in the Senate gallery:

Fourteen students from Alden Community School, Alden, Iowa, accompanied by Janet Ziesman.

Sixty students from Interstate No. 35 High School, New Virginia, Iowa, accompanied by Lynn Faulkner.

Thirty-five students from Norway Community School, Norway, Iowa, accompanied by Mr. Dotzauer.

A group of students from Rockwell-Swaledale Consolidated School, Rockwell, Iowa, accompanied by Jim Fredrickson.

Twenty students from Lone Tree Community School, Lone Tree, Iowa, accompanied by LaVerne Barton.

Seventy-three students from North Tama High School, Tama, Iowa, accompanied by Mr. Clark, Mr. Law and Mr. Phillips.

Sixty students from Holstein High School, Holstein, Iowa, accompanied by Mrs. Hansen, Mr. Lister and Mr. Kraai.

A group of students from Prairie School, Cedar Rapids, Iowa, accompanied by Mrs. Baumgartner, Mrs. Wolf and Mrs. Whitters.

Sixty students from Dysart-Geneseo School, Geneseo, Iowa, accompanied by Mrs. Monroe, Mrs. Helegason, Mr. Schelp and Mr. Bode.

PETITION

The following petition was presented and placed on file:

By Senator Lamborn, from seventy-two residents of Jackson County favoring the sale of liquor by the drink on Sunday.

RESOLUTION

Senator Potgeter presented the following resolution from the town council of Durant, Iowa:

Be It Resolved, by the Town Council of Durant, Iowa, as follows:

That the Town Council of Durant, Iowa, favors passage of Senate File 397 by the House of Representatives;

That the Town Council of Durant, Iowa, opposes passage of House File 197 by the Senate.

INTRODUCTION OF BILL

Senate File 483, by Senator Lamborn, a bill for an act relating to an appropriation for payment of certain damages occasioned by the nonnegligent operation of an Iowa highway safety patrol vehicle.

Read the first time and **passed on file**.

COMMUNICATION

The following communication was presented:

OFFICE OF THE GOVERNOR

State Capitol
Des Moines, Iowa 50319

April 12, 1971

The Honorable Roger W. Jepsen
Lieutenant Governor of Iowa
State Capitol
Local

Dear Governor Jepsen:

It is my pleasure to submit to the Senate for their consideration the name of Silas S. Ewing of Des Moines, Polk County, Iowa, for appointment as a member of the Board of Parole for the State of Iowa under the provisions

of sections 247.1 and 247.2, 1971 Code of Iowa, for the regular six-year term beginning July 1, 1971, and ending June 30, 1977.

Sincerely,

ROBERT D. RAY
Governor

MOTIONS TO RECONSIDER WITHDRAWN

Senator Griffin asked and received unanimous consent to withdraw the following motion filed by him on April 8, 1971:

MR. PRESIDENT: I move to reconsider the vote by which House File 505 passed the Senate.

Senator Potgeter asked and received unanimous consent to withdraw the following motion filed by him on April 8, 1971:

I move to reconsider the vote by which House File 505 passed the Senate and the motion to reconsider be laid upon the table.

MOTION TO RECONSIDER ADOPTED

Senate File 297

Senator Gaudineer called up the following motion to reconsider filed by him on April 7, 1971, and moved its adoption:

MR. PRESIDENT: I move to reconsider the vote by which Senate File 297 passed the Senate.

On the question "Shall the motion to reconsider be adopted?" (S.F. 297) the vote was:

Ayes, 34:

Arbuckle	Erskine	Messerly	Rabedaux
Balloun	Gaudineer	Miller	Rhodes
Briles	Gilley	Milligan	Robinson
Brownlee	Glenn	Mowry	Shaff
Carlson	Gross	Neu	Smith
Coleman	Hill	Nicholson	Tapscott
Davis	Keith	Ollenburg	Thordsen
DeKoster	Kyhl	Potgeter	Van Gilst
Doderer	Laverty		

Nays, 2:

Bass	Van Drie
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Absent or not voting, 14:

Anderson	Griffin	Potter	Shawver
Conklin	Kennedy	Riley	Stephens
Curran	Lamborn	Schaben	Walsh
Graham	Palmer		

The motion prevailed.

Senator Gaudineer moved to reconsider the vote by which Senate File 297 went to its last reading, which motion prevailed.

On motion of Senator Gaudineer, Senate File 297, a bill for an act relating to motor vehicle inspection and safety and providing penalties for violation of the act, was taken up for reconsideration.

Senator Potgeter moved to reconsider the vote by which the following Coleman amendment was adopted by the Senate, which motion prevailed:

- 1 Amend Senate File 297 as follows:
- 2 Page 7, by adding after line 35 the following new sec-
- 3 tion:
- 4 "Sec. 4. Section three hundred twenty-one point
- 5 thirty-two (321.32), Code 1971, is amended as follows:
- 6 321.32 REGISTRATION CARD SIGNED, CARRIED, AND EX-
- 7 HIBITED. Every owner upon receipt of a registration card
- 8 shall write his signature thereon with pen and ink in the
- 9 space provided. Every such registration card shall at all
- 10 times be carried in the vehicle to which it refers and
- 11 [shall be displayed in the container furnished or approved
- 12 by the department. Such certificate container shall be
- 13 attached to the vehicle in the driver's compartment so
- 14 that same may be plainly seen without entering the car]."

Senator Gaudineer offered the following amendment to the amendment and moved its adoption:

- 1 Amend the Coleman amendment to Senate File 297, filed
- 2 April 6, 1971, line 10, by inserting after the word, "and"
- 3 the words, "*shall be shown to any peace officer upon his*
- 4 *request*".

The amendment to the amendment was adopted.

Senator Gaudineer moved the adoption of the amendment as amended.

Roll call was requested.

On the question "Shall the amendment as amended be adopted?" (S.F. 297) the vote was:

Ayes, 25:

Anderson	Davis	Laverty	Robinson
Arbuckle	DeKoster	Miller	Schaben
Bass	Gilley	Mowry	Smith
Briles	Graham	Palmer	Stephens
Brownlee	Kennedy	Potgeter	Van Drie
Coleman	Kyhl	Rhodes	Van Gilst
Curran			

Nays, 22:

Balloun	Griffin	Milligan	Riley
Carlson	Gross	Neu	Shawver
Doderer	Hill	Nicholson	Tapscott
Erskine	Keith	Ollenburg	Thordsen
Gaudineer	Lamborn	Rabedaux	Walsh
Glenn	Messerly		

Voting present, 1:

Shaff

Absent or not voting, 2:

Conklin

Potter

The amendment as amended was adopted.

Senator Coleman moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 297) the vote was:

Ayes, 39:

Anderson
Arbuckle
Balloun
Briles
Brownlee
Carlson
Coleman
Curran
Davis
DeKoster

Gaudineer
Gilley
Glenn
Graham
Griffin
Keith
Kennedy
Kyhle
Lamborn
Laverty

Miller
Milligan
Neu
Nicholson
Ollenburger
Palmer
Potgeter
Rabedaux
Rhodes
Riley

Robinson
Schaben
Shawver
Smith
Tapscott
Thordsen
Van Drie
Van Gilst
Walsh

Nays, 8:

Bass
Doderer

Erschine
Gross

Hill
Messerly

Mowry
Stephens

Absent or not voting, 3:

Conklin

Potter

Shaff

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

SPECIAL ORDER OF BUSINESS

Senate File 428

The hour having arrived, the Chair announced the special order of business for the consideration of Senate File 428.

On motion of Senator Riley, Senate File 428, a bill for an act to provide a unified trial court having district court judges and district court magistrates, and district court associate judges during transition; to discontinue courts inferior to the district court; and to establish traffic violations offices within the district court to receive uniform traffic violation penalties, was taken up and considered.

POINT OF ORDER

Senator Stephens raised a point of order that Senate File 428 should be referred to the committee on appropriations under Rule 37.

The Chair ruled the point not well taken.

Senator Stephens moved that Senate File 428 be referred to the committee on appropriations and requested a roll call.

On the question "Shall the motion to refer be adopted?" (S.F. 428) the vote was:

Ayes, 16:

Balloun	Gilley	Messerly	Shawver
Bass	Graham	Mowry	Smith
Briles	Hill	Nicholson	Stephens
Erskine	Keith	Rabedaux	Van Drie

Nays, 28:

Carlson	Griffin	Milligan	Robinson
Coleman	Gross	Neu	Schaben
Curran	Kennedy	Ollenburger	Shaff
Davis	Kyhl	Palmer	Tapscott
DeKoster	Lamborn	Potgeter	Thordsen
Gaudineer	Lavery	Rhodes	Van Gilst
Glenn	Miller	Riley	Walsh

Absent or not voting, 6:

Anderson	Brownlee	Doderer	Potter
Arbuckle	Conklin		

The motion lost.

Senator Mowry offered the amendment filed by him on April 8, 1971, and found on pages 772-779, inclusive, of the Senate Journal.

Senator Mowry offered the following amendment to the amendment and moved its adoption:

- 1 Amend the Mowry amendment to Senate File 428, filed
- 2 April 8, 1971, page 10, line 21, by striking the word and
- 3 figure "line 7,".

The amendment to the amendment was adopted.

Senator Neu offered the following amendment to the amendment:

- 1 Amend the Mowry amendment to Senate File 428,
- 2 filed April 8, 1971, as follows:
- 3 1. Page 2, by striking lines 7 through 25.
- 4 2. Page 3, by striking lines 1 through 12.
- 5 3. By renumbering the remaining items to conform
- 6 with this amendment.

Senator Neu moved the adoption of his amendment to the amendment and called for a division.

The amendment to the amendment was adopted.

Senator Mowry offered the following amendment to the amendment:

- 1 Amend the Mowry amendment to Senate File 428, filed April 8,
- 2 1971, page 10, by striking lines 18, 19, and 20, inclusive.

President Jepsen took the chair at 11:15 a.m.

Senator Mowry moved the adoption of the amendment to the amendment and called for a division.

The amendment to the amendment lost.

Senator Glenn offered the following amendment to the amendment and moved its adoption:

1 Amend the Mowry amendment to Senate File 428, filed
2 April 8, 1971, as follows: Page 16, by adding the following
3 new section after line 1:
4 Sec. Section six hundred two point sixteen (602.16),
5 Code 1971, is amended as follows: "602.16 TERRITORIAL
6 JURISDICTION AND POWERS. The jurisdiction of the municipal
7 court shall be coextensive with the territorial limits of
8 the county. However, in counties having two jurisdictions of
9 the district court, the jurisdiction of the municipal court
10 is restricted to the territory of the district court where the
11 municipal court is situated. *The district courts shall have
12 and exercise both supervisory and administrative authority
13 over the municipal courts.* The powers exercised by the district
14 court and the judges thereof relating to county attorney
15 informations and the prosecution of misdemeanor offenses is
16 conferred upon and may be exercised by the municipal court and
17 the judges thereof. In all matters of which the municipal
18 court has jurisdiction, the court and the judges shall have
19 the same powers in reference to injunctions, writs, orders,
20 and other proceedings in and out of court as are possessed
21 by the district court and the judges thereof. Where a
22 municipality with a municipal court extends into a second
23 county, the territorial jurisdiction for both municipal and
24 district court powers shall be extended only to the additional
25 area within the corporate limits of the municipality within

Page 2

1 the second county. The second county is defined for purposes
2 of this section as the county into which an affected city
3 annexes additional territory after January 1, 1969.

The amendment to the amendment was adopted.

Senator Van Drie took the chair at 11:43 a.m.

Senator Mowry moved the adoption of his amendment as amended and requested a roll call.

On the question "Shall the Mowry amendment as amended be adopted?" (S.F. 428) the vote was:

Rule 24 was invoked.

Ayes, 31:

Anderson	Doderer	Keith	Rabedaux
Balloun	Erskine	Kennedy	Rhodes
Bass	Gaudineer	Kyhl	Shawver
Briles	Gilley	Lamborn	Smith
Conklin	Glenn	Messerly	Thordsen
Curran	Graham	Miller	Van Drie
Davis	Griffin	Mowry	Walsh
DeKoster	Gross	Nicholson	

Nays, 13:

Brownlee	Milligan	Potgeter	Schaben
Carlson	Neu	Riley	Tapscott
Coleman	Palmer	Robinson	Van Gilst
Hill			

Absent or not voting, 6:

Arbuckle	Ollenburg	Shaff	Stephens
Laverty	Potter		

The amendment as amended was adopted.

President Jepsen took the chair at 11:50 a.m.

Senator Mowry offered the following amendment:

- 1 Amend Senate File 428, page 19, line 1, by adding
- 2 before the period the following:
- 3 “, however, if there is a municipal court within the
- 4 county, the small claims court shall be a division of
- 5 the municipal court and in such case any reference to
- 6 district courts contained in sections thirty-five (35)
- 7 through forty-five (45), inclusive, of this Act shall be
- 8 construed to mean the municipal court”.

Senator Mowry moved the adoption of his amendment and called for a division.

The amendment was adopted.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Rhodes, from the joint committee on enrolled bills, submitted the following report and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: House Joint Resolution 7; House Files 112, 170, 195, 230, 308, 334 and 381.

JOHN C. RHODES
Chairman, Senate Committee
ELIZABETH R. MILLER
Chairman, House Committee

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate the following

bills: House Joint Resolution 7; House Files 112, 170, 195, 230, 308, 334 and 381.

ANNOUNCEMENT OF INVESTIGATING COMMITTEE ON GOVERNOR'S APPOINTMENT

President Jepsen, in accordance with section 2.32, Code 1971, announced the appointment of the following Senators to investigate the qualifications of Silas S. Ewing, Des Moines, Polk County, Iowa, for appointment as a member of the Board of Parole for the State of Iowa for the regular six-year term beginning July 1, 1971, and ending June 30, 1977:

Senator Carlson, Chairman
Senator Neu
Senator Keith
Senator Shawver
Senator Tapscott

MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File 606, a bill for an act relating to war orphans' educational aid fund and making an appropriation to the bonus board.

WILLIAM R. KENDRICK, Chief Clerk

HOUSE MESSAGE CONSIDERED

House File 606, a bill for an act relating to war orphans' educational aid fund and making an appropriation to the bonus board.

Read first time and **passed on file**.

On motion of Senator Lamborn, the Senate recessed until 1:15 p.m.

AFTERNOON SESSION

The Senate reconvened, President pro tempore Kyhl presiding.

SPECIAL ORDER CONTINUED

Senate File 428

The Senate resumed consideration of Senate File 428.

Senator Riley withdrew the following amendment filed by Senators Riley and Neu on April 8, 1971:

- 1 Amend Senate 428 as follows:
- 2 1. Page 10, by striking line 9 and inserting "general fund

- 3 of the county of residence of the district associate judge,
- 4 shall be eighty-five percent”.
- 5 2. Page 10, by striking in lines 17 and 18 the words
- 6 “state of Iowa” and inserting the words “county of residence”.

Senator Doderer offered the following amendment and moved its adoption:

- 1 Amend Senate File 428 as follows:
- 2 1. Page 4, line 15 by striking the words “seventy-
- 3 two” and inserting the words “sixty-two”.
- 4 2. Page 4, line 16 by striking the words “that age”
- 5 and inserting in lieu thereof the words “the age of
- 6 seventy-two”.

Division was called for.

The amendment lost.

Senator Riley offered the following amendment and moved its adoption:

- 1 Amend Senate File 428 as follows:
- 2 1. Page 2, line 24, by inserting after the word “action” the
- 3 words “before a district judge who is exercising the jurisdiction
- 4 of a district magistrate”.
- 5 2. Page 2, by striking lines 28 and 29 and inserting in lieu
- 6 thereof the following: “elapses. The laws relating to appeals to
- 7 the supreme court from judgments or orders of district judges
- 8 shall apply to all judgments or orders of district judges while
- 9 exercising the jurisdiction of district magistrates.”

The amendment was adopted.

Senator Messerly offered the following amendment:

Division 1

- 1 Amend Senate File 428 as follows:
- 2 1. Page 3, line 21, by inserting after the word
- 3 “appoint” the words “, with the approval of the board
- 4 of supervisors of each county involved,”.

Division 2

- 5 2. Page 3, by striking lines 26 through 30, inclu-
- 6 sive, and inserting in lieu thereof the words “of
- 7 district magistrates. Upon the request of the district”.
- 8 3. Page 5, by striking lines 4 and 5 and the word
- 9 “judge.” in line 6.

Senator Messerly offered the following amendment to the amendment and moved its adoption:

- 1 Amend the Messerly amendment filed April 14, 1971, to
- 2 Senate File 428 by adding a new section as follows:
- 3 “4. Page 4, by striking all of lines 29 through 32 and
- 4 inserting in lieu thereof the following: “A district
- 5 magistrate regularly serving an area shall receive a salary
- 6 not to exceed as follows.”

The amendment to the amendment was adopted.

Senator Van Drie called for a division of the amendment as amended, section 1 to be considered as division 1, and sections 2, 3 and 4, as division 2.

Senator Messerly moved the adoption of division 1 of his amendment and requested a roll call.

On the question "Shall division 1 of the Messerly amendment be adopted?" (S.F. 428) the vote was:

Ayes, 22:

Anderson	Conklin	Kyhl	Rabedaux
Arbuckle	Erskine	Messerly	Shaff
Balloun	Gilley	Mowry	Shawver
Bass	Graham	Nicholson	Smith
Briles	Griffin	Ollenburg	Stephens
Carlson	Keith		

Nays, 23:

Brownlee	Gross	Palmer	Tapscott
Davis	Hill	Potgeter	Thordsen
DeKoster	Lamborn	Rhodes	Van Drie
Doderer	Miller	Riley	Van Gilst
Gaudineer	Milligan	Robinson	Walsh
Glenn	Neu	Schaben	

Absent or not voting, 5:

Coleman	Kennedy	Laverty	Potter
Curran			

Division 1 of the amendment lost.

Senator Messerly moved the adoption of division 2 of the amendment as amended and requested a roll call.

On the question "Shall division 2 of the Messerly amendment as amended be adopted?" (S.F. 428) the vote was:

Ayes, 20:

Anderson	Conklin	Kyhl	Rabedaux
Arbuckle	Erskine	Messerly	Rhodes
Balloun	Gilley	Mowry	Shawver
Bass	Graham	Nicholson	Smith
Briles	Keith	Ollenburg	Stephens

Nays, 24:

Brownlee	Griffin	Milligan	Shaff
Carlson	Gross	Neu	Tapscott
Davis	Hill	Palmer	Thordsen
DeKoster	Kennedy	Riley	Van Drie
Gaudineer	Lamborn	Robinson	Van Gilst
Glenn	Miller	Schaben	Walsh

Absent or not voting, 6:

Coleman	Doderer	Potgeter	Potter
Curran	Laverty		

Division 2 of the amendment as amended lost.

Senator Stephens offered the following amendment:

- 1 Amend Senate File 428 as follows:
- 2 1. Page 5, line 23, by striking the words "and a
- 3 bailiff".

Senator Stephens moved the adoption of his amendment and called for a division.

The amendment lost.

Senator Doderer offered the following amendment by Senators Doderer, Riley and Van Drie and moved its adoption:

- 1 Amend Senate File 428 as follows:
- 2 1. Page 85, by adding the following new section after
- 3 line 23:
- 4 "Sec. 229. Section six hundred two point five (602.5),
- 5 Code 1971, is amended as follows:
- 6 '602.5 Number of judges. In any municipal court district
- 7 having a population of less than forty thousand, wherein a
- 8 municipal court has been established, there shall be one
- 9 municipal judge: in districts having more than forty
- 10 thousand and less than sixty thousand inhabitants, there shall
- 11 be two municipal judges; in districts having more than sixty
- 12 thousand inhabitants there shall be one municipal judge for
- 13 each forty thousand inhabitants or major fraction thereof,
- 14 but no district shall have more than four judges.
- 15 *No person shall be appointed municipal court judge and*
- 16 *no municipal court judge shall stand for election to an*
- 17 *additional term as municipal court judge after he has reached*
- 18 *seventy-two years of age. If a municipal court judge becomes*
- 19 *seventy-two years of age after January 1, 1971, he shall be*
- 20 *retired.'*"
- 21 2. By renumbering the remaining sections in conformity
- 22 with this amendment.

The amendment was adopted.

Senator Mowry offered the following amendment by Senators Mowry and Riley and moved its adoption:

- 1 Amend Senate File 428 as follows:
- 2 Page 14, line 15, by adding after the period the
- 3 words "Where there is a municipal court within a county,
- 4 the office of the clerk of such municipal court shall con-
- 5 stitute the traffic violations office, in lieu of the dis-
- 6 trict court, for violations of city ordinances of the city
- 7 in which such court is located; violations of state laws,
- 8 within its jurisdiction, committed within the corporate
- 9 limits of such city; and matters transferred to such court
- 10 for trial. Notwithstanding section thirty-one (31), court
- 11 costs attributable to all such violations and matters shall
- 12 be remitted to the treasurer of the city in which the munic-
- 13 ipal court is located."

The amendment was adopted.

POINT OF ORDER

Senator Stephens raised a point of order that Senate File 428 should be referred to the committee on state government, under Rule 37.

The Chair ruled the point not well taken for the reason that the bill did not provide for the establishment of a new state department.

The Chair ruled further that when Senate File 428 was made a special order of business the general rules regarding the order of business were set aside by unanimous consent of the Senate.

Senator Riley moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 428) the vote was:

Ayes, 35:

Anderson	Doderer	Miller	Robinson
Balloun	Gaudineer	Milligan	Schaben
Brownlee	Glenn	Mowry	Shaff
Carlson	Griffin	Neu	Tapscott
Coleman	Gross	Ollenburg	Thordsen
Conklin	Hill	Palmer	Van Drie
Curran	Kennedy	Rabedeaux	Van Gilst
Davis	Lamborn	Rhodes	Walsh
DeKoster	Laverty	Riley	

Nays, 14:

Arbuckle	Gilley	Messerly	Shawver
Bass	Graham	Nicholson	Smith
Briles	Keith	Potgeter	Stephens
Erskine	Kyhl		

Absent or not voting, 1:

Potter

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

Senator Riley moved that the vote by which Senate File 428 passed the Senate be reconsidered and the motion to reconsider be laid on the table.

On the question "Shall the motion to reconsider be laid on the table?" (S.F. 428) the vote was:

Ayes, 32:

Anderson	Curran	Graham	Kyhl
Balloun	Davis	Gross	Lamborn
Brownlee	DeKoster	Hill	Miller
Carlson	Gaudineer	Keith	Neu
Coleman	Glenn	Kennedy	Ollenburg

Palmer	Robinson	Smith	Van Drie
Rhodes	Shaff	Tapscott	Van Gilst
Riley	Shawver	Thordsen	Walsh

Nays, 12:

Arbuckle	Doderer	Lavery	Nicholson
Bass	Erskine	Messerly	Potgeter
Briles	Gilley	Mowry	Stephens

Voting present, 1:

Schaben

Absent or not voting, 5:

Conklin	Milligan	Potter	Rabedaux
Griffin			

The motion prevailed.

MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File 391, a bill for an act relating to the bonding of operators of slaughterhouses.

WILLIAM R. KENDRICK, Chief Clerk

INTRODUCTION OF BILL

Senate File 484, by committee on county government, a bill for an act to authorize county boards of supervisors to adopt and enforce certain traffic ordinances, and to provide penalties for violations.

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

HOUSE MESSAGE CONSIDERED

House File 391, a bill for an act relating to the bonding of operators of slaughterhouses buying cattle, hogs, or sheep, and the bonding of agents, dealers, or brokers of such operators, and providing a penalty.

Read first time and **passed on file**.

REPORTS OF COMMITTEE

Senator Briles submitted the following reports:

MR. PRESIDENT: Your committee on county government, to which was referred **Senate File 92**, a bill for an act relating to dog license fees and disposition of dogs by counties, begs leave to report it has had the same under consideration and recommends the same **do pass**.

JAMES E. BRILES, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on county government, to which was referred **Senate File 355**, a bill for an act relating to the tax levy for county hospitals in counties having a population of two hundred twenty-five thousand or more, begs leave to report it has had the same under consideration and recommends the same **do pass**.

JAMES E. BRILES, Chairman

Ordered passed on file.

AMENDMENTS FILED

- 1 Amend Senate File 259 as follows:
- 2 1. Page 5, line 27, by striking the word "sixty" and inserting
- 3 in lieu thereof the word "ninety".
- 4 2. Page 8, line 33, by striking the words "forty-eight hours"
- 5 and inserting in lieu thereof the words "[forty-eight hours] *five*
- 6 *days*".
- 7 3. Page 10, line 15, by striking the word "January" and insert-
- 8 ing in lieu thereof the word "July".
- 9 4. Page 10, line 16, by striking the figures "1970" and insert-
- 10 ing in lieu thereof the figures "1971".
- 11 5. Page 10, line 16, by striking the figures "1971" and insert-
- 12 ing in lieu thereof the figures "1972".

ALDEN J. ERSKINE

- 1 Amend Senate File 299, by adding the following new sections
- 2 after line 16:
- 3 "Sec. 2. Taxes imposed on nonprofit hospital and medical
- 4 service corporations pursuant to section one (1) of this Act
- 5 shall first be imposed upon a nonprofit hospital and medical
- 6 service corporation when such corporation increases premium
- 7 rates to be paid by its subscribers after the effective date
- 8 of this Act.
- 9 The taxes herein imposed on nonprofit hospital and medical
- 10 services corporations shall not include the premiums charged
- 11 people over age sixty-five.
- 12 Sec. 3. This Act, being deemed of immediate importance,
- 13 shall take effect and be in force from and after its publication
- 14 in The Reinbeck Courier, Inc., a newspaper published in Reinbeck,
- 15 Iowa, and in Cedar Valley Daily Times, a newspaper published in
- 16 Vinton, Iowa."

JAMES W. GRIFFIN, SR.

- 1 Amend Senate File 463 as follows:
- 2 1. Page 2, line 8, by striking the word "*twelve*" and insert-
- 3 ing in lieu thereof the word "*nine*".
- 4 2. Page 3, line 3, by striking the word "*One-half*" and
- 5 inserting in lieu thereof the words "*Six dollars*".

BASS VAN GILST
WAYNE D. KEITH
J. WESLEY GRAHAM

- 1 Amend House File 172, as amended, passed, and reprinted by
- 2 the House, page 9, line 3, by inserting after the word "appoint"
- 3 the words ", with the approval of two-thirds of the Senate,".

JAMES A. POTGETER

- 1 Amend House File 172, as amended, passed and reprinted by
- 2 the House, page 9, line 13, by inserting after the word "council."
- 3 the following:

- 4 "The director shall devote full time to the discharge of his
- 5 duties. He shall not hold any other elective or appointive office
- 6 under the laws of this state, the United States, or any other
- 7 state or territory. He shall not accept or solicit, directly or
- 8 indirectly, contributions or anything of value in behalf of him-
- 9 self, any political party, or any person seeking an elective or
- 10 appointive office nor use his official position to advance the
- 11 candidacy of anyone seeking an elective or appointive office.
- 12 The director, his spouse, and immediate family shall not have any
- 13 interest, in any distillery, winery, brewery, importer, permittee
- 14 or licensee or any business which is subject to license or regu-
- 15 lation pursuant to this Act."

JAMES A. POTGETER
LEE H. GAUDINEER, JR.

- 1 Amend the committee on state government amendment,
- 2 filed April 7, 1971, to House File 172, page 10, by
- 3 striking all of lines 10, 11, and 12, and renumbering
- 4 the remaining items to conform with this amendment.

EUGENE M. HILL

- 1 Amend House File 172, as amended, passed, and
- 2 reprinted by the House, as follows:
- 3 1. Page 33A, lines 3 and 4, by striking the words
- 4 "directly or indirectly extend any credit for alcoholic
- 5 beverages or beer or".
- 6 2. Page 63, by striking lines 4 through 11 inclusive,
- 7 and renumbering the remaining subsections of section
- 8 135 to conform with this amendment.

EUGENE M. HILL

- 1 Amend House File 172, as amended, passed, and re-
- 2 printed by the House, page 34, by striking lines 24
- 3 and 25 and inserting in lieu thereof the following:
- 4 "a.m. on Tuesday, Wednesday, Thursday, Friday, and
- 5 Saturday, between the hours of one a.m. and twelve noon
- 6 on Sunday, and between the hours of one a.m. and six
- 7 a.m. on Monday."

JOHN M. WALSH
HAROLD A. THORSEN
WILSON L. DAVIS
GENE V. KENNEDY
JAMES W. GRIFFIN, SR.
EDWARD E. NICHOLSON

1 Amend House File 172, as amended, passed and reprinted
2 by the House, as follows:
3 1. Page 49, by striking lines 17 through 35 and inserting
4 in lieu thereof the following:
5 "Sec. 93. CIVIL LIABILITY APPLICABLE TO SALE OR GIFT
6 BEER OR INTOXICANTS BY LICENSEES AND PERMITTEES.
7 husband, wife, child, parent, guardian, employer or other
8 person who shall be injured in person or property or means
9 of support by any intoxicated person or resulting from the
10 intoxication of any such person shall have a right of action,
11 severally or jointly against any licensee or permittee who
12 shall sell or give any beer or intoxicating liquor to any
13 such person while he is intoxicated, or serve any such person
14 to a point where such person is intoxicated for all damages
15 actually sustained.
16 Every liquor control licensee shall furnish proof of
17 financial responsibility either by the existence of a
18 liability insurance policy or by posting bond in such
19 amount as determined by the commission."
20 2. Page 50, by striking lines 1 through 15, inclusive.

RICHARD L. STEPHENS

1 Amend House File 274, as passed by the House, as
2 follows:
3 Page 1, lines 8 and 9, by striking the words "*in*
4 *temporary employment*" and inserting in lieu thereof the
5 words "*employed temporarily for six months or less*".

EARL G. BASS

On motion of Senator Lamborn, the Senate adjourned until 9:00
a.m., Thursday, April 15, 1971.

JOURNAL OF THE SENATE

NINETY-FIFTH DAY

SENATE CHAMBER

DES MOINES, IOWA, THURSDAY, APRIL 15, 1971

The Senate met in regular session, President pro tempore Kyhl presiding.

Prayer was offered by the Reverend Charles Carter, pastor of the Westminster Presbyterian Church, Ida Grove, Iowa.

The Senate pledged allegiance to the flag.

The Journal of Tuesday, April 14, 1971, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Neu for two days because of illness in his family.

PRESENTATION OF VISITORS

The Chair announced that the following visitors were present in the Senate gallery:

Seventy students from Guthrie Center Community School, Guthrie Center, Iowa, accompanied by David Luke.

Fifteen students from Rockwell-Swaledale School, Rockwell, Iowa, accompanied by Randall Arends.

Thirty-five students from Radeliffe High School, Radeliffe, Iowa, accompanied by Mr. Ashby and Mr. Molendorp.

Thirty students from New Market Junior-Senior High School, New Market, Iowa, accompanied by Mrs. Lois Laverty and Mr. Wainwright.

Fifty-four students from Clear Creek Community School, Tiffin, Iowa, accompanied by Charles Diegel.

Sixty-four students from Madrid Community School, Madrid, Iowa.

PETITIONS

The following petitions were presented and placed on file :

By Senator Smith, from twenty-six residents of Dickinson County opposing repeal of the Iowa meat and poultry inspection law.

By Senator Lamborn, from thirty-one residents of Jackson County favoring the sale of alcoholic beverages on Sunday.

By Senator Potgeter, from two hundred fifty-four residents and students of Hardin County favoring Senate File 270, an election bill abolishing the unit rule for election of presidential electors in Iowa.

By Senator Smith, from forty-two residents of O'Brien County opposing repeal of the Iowa meat and poultry inspection law.

RESOLUTIONS

The following resolutions were presented and placed on file :

By Senator Lamborn, from the City Council of Maquoketa, Iowa.

By Senator Curran, from the City Council of Mason City, Iowa.

Whereas, the City Council has been and is deeply concerned with the increasing problems of financing the provision of local government services for the three of four people in the State of Iowa living in cities and towns, and

Whereas, there are 670 cities and towns levying 28 mills or over and an additional 35 cities and towns levying an emergency mill, and

Whereas, the total debt for cities and towns rose \$96 million in 1969, bringing the total debt for cities and towns above \$378 million, or 97 percent of total operating budgets of \$390 million, and

Whereas, there is a demonstrated need for additional non-property tax revenues to adequately finance local governments, and

Whereas, the urban population has risen from 53 percent of the total state population in 1960 to 73.2 percent in 1970, and

Whereas, any tax reform must provide equitable tax treatment to rural and urban citizens alike,

Now Therefore Be It Resolved that the City Council in reaffirmation of the policy adopted at the annual meeting of the League of Iowa Municipalities in September of 1970, urges the Iowa General Assembly to increase the state sales tax from 3 percent to 4 percent with the proceeds being returned to cities, towns and counties on a per capita basis.

Be It Further Resolved that the City Council will strongly oppose any increase in state sales or income tax, unless the equivalent of one-half of one cent of sales tax is returned to the cities and towns *only* on a per capita basis for the benefit of their citizens.

Be It Further Resolved that copies of this resolution be forwarded to our state Representatives and Senators and the League of Iowa Municipalities requesting their vocal and active support of these measures.

CONSIDERATION OF BILLS

Senate File 462

On motion of Senator Keith, Senate File 462, a bill for an act relating to property tax levies for the basic school tax in Ida, Johnson and Kossuth Counties, was taken up and considered.

Senator Keith moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 462) the vote was:

Ayes, 35:

Anderson	Gaudineer	Messerly	Shaff
Arbuckle	Gilley	Miller	Shawver
Balloun	Glenn	Mowry	Smith
Briles	Griffin	Nicholson	Tapscott
Brownlee	Gross	Palmer	Thordsen
Coleman	Keith	Potgeter	Van Drie
Curran	Kyhl	Potter	Van Gilst
Doderer	Lamborn	Rabedeaux	Walsh
Erskine	Laverty	Schaben	

Nays, none.

Absent or not voting, 15:

Bass	DeKoster	Milligan	Riley
Carlson	Graham	Neu	Robinson
Conklin	Hill	Ollenburg	Stephens
Davis	Kennedy	Rhodes	

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

SPECIAL ORDER OF BUSINESS

House File 172

The hour having arrived, the Chair announced the special order of business for the consideration of House File 172.

On motion of Senator Griffin, House File 172, a bill for an act relating to a reorganization of the Iowa liquor control commission; creating an Iowa beer and liquor control department; providing for the appointment of an Iowa beer and liquor control council and a director of beer and liquor control and designating their powers and duties; amending provisions concerning liquor control licenses, special liquor permits, beer permits, and fees charged therefor; abolishing special distributors; altering dram shop liability; requiring certificates of compliance from distiller and brewers; declaring certain acts to be unlawful and providing penalties for violations; and otherwise amending current statutory provisions relating to the sale and possession of alcoholic liquor and beer in this state, with report

of committee recommending amendment, was taken up, considered, and the report of the committee adopted.

Senator Gaudineer offered the amendment by the committee on state government found on pages 749-756, inclusive, of the Senate Journal.

Senator Griffin called for a division of the amendment into four divisions as follows:

Division 1—sections 1 through 25; 27 through 31; 33 through 36; 38 through 61.

Division 2—section 26.

Division 3—section 32.

Division 4—section 37.

Senator Potgeter offered the following amendment to the amendment and moved its adoption:

- 1 Amend the state government committee amendment, filed April 7,
- 2 1971, to House File 172, page 14, by striking all of line 2
- 3 and inserting in lieu thereof the following:
- 4 "Sec. 151. 1. Unless otherwise provided the effective
- 5 date of this Act".

The amendment to the amendment was adopted.

Senator Hill offered the following amendment to the amendment:

- 1 Amend the committee on state government amendment,
- 2 filed April 7, 1971, to House File 172, page 10, by
- 3 striking all of lines 10, 11, and 12, and renumbering
- 4 the remaining items to conform with this amendment.

Senator Hill moved the adoption of his amendment to the amendment and called for a division.

The amendment to the amendment lost.

Senator DeKoster offered the following amendment to the amendment by Senators DeKoster, et al.:

- 1 Amend the committee on state government amendment to
- 2 House File 172, as amended, passed, and reprinted by the
- 3 House, filed April 7, 1971, and found on pages 749
- 4 through 756 of the Senate Journal, as follows:
- 5 1. Page 8, by striking lines 11 through 25, inclusive.
- 6 2. Page 9, by striking lines 1 through 17, inclusive,
- 7 and inserting in lieu thereof the following:
- 8 "Page 49, by striking lines 17 through 35, inclusive.
- 9 Page 50, by striking lines 1 through 15, inclusive,
- 10 and inserting in lieu thereof the following:
- 11 'CIVIL LIABILITY APPLICABLE TO SALE OR GIFT OF BEER
OR

12 INTOXICANTS BY LICENSEES. Every husband, wife, child,
 13 parent, guardian, employer or other person who shall be
 14 injured in person or property or means of support by any
 15 intoxicated person or resulting from the intoxication of
 16 any such person, shall have a right of action, severally
 17 or jointly against any licensee or permittee who shall
 18 sell or give any beer or intoxicating liquor to any such
 19 person while he is intoxicated, or serve any such person
 20 to a point where such person is intoxicated for all
 21 damages actually sustained.
 22 Every liquor control licensee shall furnish proof of
 23 financial responsibility either by the existence of a
 24 liability insurance policy or by posting bond in such
 25 amount as determined by the department.' "

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1 3. By renumbering the remaining items accordingly.

President Jepsen took the chair at 11:05 a.m.

Senator DeKoster moved the adoption of the amendment to the amendment and requested a roll call.

On the question "Shall the DeKoster, et al., amendment to the amendment be adopted?" (H.F. 172) the vote was:

Rule 24 was invoked.

Ayes, 30:

Anderson	Erskine	Lamborn	Potter
Bass	Gaudineer	Laverty	Riley
Brownlee	Glenn	Miller	Shaff
Carlson	Graham	Milligan	Smith
Conklin	Gross	Mowry	Stephens
Davis	Hill	Palmer	Tapscott
DeKoster	Keith	Potgeter	Van Gilst
Doderer	Kyhl		

Nays, 18:

Arbuckle	Gilley	Ollenburg	Schaben
Balloun	Griffin	Rabedaux	Shawver
Briles	Kennedy	Rhodes	Thordsen
Coleman	Messerly	Robinson	Van Drie
Curran	Nicholson		

Absent or not voting, 2:

Neu	Walsh
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The amendment to the amendment was adopted.

MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the Speaker of the House has appointed, on the part of the House, as members of the conference committee on House File 369, a bill for an act relating to

fees for census searches charged by the Iowa department of history and archives, the following Representatives: Mr. Holden of Scott, chairman; Mr. Pierson of Mahaska, Mr. Campbell of Washington and Mr. Schwartz of Wapello.

WILLIAM R. KENDRICK, Chairman

On motion of Senator Lamborn, the Senate recessed until 1:15 p.m.

AFTERNOON SESSION

The Senate reconvened, President pro tempore Kyhl presiding.

ANNOUNCEMENT BY THE SECRETARY OF THE SENATE

The Secretary of the Senate announced a time change on the legislative memorial session, pursuant to House Concurrent Resolution 31, from Wednesday, April 28, 1971, to Tuesday, April 27, 1971, at 7:30 p.m.

SPECIAL ORDER CONTINUED

House File 172

Senator Gaudineer offered the following amendment to the amendment and moved its adoption:

- 1 Amend the state government committee amendment to
- 2 House File 172, as passed and reprinted by the House,
- 3 page 14, line 15, by inserting after the word, "cease."
- 4 the following:
- 5 "Any member whose term expires on June 30, 1971, shall
- 6 not be replaced as provided by law and such member shall
- 7 continue in office through December 31, 1971."

The amendment to the amendment was adopted.

Senator Doderer offered the following amendment to the amendment by Senators Doderer, Lamborn and Messerly and moved its adoption:

- 1 Amend the committee on state government amendment,
- 2 filed April 7, 1971, to House File 172 as follows:
- 3 1. Page 12, by striking in lines 8 and 9 the words
- 4 "or division of beer and liquor law enforcement".
- 5 2. Page 12, by striking lines 17 through 22,
- 6 inclusive.
- 7 3. Page 12, line 23, by inserting before the word
- 8 "All" the letters and figures "Sec. 148.".
- 9 4. Page 12, line 23, by striking the word "other".
- 10 5. Page 12, line 23, by striking the words "shall
- 11 be exempt from such chapter".
- 12 6. Page 12, line 24, by striking the word "and" and
- 13 inserting the word "shall".

Division was called for.

The amendment to the amendment was adopted.

On motion of Senator Gaudineer, division 1 of the committee amendment as amended was adopted.

Senator Gaudineer moved the adoption of division 2 of the committee amendment and called for a division.

Division 2 of the committee amendment lost.

Senator Stephens asked and received unanimous consent to withdraw the amendment filed by him on April 14, 1971, and found on page 831 of the Senate Journal.

Senator Gaudineer offered the following amendment to division 3 of the amendment and moved its adoption:

- 1 Amend the committee on state government amendment to
- 2 House File 172, as passed and reprinted by the House,
- 3 page 7, by striking lines 18 and 19, and by insert-
- 4 ing in lieu thereof the words, "or importer of alcoholic
- 5 liquor or beer subject to this".

The Chair called for a division.

The amendment to division 3 of the amendment lost.

Senator Lamborn asked and received unanimous consent that further action on **House File 172** be **deferred** until Monday, April 19, 1971.

INTRODUCTION OF BILL

Senate File 485, by committee on judiciary, a bill for an act relating to elections to fill vacancies in the General Assembly.

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

SENATE CONCURRENT RESOLUTION 32

By Committee on Higher Education

- 1 *Whereas*, section two hundred sixty-two A point three
- 2 (262A.3) of the Code, provides that the state board of regents
- 3 shall prepare and submit to the general assembly for approval
- 4 no later than seven days after the convening of each regular
- 5 annual session of the general assembly a proposed ten-year
- 6 building program for each institution of higher learning under
- 7 the jurisdiction of said board, said program to contain a
- 8 list of the buildings and facilities which the board deems
- 9 necessary to further the educational objectives of the institu-
- 10 tions, with an estimate of the cost of each of the buildings
- 11 and facilities referred to therein and an estimate of the
- 12 maximum amount of bonds which the board expects to issue under
- 13 chapter two hundred sixty-two A (262A) of the Code during
- 14 each year of the ensuing biennium; and

15 *Whereas*, the state board of regents prepared and, within
16 seven days after the convening of the Sixty-fourth General
17 Assembly of the State of Iowa, First Session, submitted to
18 the Sixty-fourth General Assembly, First Session, for approval
19 such a proposed ten-year building program for each institu-
20 tion containing a list of the buildings and facilities which
21 the board deems necessary to further the educational objec-
22 tives of the institutions, together with an estimate of the
23 cost of each of the buildings and facilities referred to
24 therein and the amount of bonds issued to be issued as autho-
25 rized during the biennium ending June 30, 1971, along with
26 an estimate of the maximum amount of bonds which the board
27 expects to issue under the provisions of chapter two hundred
28 sixty-two A (262A) of the Code for each year of the biennium
29 beginning July 1, 1971 and ending June 30, 1973; *Now There-*
30 *fore,*
31 *Be It Resolved by the Senate, the House Concurring, That*
32 the proposed ten-year building program submitted by the state
33 board of regents for each institution of higher learning under
34 its jurisdiction, including the amount of bonds issued and
35 to be issued during the biennium ending June 30, 1971 and

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1 the estimate of the maximum amount of bonds which the board
2 expects to issue under the provisions of chapter two hundred
3 sixty-two A (262A) of the Code for each year of the biennium
4 ending June 30, 1973, be and is hereby approved as submitted,
5 to wit:

6 STATE BOARD OF REGENTS PROPOSED TEN-YEAR
7 BUILDING PROGRAM 1971-81
8 STATE UNIVERSITY OF IOWA

9		Estimated
10	Project	Total Cost
11	Recurring projects (including utilities, re-	
12	modeling, advance planning, campus improve-	
13	ments, land purchases, leasing)	\$ 10,195,000
14	Eastside elevated water tank	474,000
15	Steam main extensions	811,000
16	MacLean hall remodeling	950,000
17	Music building (old) remodeling	430,000
18	Dentistry building (old) remodeling	600,000
19	College of education building and equipment	8,053,000
20	Turbine generator #1, 2, 3	6,435,000
21	Animal house addition	220,000
22	Hydraulics laboratory addition	920,000
23	Preschool laboratory	678,000
24	Engineering building remodeling—Phase I and II	726,000
25	Social Sciences building	7,986,000
26	Chemistry-Botany addition and remodeling	4,543,000
27	Medical laboratories remodeling	2,197,000
28	Water plant expansion	1,050,000
29	University hospital remodeling—Phase I and II	8,785,000
30	Physical plant additions	2,529,000
31	School of social work building	879,000

32	Communications center addition and remodeling	989,000
33	Steam boiler #10	920,000
34	Schaeffer hall remodeling	808,000
35	Psychopathic hospital additions and remodeling	1,241,000

Page 3

1	West campus mall	330,000
2	Women's physical education addition and	
3	remodeling	1,519,000
4	Speech and dramatic arts building	8,931,000
5	Law center addition	1,464,000
6	Pharmacy building addition	3,167,000
7	State bacteriological laboratory—Phase I	2,463,000
8	13.2 KV electrical system extension—south	
9	and east loop	1,120,000
10	Faculty art studies addition	250,000
11	Field house office area remodeling	450,000
12	Administration building	5,575,000
13	Macbride hall remodeling	809,000
14	Undergraduate library	7,321,000
15	East hall remodeling	489,000

16	Total State University of Iowa	\$ 96,307,000
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17 IOWA STATE UNIVERSITY

18		Estimated
19	Project	Total Cost
20	Recurring projects (including utilities, re-	
21	modeling, advance planning, campus de-	
22	velopment)	\$ 6,344,000
23	Deferred equipment (physical education—	
24	women, classroom and office building #3,	
25	veterinary medicine complex	2,608,000
26	Veterinary medicine complex—utility extensions	770,000
27	Physical plant shops and stores	1,997,000
28	Fire protection improvements	363,000
29	Physics building remodeling	357,000
30	Science building remodeling	495,000
31	Education building—Phase I	3,262,000
32	Steam generation equipment	2,420,000
33	Industrial education building	2,416,000
34	Music building—Phase I	2,230,000
35	Design center	5,790,000

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1	Meats laboratory	1,464,000
2	Veterinary quad remodeling	275,000
3	Chemistry building—remodeling	418,000
4	Development of intramural athletic fields	495,000
5	Turbine generator, switch gear, auxiliary	3,300,000
6	Steam generation equipment, auxiliaries	1,165,000
7	Child development building	1,464,000
8	Library addition #3	4,925,000
9	Physical education and intramural building	3,993,000
10	Continuing education building	4,658,000
11	Agriculture experiment station improvements	1,104,000

12	Central chilled water additions	413,000
13	Agriculture experiment stations—farm buildings	1,331,000
14	Science building addition #3	7,587,000
15	Agronomy building addition	1,464,000
16	Home economics building addition	3,061,000
17	Horticulture greenhouse	1,517,000
18	Engineering research institute—Phase I	2,529,000
19	Library—undergraduate	5,989,000
20	Music building—Phase II	2,726,000
21	Student services building	3,258,000
22	Agriculture engineering addition	2,170,000

23 Total Iowa State University\$ 84,358,000

24 UNIVERSITY OF NORTHERN IOWA

25		Estimated
26	Project	Total Costs
27	Recurring projects (including utilities,	
28	remodeling, advance planning)	\$ 4,480,000
29	Library—Phase II and III	6,000,000
30	Industrial arts and technology building	1,220,000
31	Art building—Phase I and II	2,210,000
32	Speech building—Phase I and II	2,160,000
33	Physical education building—Phase II and III	5,900,000
34	Heating plant—new boiler	380,000
35	Arts and industries building renovation	600,000

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1	Science building—Phase III	5,000,000
2	Wright hall renovation	605,000
3	Administration building—Phase III	500,000
4	Baker hall conversion and renovation	3,450,000
5	Physics building renovation	770,000
6	Psychology building	1,940,000
7	Business building	2,655,000

8 Total University of Northern Iowa\$ 37,870,000

9 TOTAL REGENTS TEN-YEAR PROGRAM 1971-81\$218,535,000

10 By Senate Concurrent Resolutions No. 44 and No. 45, the
11 Sixty-third General Assembly of the State of Iowa, First Ses-
12 sion, authorized the state board of regents to issue bonds
13 in the amount of sixteen million one hundred fourteen thousand
14 dollars (\$16,114,000). Of this maximum amount of bonds autho-
15 rized, the state board of regents will issue during the
16 biennium which commenced July 1, 1969 and which ends June
17 30, 1971, under the provisions of chapter one hundred eighty-
18 one (181), Acts of the Sixty-third General Assembly, First
19 Session, which is codified as chapter two hundred sixty-two
20 A (262A) of the Code of Iowa 1971, twelve million four hundred
21 fifteen thousand dollars (\$12,415,000). During the biennium
22 which commences July 1, 1971 and which ends June 30, 1973,
23 the maximum amount of bonds which the state board of regents
24 expects to issue is three million four hundred thirty-five
25 thousand dollars (\$3,435,000) of the bond authority granted
26 by the Sixty-third General Assembly, First Session, and twenty-

27 five million five hundred thirty-five thousand dollars
28 (\$25,535,000) of the bond authority granted by the Sixty-
29 Fourth General Assembly, First Session, with fourteen million
30 nine hundred ten thousand dollars (\$14,910,000) of the total
31 biennial issue of twenty-eight million nine hundred seventy
32 thousand dollars (\$28,970,000) to be issued during the fiscal
33 year ending June 30, 1972 and the remaining fourteen million
34 sixty thousand dollars (\$14,060,000) to be issued during the
35 fiscal year ending June 30, 1973, and this plan of financing

Page 6

1 is hereby approved.

SENATE CONCURRENT RESOLUTION 33

By Committee on Higher Education

Whereas, chapter two hundred sixty-two A (262A) of the Code provides that the state board of regents after authorization by a constitutional majority of each house of the General Assembly and approved by the Governor may undertake and carry out at the institutions of higher learning under the jurisdiction of said board any project as defined in chapter two hundred sixty-two A (262A) of the Code; and

Whereas, chapter two hundred sixty-two A (262A) of the Code authorizes the state board of regents to borrow money and to issue and sell negotiable revenue bonds to pay all or any part of the costs of carrying out such projects at any institution payable solely from and secured by an irrevocable pledge of a sufficient portion of the student fees and charges and institutional income received by the particular institution; and

Whereas, by Senate Concurrent Resolutions 44 and 45, the Sixty-third General Assembly of the State of Iowa authorized the state board of regents to undertake and carry out certain projects during the biennium commencing July 1, 1969, and ending June 30, 1971, and to finance the cost thereof by borrowing money and issuing negotiable bonds in a total amount not to exceed sixteen million one hundred fourteen thousand dollars (\$16,114,000); and

Whereas, twelve million four hundred fifteen thousand dollars (\$12,415,000) of the total amount authorized by the Sixty-third General Assembly will be issued during the biennium ending June 30, 1971, and it is contemplated that three million four hundred thirty-five thousand dollars (\$3,435,000) of the total amount authorized will be issued during the biennium ending June 30, 1973, so that fifteen million eight hundred fifty thousand dollars (\$15,850,000) of the total borrowing authorized by chapter two hundred sixty-two A (262A) of the Code will be utilized; and

Whereas, pursuant to the provisions of section two hundred sixty-two A point three (262A.3) of the Code the state board of regents prepared and submitted to the Sixty-fourth General Assembly, First Session, for approval a proposed ten-year building program for each institution of higher education under the board, with an estimate of the maximum amount of bonds which the board expects to issue under the provisions of said act during each year of the biennium commencing July 1, 1971, and ending June 30, 1973; and

Whereas, said ten-year building program was approved pursuant to the provisions of Concurrent Resolution 32, adopted by each house of the Sixty-fourth General Assembly; and

Whereas, the projects contained in said building program are deemed necessary for the proper performance of the instructional, research and service function of the institutions; and

Whereas, to further the educational objectives of the institutions the state board of regents requests authorization to undertake and carry out certain of said projects at this time and to finance the cost thereof by borrowing money and issuing additional negotiable bonds under the provisions of chapter two hundred sixty-two A (262A) of the Code, in a total amount not to exceed twenty-five million five hundred thirty-five thousand dollars (\$25,535,000), the remaining cost of said projects to be financed by capital appropriations or by federal or other funds lawfully available therefor; *Now Therefore*,

Be It Resolved by the Senate, the House Concurring, That the state board of regents be and is hereby authorized to complete the carrying out of the projects heretofore approved by the Sixty-third General Assembly, and during the biennium which commences July 1, 1971, and which ends June 30, 1973, to issue bonds in the amount of three million four hundred thirty-five thousand dollars (\$3,435,000) of the total amount heretofore approved by the Sixty-third General Assembly but not issued prior to the conclusion of the biennium ending June 30, 1971.

That the state board of regents be and is hereby authorized to undertake and carry out the following additional projects and to pay all or any part of the cost of carrying out such projects by borrowing additional money and issuing additional negotiable revenue bonds under the provisions of chapter two hundred sixty-two A (262A) of the Code, in a total amount of new authorization not to exceed twenty-five million five hundred thirty-five thousand dollars (\$25,535,000):

STATE UNIVERSITY OF IOWA

- East side elevated water tank construction
- Steam main extensions construction and equipment
- Turbine generator #1 equipment and installation
- Animal house addition construction and equipment
- Hydraulic laboratory addition construction and equipment
- Preschool laboratory construction and equipment
- College of education building construction

IOWA STATE UNIVERSITY

- Veterinary medicine utility extensions construction and equipment
- Physical plant shops and stores building construction and equipment
- Education building construction and equipment

UNIVERSITY OF NORTHERN IOWA

- Library building addition construction and equipment
- Industrial arts and technology building construction and equipment
- Art building construction and equipment
- Speech building construction and equipment

SENATE CONCURRENT RESOLUTION 34

By Potgeter and Van Drie

Whereas, the United States Department of Agriculture Veterinary Biologics Division Laboratory situated at Ames, Iowa, is ideally located in the feed grains and livestock center of the United States and adjacent to the

National Animal Disease Laboratory and the Veterinary College of Iowa State University and

Whereas, the successful continuation and coordination of its work is vitally important to the basic industry of Iowa, and the loss of the employment of some one hundred persons with a payroll of one million dollars annually would be a severe economic depressant to the city of Ames and the State of Iowa; and

Whereas, recent news articles have reported on the possibility of transferring the laboratory from Ames, Iowa, to Fort Detrick, Maryland, which follows by only two years a proposal to move this facility to Lincoln, Nebraska, *Now Therefore*,

Be It Resolved by the Senate, the House Concurring, That the General Assembly deplores and opposes any plan or proposal to move the United States Department of Agriculture Veterinary Biologics Division Laboratory from its present location in Ames, Iowa; and

Be It Further Resolved, That copies of this resolution be directed to the President and Vice President of the United States, the Secretary of Agriculture of the United States; and that copies of this resolution combined with the General Assembly's expression of appreciation for efforts in this regard be directed to the Iowa delegation in the United States Congress, and to the Governor of Iowa.

REPORTS OF COMMITTEES

Senator Messerly submitted the following report:

MR. PRESIDENT: Your committee on appropriations, to which was referred **House File 572**, a bill for an act relating to the construction of an administration building for the state highway commission, begs leave to report it has had the same under consideration and recommends the same **do pass**.

FRANCIS L. MESSERLY, Chairman

Ordered passed on file.

Senator Shaff submitted the following reports:

MR. PRESIDENT: Your committee on ways and means, to which was referred **House File 550**, a bill for an act relating to information obtained by the department of revenue, begs leave to report it has had the same under consideration and recommends the same **do pass**.

ROGER J. SHAFF, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on ways and means, to which was referred **House File 570**, a bill for an act relating to the rate and collection of sales and use taxes, begs leave to report it has had the same under consideration and recommends the same **do pass**.

ROGER J. SHAFF, Chairman

Ordered passed on file.

AMENDMENTS FILED

1 Amend House File 172 as follows:

2 1. Page 3, line 14, by inserting after the word
3 "section," the words "except wine containing not more
4 than seventeen percent alcohol by weight, and".

5 2. Page 3, line 25, by adding after the period
6 the following:

7 "Unless otherwise specifically provided, the term
8 'beer' shall, for purposes of this Act, include wine
9 containing not more than seventeen percent alcohol
10 by weight."

11 3. Page 63, by adding after line 32 the following
12 new paragraph:

13 "This section shall not be construed as applying
14 to wine containing not more than seventeen percent
15 alcohol by weight."

16 4. Page 67, by adding after line 15 the following
17 new sections and renumbering the remaining sections
18 accordingly:

19 1. "There shall be levied and collected from all
20 class 'A' permittees selling wine, on all wine man-
21 ufactured for sale or sold in this state at wholesale
22 and on all wine imported into this state for sale
23 at wholesale and sold in this state at wholesale,
24 a tax of one dollar for every wine gallon, and at
25 the like rate for any other quantity or for the

Page 2

1 fractional parts of a wine gallon.

2 No tax shall be levied or collected on wine shipped
3 or sold outside this state by a class 'A' permittee.
4 All revenue derived from the tax hereby imposed shall
5 accrue to the state general fund. All of the provi-
6 sions of this Act relating to the administration of
7 the wine tax shall apply to this section."

8 2. "Every person holding a class 'A' permit and
9 selling wine shall on or before the tenth day of each
10 calendar month commencing on the tenth day of the
11 calendar month following the month in which the person
12 is issued a permit, make a report under oath to the
13 department upon forms furnished by the department
14 for the purpose showing the exact number of wine
15 gallons of wine or fractional parts thereof, sold
16 by the permit holder during the preceding calendar
17 month. The report shall also state such other
18 information as the department may require, and the
19 permit holders shall at the time of filing the report
20 pay to the department the amount of tax due at the
21 rate fixed in accordance with the provisions of this
22 Act."

23 3. "A penalty of ten percent of the amount of
24 the tax shall be added thereto if the report is not
25 filed and the tax paid to the department by the tenth

Page 3

1 day of the calendar month.”

2 4. “As a condition precedent to a vintner, man-
3 ufacturer, bottler, broker, jobber, importer, or any
4 other person, firm, or corporation selling or shipping
5 wine to a class ‘A’ permittee, the person, firm, or
6 corporation shall first register with the department
7 on forms provided for the purpose containing such
8 information as the department may require.”

9 5. “A registration fee of fifty dollars shall
10 accompany each registration and shall be paid by the
11 person so registering. In return for the registra-
12 tion, the department shall issue a certificate of
13 compliance to those registered. Each certificate
14 shall be good for a period of one year from date of
15 issuance unless otherwise revoked as herein provided
16 or surrendered. All holders of the certificate of
17 compliance shall on or before the tenth day of each
18 calendar month commencing on the tenth day of the
19 calendar month following the month in which the person
20 is issued a certificate, make a report under oath
21 to the department upon forms to be furnished by the
22 department for such purpose showing the exact number
23 of cases and gallons and types of wine sold and shipped
24 to individual class ‘A’ permittees during the preced-
25 ing calendar month along with such other information

Page 4

1 as may be required by the department.”

2 6. “At the time of applying for a certificate
3 of compliance, each applicant shall file with the
4 department a list of class ‘A’ permittees with whom
5 it shall do business and shall designate the territory
6 in which its products are to be distributed by the
7 permittee. The listing of class ‘A’ permittees and
8 territories as filed with the department may be amended
9 from time to time by the holder of a certificate of
10 compliance. However, before the amendment shall
11 become effective, notification shall be made in writing
12 to the department and to the class ‘A’ permittee
13 affected at least ninety days prior to the change
14 unless the amendments are mutually agreed upon between
15 the holder of a certificate of compliance, the class
16 ‘A’ permittee affected, with the approval of the
17 department upon forms provided by the department of
18 revenue for that purpose.”

19 7. “The department is hereby empowered to revoke
20 the certificate upon noncompliance with this section
21 or any other section of this Act and the holder thereof
22 shall be barred from selling or shipping wine to any
23 class ‘A’ permittee and class ‘A’ permittees shall
24 be barred from receiving such wine within this state.”

25 8. “No liquor licensee or retail beer permittee

Page 5

1 shall sell wine for off-premise consumption for less
2 than cost adjusted to the nearest cent. Cost, for
3 the purpose of this section, shall be computed by
4 adding a minimum markup of not less than twenty-two
5 percent to the wholesale invoice price for sales by
6 the class 'A' permit holder to the licensee or
7 permittee for the same product or brand in the original
8 shipping carton or case.

9 Deposit charges for the original shipping carton
10 or case, bottles, and containers, shall not be included
11 as part of the cost or included in any computation
12 for determining the minimum retail selling price with
13 respect to any licensee or permittee.

14 The minimum retail selling price of each individual
15 sealed container in an original shipping carton or
16 case shall be computed, to the nearest cent, by divid-
17 ing the number of sealed containers into the minimum
18 retail selling price.

19 For the purpose of uniformity, no class 'A' permit
20 holder shall allow or grant any discount on wine based
21 on quantity sales to the holders of liquor licenses
22 or retail beer permits."

23 9. "The director shall make such rules and regula-
24 tions in relation to the sale of wine as are necessary
25 to carry out the provisions of this Act. Such

Page 6

1 authority shall extend to but not be limited to the
2 following:

3 a. Require the filing or posting of all wine
4 prices between class 'A' permit holders and retailers
5 as provided in this Act and further provide for
6 procedures for the changing of the posted prices and
7 the minimum periods of time for which the posted
8 prices shall remain in effect.

9 b. Prescribe what size packages of wine shall
10 be allowed for filling, importation and further resale
11 by class 'A' permit holders within the state of Iowa.
12 'Package' or 'packages' as used herein means any in-
13 dividual container or receptacle used for holding
14 wine."

15 5. Page 1, amend the title, line 8, by inserting
16 after the word "therefor;" the words "providing for
17 the sale and control of certain wines in the same
18 manner as beer;"

JOHN M. WALSH

1 Amend House File 172, as amended, passed and reprinted by
2 the House, page 14, line 2, by inserting after the word "insti-
3 tution" the words ", except that local authorities may by
4 ordinance reduce such minimum distance".

R. DEAN ARBUCKLE

1 Amend House File 172, as amended, passed and reprinted by the
2 House as follows:

3 1. Page 33A, by striking lines 21 through 35 and inserting
4 in lieu thereof the following:

5 Sec. 47. PERSONS UNDER LEGAL AGE. After July 1, 1971,
6 no person shall sell, give, or otherwise supply alcoholic liquor
7 or beer to any person knowing or having reasonable cause to
8 believe him to be under legal age, and no person or persons
9 under legal age shall individually or jointly have alcoholic
10 liquor or beer in his or their possession or control; except
11 in the case of liquor or beer given or dispensed to a person
12 under legal age within a private home and with the knowledge
13 and consent of the parent or guardian for beverage or medicinal
14 purposes or as administered to him by either a physician or
15 dentist for medicinal purposes and except to the extent that a
16 person under legal age may handle alcoholic beverage and
17 beer during the regular course of his or her employment by a
18 liquor control licensee or beer permittee under this Act.

19 2. Page 35A, by striking line 10, and inserting in lieu thereof
20 the following:

21 "f. After July 1, 1971, any person under legal age shall
22 not be employed in the handling of".

JAMES A. POTGETER

1 Amend House File 172, as amended, passed, and re-
2 printed by the House, page 50, by adding after line 15
3 the following new section and renumbering the remaining
4 sections accordingly:

5 "ATTORNEY FEE LIMITED. Fees assessed by an attorney
6 upon his client for services rendered in connection
7 with a civil liability suit under section ninety-three
8 (93) of this Act shall not exceed twenty-five percent
9 of amounts recovered by that client up to fifty thou-
10 sand dollars, and shall not exceed ten percent of
11 amounts recovered in excess of fifty thousand dollars. "

JAMES F. SCHABEN

1 Amend the Gaudineer amendment filed April 6, 1971, to House
2 File 172, page 3, by striking all of line 1 and inserting
3 in lieu thereof the following:

4 "f. After July 1, 1971, any person under legal age
5 shall not be employed in the sale".

JAMES A. POTGETER

1 Amend the Tapscott, et al., amendment filed February
2 25, 1971 to House File 172 as follows, line 5, by
3 striking the word "four" and inserting in lieu
4 thereof the word "two".

JOHN E. TAPSCOTT
MARVIN W. SMITH
VERNON H. KYHL
MINNETTE DODERER

On motion of Senator Lamborn, the Senate adjourned until 9:00
a.m., Friday, April 16, 1971.

JOURNAL OF THE SENATE

NINETY-SIXTH DAY

SENATE CHAMBER
DES MOINES, IOWA, FRIDAY, APRIL 16, 1971

The Senate met in regular session, President pro tempore Kyhl presiding.

Prayer was offered by the Reverend Frank Paul Hladky, pastor of the Central Presbyterian Church, Nevada, Iowa.

The Senate pledged allegiance to the flag.

The Journal of Thursday, April 15, 1971, was approved.

PRESENTATION OF VISITORS

The Chair announced that the following visitors were present in the Senate gallery:

Thirty students from East High School, Des Moines, Iowa, accompanied by their instructor, Mr. Bush.

Fifty students from United Community School, Boone, Iowa, accompanied by their instructors, Mrs. Sivesind and Mrs. Huffman.

Forty-nine students from West Harrison School, Mondamin, Iowa.

ADOPTION OF SENATE CONCURRENT RESOLUTION 34

Senator Potgeter asked and received unanimous consent to suspend the rules and take up for consideration **Senate Concurrent Resolution 34**, found on page 843 of the Senate Journal, and moved its adoption.

The motion prevailed and the resolution was adopted.

Senator Potgeter asked and received unanimous consent that Senate Concurrent Resolution 34 be immediately messaged to the House, which request was complied with.

CONSIDERATION OF BILLS

Senate File 477

On motion of Senator Potter, Senate File 477, a bill for an act relating to the collection of sales and use taxes and providing for waiver of civil penalty, was taken up and considered.

SUBSTITUTION

Senator Potter asked and received unanimous consent that **House File 570** be substituted for **Senate File 477**.

House File 570

On motion of Senator Potter, House File 570, a bill for an act relating to the collection of sales and use taxes, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Gaudineer offered the following amendment:

- 1 Amend House File 570, page 4, by striking lines
- 2 14 through 18 inclusive.

Senator Gaudineer moved the adoption of his amendment and requested a roll call.

On the question "Shall the Gaudineer amendment be adopted?" (H.F. 570) the vote was:

Rule 24 was invoked.

Ayes, 13:

Arbuckle	Glenn	Kennedy	Robinson
Coleman	Gross	Palmer	Tapscott
Doderer	Hill	Potgeter	Van Gilst
Gaudineer			

Nays, 30:

Anderson	Erskine	Messerly	Riley
Balloun	Gilley	Milligan	Shawver
Briles	Graham	Nicholson	Smith
Carlson	Griffin	Ollenburg	Stephens
Conklin	Keith	Potter	Thordsen
Curran	Kyhl	Rabedaux	Van Drie
Davis	Lamborn	Rhodes	Walsh
DeKoster	Laverty		

Absent or not voting, 7:

Bass	Miller	Neu	Shaff
Brownlee	Mowry	Schaben	

The amendment lost.

President Jepsen took the chair at 10:47 a.m.

Senator Walsh offered the following amendment by Senators Walsh, Van Drie and Potgeter:

- 1 Amend House File 570, page 4, by inserting the following new section
- 2 after line 13, and renumbering the remaining section:
- 3 Sec. 5. Section four hundred twenty-two point fifty-two (422.52),
Code
- 4 1971, is hereby amended by adding the following new subsection:

- 5 "Beginning July 1, 1971, when a return is filed and the taxes shown
6 thereon are paid in full on or before the due date as prescribed in section
7 four hundred twenty-two point fifty-one (422.51) of the Code, the re-
8 shall be allowed a credit or discount equal to three (3) percent of the
9 sales taxes shown due by such return. This credit or discount shall be
10 the retailer for prompt payment of the tax and as partial remuneration
11 collecting the tax, keeping the records, and promptly filing the returns
12 quired by this chapter."
13 The maximum amount of credit or discount allowed to the retailer
14 this act shall not exceed \$100.00 for any one year.

Senator Potter raised a point of order that the amendment was not germane to the title of the bill.

The Chair ruled the point not well taken and the amendment in order.

Senator Walsh moved the adoption of the amendment and requested a roll call.

On the question "Shall the Walsh amendment be adopted?" (H.F. 570) the vote was:

Rule 24 was invoked.

Ayes, 17:

Anderson	Graham	Miller	Shawver
Briles	Griffin	Palmer	Tapscott
Doderer	Gross	Potgeter	Van Drie
Gaudineer	Kennedy	Rhodes	Walsh
Glenn			

Nays, 26:

Balloun	Erskine	Milligan	Riley
Carlson	Gilley	Mowry	Robinson
Coleman	Hill	Nicholson	Smith
Conklin	Keith	Ollenburg	Stephens
Curran	Lamborn	Potter	Thordsen
Davis	Laverty	Rabedeaux	Van Gilst
DeKoster	Messerly		

Voting present, 2:

Arbuckle (under Rule 24)
Kyhl (under Rule 24)

Absent or not voting, 5:

Bass	Neu	Schaben	Shaff
Brownlee			

The amendment lost.

Senator Potter moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 570) the vote was:

Ayes, 28:

Anderson	Davis	Laverty	Rhodes
Balloun	DeKoster	Messerly	Riley
Briles	Erskine	Mowry	Smith
Carlson	Gilley	Nicholson	Stephens
Coleman	Graham	Ollenburg	Thordsen
Conklin	Keith	Potter	Van Drie
Curran	Lamborn	Rabedaux	Van Gilst

Nays, 16:

Arbuckle	Griffin	Miller	Robinson
Doderer	Gross	Milligan	Shawver
Gaudineer	Hill	Palmer	Tapscott
Glenn	Kennedy	Potgeter	Walsh

Voting present, 1:

Kyhl

Absent or not voting, 5:

Bass	Neu	Schaben	Shaff
Brownlee			

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

Senator Potter moved that the vote by which House File 570 passed the Senate be reconsidered and the motion to reconsider be laid on the table.

Roll call was requested by Senator Glenn.

On the question "Shall the motion to reconsider be laid on the table?" (H.F. 570) the vote was:

Ayes, 30:

Anderson	DeKoster	Messerly	Rhodes
Balloun	Erskine	Milligan	Riley
Briles	Gilley	Mowry	Smith
Carlson	Graham	Nicholson	Stephens
Coleman	Keith	Ollenburg	Thordsen
Conklin	Kyhl	Potter	Van Gilst
Curran	Lamborn	Rabedaux	Walsh
Davis	Laverty		

Nays, 14:

Arbuckle	Griffin	Miller	Robinson
Doderer	Gross	Palmer	Shawver
Gaudineer	Hill	Potgeter	Tapscott
Glenn	Kennedy		

Absent or not voting, 6:

Bass
Brownlee

Neu
Schaben

Shaff

Van Drie

The motion prevailed.

SENATE FILE WITHDRAWN

Senator Potter asked and received unanimous consent that **Senate File 477** be withdrawn from further consideration of the Senate.

REFERRED TO COMMITTEE

Senator DeKoster asked and received unanimous consent that **Senate File 354** be referred to the committee on **judiciary**.

CONSIDERATION OF BILLS

House File 551

On motion of Senator Keith, House File 551, a bill for an act relating to registration of motor vehicles, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Keith moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 551) the vote was:

Ayes, 37:

Anderson
Arbuckle
Balloun
Briles
Carlson
Conklin
Curran
Davis
Erskine
Gaudineer

Gilley
Griffin
Gross
Hill
Keith
Kyh
Lamborn
Laverty
Messerly

Miller
Milligan
Mowry
Nicholson
Ollenburg
Palmer
Potgeter
Potter
Rabedeaux

Rhodes
Riley
Robinson
Shawver
Smith
Stephens
Thordsen
Van Gilst
Walsh

Nays, 4:

Coleman

Doderer

Glenn

Tapscott

Absent or not voting, 9:

Bass
Brownlee
DeKoster

Graham
Kennedy

Neu
Schaben

Shaff
Van Drie

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

REPORTS OF INVESTIGATING COMMITTEES

Senator Milligan submitted the following report and moved its adoption:

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Jerry L. Addy of Des Moines, Polk County, Iowa, for appointment as Labor Commissioner for the State of Iowa under the provisions of section 91.2, 1971 Code of Iowa, for a regular two-year term beginning July 1, 1971, and ending June 30, 1973, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

GEORGE F. MILLIGAN, Chairman
WILSON L. DAVIS
CHARLES F. BALLOUN
BASS VAN GILST
JAMES W. GRIFFIN, SR.

The motion prevailed and the report was adopted.

Senator Milligan moved that the appointment of Jerry L. Addy be confirmed.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 41:

Anderson	Gaudineer	Messerly	Rhodes
Arbuckle	Gilley	Miller	Riley
Balloun	Glenn	Milligan	Robinson
Briles	Gross	Mowry	Shawver
Carlson	Hill	Nicholson	Smith
Coleman	Keith	Ollenburg	Stephens
Conklin	Kennedy	Palmer	Tapscott
Curran	Kyhl	Potgeter	Thordsen
Davis	Lamborn	Potter	Van Gilst
Doderer	Laverty	Rabedeaux	Walsh
Erskine			

Nays, none.

Absent or not voting, 9:

Bass	Graham	Neu	Shaff
Brownlee	Griffin	Schaben	Van Drie
DeKoster			

President Jepsen declared the appointment of Jerry L. Addy as Labor Commissioner for the State of Iowa confirmed for the regular two-year term ending June 30, 1973.

Senator Milligan submitted the following report and moved its adoption:

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Robert C. Landess of West Des Moines, Polk County, Iowa, for appointment as Industrial Commissioner for the State of Iowa under the provisions of section 86.1, 1971 Code of Iowa, for the unexpired

portion of the regular term ending June 30, 1973, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

GEORGE F. MILLIGAN, Chairman
CHARLES P. MILLER
JAMES W. GRIFFIN, SR.
JOHN M. WALSH
JAMES A. POTGETER

The motion prevailed and the report was adopted.

Senator Milligan moved that the appointment of Robert C. Landess be confirmed.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 38:

Anderson	Gaudineer	Miller	Riley
Arbuckle	Gilley	Milligan	Robinson
Balloun	Glenn	Nicholson	Shawver
Briles	Gross	Ollenburg	Smith
Carlson	Hill	Palmer	Stephens
Coleman	Keith	Potgeter	Tapscott
Conklin	Kennedy	Potter	Thordsen
Curran	Kyhl	Rabedeaux	Van Gilst
Davis	Lamborn	Rhodes	Walsh
Erschine	Messerly		

Nays, none.

Absent or not voting, 12:

Bass	Doderer	Laverty	Schaben
Brownlee	Graham	Mowry	Shaff
DeKoster	Griffin	Neu	Van Drie

President Jepsen declared the appointment of Robert C. Landess as Industrial Commissioner for the State of Iowa confirmed for the unexpired portion of the term ending June 30, 1973.

CONSIDERATION OF BILLS

Senator Lamborn asked and received unanimous consent to suspend the rules and take up for consideration House File 550.

House File 550

On motion of Senator Davis House File 550, a bill for an act relating to information obtained by the department of revenue, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Davis moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 550) the vote was:

Ayes, 40:

Anderson	Gaudineer	Messerly	Rhodes
Arbuckle	Gilley	Miller	Riley
Balloun	Glenn	Milligan	Robinson
Briles	Gross	Mowry	Shawver
Carlson	Hill	Nicholson	Smith
Coleman	Keith	Ollenburg	Stephens
Conklin	Kennedy	Palmer	Tapscott
Curran	Kyhl	Potgeter	Thordsen
Davis	Lamborn	Potter	Van Gilst
Erskine	Laverty	Rabedeaux	Walsh

Nays, none.

Absent or not voting, 10:

Bass	Doderer	Neu	Shaff
Brownlee	Graham	Schaben	Van Drie
DeKoster	Griffin		

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

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File 209, a bill for an act relating to county and city programs for senior citizens.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 515, a bill for an act to legalize and validate proceedings of township trustees of Delaware Township in Polk County.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 577, a bill for an act imposing fees for the use of certain state recreational areas.

Also: That the House has adopted and agreed to the following joint resolution in which the concurrence of the Senate is asked:

House Joint Resolution 14, creating a committee to study use of land and other related resources.

Also: That the House has adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 34, deploring and opposing any plan to move the United States Department of Agriculture Veterinary Biologics Division Laboratory from Ames, Iowa.

WILLIAM R. KENDRICK, Chief Clerk

INTRODUCTION OF BILLS

Senate File 486, by Senator Conklin, a bill for an act to repeal the basic science examination requirements and to abolish the board of examiners in the basic sciences.

Read first time and **passed on file**.

Senate File 487, by committee on appropriations, a bill for an act making appropriations to certain state agencies.

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

Senate File 488, by committee on transportation, a bill for an act relating to the transfer of jurisdiction or sale of real estate between state agencies and political subdivisions of the state.

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

HOUSE MESSAGES CONSIDERED

House Joint Resolution 14, a joint resolution creating a committee to study the use of land and other related resources.

Read first time and **passed on file**.

House File 209, a bill for an act relating to county and city programs for senior citizens.

Read first time and **passed on file**.

House File 515, a bill for an act to legalize and validate the proceedings of the Board of Township Trustees of Delaware Township of Polk County, Iowa, in connection with certain elections held to authorize a tax levy for fire protection purposes and the issuance of bonds in anticipation of said tax and declaring the validity of said elections and that bonds issued pursuant to said proceedings shall be enforceable obligations of said Township.

Read first time and **passed on file**.

House File 577, a bill for an act imposing fees for the use of certain state recreational areas and providing penalties for violations.

Read first time and **passed on file**.

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on April 15, 1971, the Governor approved and transmitted to the Secretary of State the following bills:

- H. F. 112—Authorizing the use of bid bonds in lieu of certified or cashiers checks.
- H. F. 170—Relating to the enucleating of eyes by funeral directors or embalmers.
- H. F. 195—To define an alcoholic beverage as it relates to the operation of a motor vehicle by an operator under the influence of an alcoholic beverage.
- H. F. 230—Relating to election precincts.
- H. F. 308—Relating to physical requirements for marriage license.
- H. F. 334—Relating to deposit and investment of public funds.
- H. F. 381—Relating to commercial feed inspection fee.

ASSIGNMENTS OF BILLS TO COMMITTEE

President Jepsen announced the assignment of the following bills to committee:

- S.C.R. 32 Appropriations
- S.C.R. 33 Appropriations
- S. F. 483 Appropriations
- S. F. 486 State government
- H.J.R. 14 State government
- H. F. 209 County government
- H. F. 515 Judiciary
- H. F. 606 Appropriations

REPORTS OF COMMITTEES

Senator Messerly submitted the following report:

MR. PRESIDENT: Your committee on appropriations, to which was referred **Senate File 262**, a bill for an act establishing a radiation control program, providing penalties for violation of provisions of this act, and making an appropriation therefor, begs leave to report it has had the same under consideration and recommends the same **be amended as follows; and when so amended the bill do pass:**

- 1 Amend Senate File 262 as follows:
- 2 Page 8, by striking all of line 20 and inserting
- 3 in lieu thereof the following:
- 4 "five thousand dollars (\$5,000.00)".

FRANCIS L. MESSERLY, Chairman

Ordered passed on file.

Senator Erskine submitted the following report:

MR. PRESIDENT: Your committee on conservation and recreation, to which was referred **Senate File 346**, a bill for an act imposing fees for the use of certain state recreational areas and providing penalties for violations, begs leave to report it has had the same under consideration and recommends the same **do pass**.

ALDEN J. ERSKINE, Chairman

Ordered passed on file.

Senator Griffin submitted the following reports:

MR. PRESIDENT: Your committee on human and industrial relations, to which was referred **Senate File 323**, a bill for an act relating to negotiation proceedings of public agencies, begs leave to report it has had the same under consideration and recommends the same **do pass**.

JAMES W. GRIFFIN, SR., Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on human and industrial relations, to whom was referred **Senate File 342**, a bill for an act to require that railway employees be provided adequate sanitation and shelter and providing a penalty, begs leave to report it has had the same under consideration and recommends the same **be amended as follows; and when so amended the bill do pass**:

- 1 Amend Senate File 342, page 2, line 20, by inserting after
- 2 the words "*railway facility*," the following:
- 3 "*including locomotive or caboose*,".

JAMES W. GRIFFIN, SR., Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on human and industrial relations, to which was referred **House File 473**, a bill for an act relating to part-time work in agriculture by minors, begs leave to report it has had the same under consideration and recommends the same **do pass**.

JAMES W. GRIFFIN, SR., Chairman

Ordered passed on file.

AMENDMENTS FILED

- 1 Amend Senate File 470 as follows:
- 2 1. By adding in line 10 after the word "life" the
- 3 words "or securities".
- 4 2. Line 11 by striking the words "who represents
- 5 an insurance company licensed".

MINNETTE DODERER

- 1 Amend Senate File 474, page 2, lines 3 and 4, by
- 2 striking the words and figures, "chapters ninety-seven A
- 3 (97A) and" and by inserting in lieu thereof the word
- 4 "chapter".

LEE H. GAUDINEER, JR.

- 1 Amend the state government committee amendment to
- 2 House File 172, as passed and reprinted by the House,
- 3 page 7, by striking lines 18 and 19 and by inserting in
- 4 lieu thereof the following:
- 5 "or importer, organized as a corporation pursuant
- 6 to the laws of this state or any other state, and who
- 7 deals in alcoholic liquor or beer subject to this".

LEE H. GAUDINEER, JR.

On motion of Senator Lamborn, the Senate adjourned until 10:00 a.m., Monday, April 19, 1971.

JOURNAL OF THE SENATE

NINETY-NINTH DAY

SENATE CHAMBER

DES MOINES, IOWA, MONDAY, APRIL 19, 1971

The Senate met in regular session, President Jepsen presiding.

Prayer was offered by the Reverend Robert Deo Butler, pastor of the United Methodist Church, Sac City, Iowa.

The Senate pledged allegiance to the flag.

The Journal of Friday, April 16, 1971, was approved.

LEAVE OF ABSENCE

Leave of absence was granted:

Senator Neu because of a death in his family.

PRESENTATION OF VISITORS

Senator Brownlee rose on a point of personal privilege and presented to the Senate the Honorable J. Leslie Leonard, former member of the Senate from Buena Vista County.

The Chair announced that the following visitors were present in the Senate gallery:

Thirty students from Douglas Elementary School, Des Moines, Iowa, accompanied by their instructors, Miss Forke and Miss Zaun.

Sixty-five students from Belle Plaine High School, Belle Plaine, Iowa, accompanied by Rolland Hansen, Dwayne Lockhard and G. W. Argo.

Thirty-five students from Walnut Community High School, Walnut, Iowa, accompanied by Mr. and Mrs. Francis L. Johnson.

Forty students from Centerville High School, Centerville, Iowa, accompanied by their instructors, Mrs. Davis and Mrs. Mitchell.

Forty-three students from Irving Elementary School, Ottumwa, Iowa, accompanied by their instructors, Mrs. Dye and Mrs. Anfinson, and principal, Mr. Richardson.

PETITIONS

The following petitions were presented and placed on file :

By Senator Messerly, from twenty-nine residents of Black Hawk County urging consideration of the Governor's economy committee recommendations.

By Senator Curran, from twenty-two faculty members of Sheffield-Chapin Community School, Sheffield, Iowa, urging support of Senate File 387, relating to collective bargaining in public employment.

By Senator Potgeter, from eighteen residents of Hamilton County opposing repeal of the Iowa Meat and Poultry Inspection law.

By Senator Conklin, from two hundred fifty-eight residents of Iowa in favor of Senate File 368, relating to the establishment of civil service for deputy county sheriffs and providing for violations.

SPECIAL ORDER CONTINUED

UNFINISHED BUSINESS

House File 172

The Senate resumed consideration of House File 172, a bill for an act relating to a reorganization of the Iowa liquor control commission; creating an Iowa beer and liquor control department; providing for the appointment of an Iowa beer and liquor control council and a director of beer and liquor control and designating their powers and duties; amending provisions concerning liquor control licenses, special liquor permits, beer permits, and fees charged therefor; abolishing special distributors; altering dram shop liability; requiring certificates of compliance from distiller and brewers; declaring certain acts to be unlawful and providing penalties for violations; and otherwise amending current statutory provisions relating to the sale and possession of alcoholic liquor and beer in this state, and division 3 of the amendment by the committee on state government.

Senator Gaudineer offered the following amendment to division 3 of the committee amendment :

- 1 Amend the state government committee amendment to
- 2 House File 172, as passed and reprinted by the House,
- 3 page 7, by striking lines 18 and 19 and by inserting in
- 4 lieu thereof the following:
- 5 "or importer, organized as a corporation pursuant
- 6 to the laws of this state or any other state, and who
- 7 deals in alcoholic liquor or beer subject to this".

Senator Gaudineer moved the adoption of his amendment to division 3 and requested a roll call.

On the question "Shall the amendment to division 3 of the committee amendment be adopted?" (H.F. 172) the vote was:

Ayes, 40:

Anderson	Doderer	Kyhl	Riley
Balloun	Erskine	Lamborn	Robinson
Bass	Gaudineer	Laverty	Schaben
Brownlee	Gilley	Miller	Smith
Carlson	Glenn	Milligan	Stephens
Coleman	Graham	Nicholson	Tapscott
Conklin	Gross	Palmer	Thordsen
Curran	Hill	Potgeter	Van Drie
Davis	Keith	Potter	Van Gilst
DeKoster	Kennedy	Rhodes	Walsh

Nays, 7:

Arbuckle	Griffin	Rabedeaux	Shawver
Briles	Ollenburg	Shaff	

Absent or not voting, 3:

Messerly	Mowry	Neu
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The amendment to division 3 of the committee amendment was adopted.

Senator Gaudineer moved the adoption of division 3 of the committee amendment as amended.

Roll call was requested.

On the question "Shall division 3 of the committee amendment as amended be adopted?" (H.F. 172) the vote was:

Rule 24 was invoked.

Ayes, 26:

Anderson	Gilley	Kyhl	Rhodes
Brownlee	Glenn	Miller	Riley
Carlson	Graham	Milligan	Schaben
Conklin	Gross	Palmer	Stephens
Doderer	Hill	Potgeter	Tapscott
Erskine	Keith	Potter	Van Gilst
Gaudineer	Kennedy		

Nays, 22:

Arbuckle	Davis	Nicholson	Shawver
Balloun	DeKoster	Ollenburg	Smith
Bass	Griffin	Rabedeaux	Thordsen
Briles	Lamborn	Robinson	Van Drie
Coleman	Laverty	Shaff	Walsh
Curran	Mowry		

Absent or not voting, 2:

Messerly	Neu
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Division 3 of the committee amendment as amended was adopted.

Senator Gaudineer moved the adoption of division 4 of the committee amendment and called for a division.

Division 4 of the committee amendment was adopted.

Senator Potgeter offered the following amendment filed by him on April 12 and moved its adoption :

- 1 Amend House File 172, as amended, passed and reprinted by the
- 2 House as follows:
- 3 1. Page 6, by striking line 35, and page 7, by striking
- 4 lines 1 through 6, inclusive, and inserting in lieu thereof
- 5 the following:
- 6 32. "Hotel" or "motel" means a premise licensed by the
- 7 state department of agriculture and regularly or seasonally
- 8 kept open in a bona fide manner for the lodging of transient
- 9 guests, and with twenty or more sleeping rooms.
- 10 2. Page 22, by striking all of lines 18 and 19 and inserting
- 11 in lieu thereof the following: "in the application."

The amendment was adopted.

Senator Potgeter offered the following amendment filed by him on April 14 and moved its adoption :

- 1 Amend House File 172, as amended, passed, and reprinted by
- 2 the House, page 9, line 3, by inserting after the word "appoint"
- 3 the words ", with the approval of two-thirds of the Senate,".

The amendment was adopted.

Senator Potgeter offered the following amendment filed by Senators Potgeter and Gaudineer on April 14 and moved its adoption :

- 1 Amend House File 172, as amended, passed and reprinted by
- 2 the House, page 9, line 13, by inserting after the word "council."
- 3 the following:
- 4 "The director shall devote full time to the discharge of his
- 5 duties. He shall not hold any other elective or appointive office
- 6 under the laws of this state, the United States, or any other
- 7 state or territory. He shall not accept or solicit, directly or
- 8 indirectly, contributions or anything of value in behalf of him-
- 9 self, any political party, or any person seeking an elective or
- 10 appointive office nor use his official position to advance the
- 11 candidacy of anyone seeking an elective or appointive office.
- 12 The director, his spouse, and immediate family shall not have any
- 13 interest, in any distillery, winery, brewery, importer, permittee
- 14 or licensee or any business which is subject to license or regu-
- 15 lation pursuant to this Act."

The amendment was adopted.

Senator Potgeter withdrew the following amendment filed by him on April 12:

- 1 Amend House File 172, as amended, passed and reprinted by

2 the House as follows:

3 1. Page 33A, by striking line 26, and inserting in lieu thereof
4 the following: "for medicinal purposes. After July 1, 1971, a
5 person".

6 2. Page 35A, by striking line 10, and inserting in lieu thereof
7 the following:

8 "f. After July 1, 1972, any person under legal age shall
9 not be employed in the handling of".

Senator Potgeter offered the following amendment filed by him
on April 15:

1 Amend House File 172, as amended, passed and reprinted by the
2 House as follows:

3 1. Page 33A, by striking lines 21 through 35 and inserting
4 in lieu thereof the following:

5 Sec. 47. PERSONS UNDER LEGAL AGE. After July 1, 1971,
6 no person shall sell, give, or otherwise supply alcoholic liquor
7 or beer to any person knowing or having reasonable cause to
8 believe him to be under legal age, and no person or persons
9 under legal age shall individually or jointly have alcoholic
10 liquor or beer in his or their possession or control; except
11 in the case of liquor or beer given or dispensed to a person
12 under legal age within a private home and with the knowledge
13 and consent of the parent or guardian for beverage or medicinal
14 purposes or as administered to him by either a physician or
15 dentist for medicinal purposes and except to the extent that a
16 person under legal age may handle alcoholic beverage and
17 beer during the regular course of his or her employment by a
18 liquor control licensee or beer permittee under this Act.

19 2. Page 35A, by striking line 10, and inserting in lieu thereof
20 the following:

21 "f. After July 1, 1971, any person under legal age shall
22 not be employed in the handling of".

Senator Schaben took the chair at 11:25 a.m.

On motion of Senator Potgeter, the amendment was adopted.

Senator Potgeter asked and received unanimous consent to with-
draw the following amendment filed February 25 by Senator Mes-
erly:

1 Amend House File 172, as amended, passed and reprinted by the
2 House, page 9, line 5, by inserting before the word
3 "twenty-five" the words "not more than".

Senator Gaudineer offered the following amendment filed by him
on April 6 and called for a division of the amendment into three divi-
sions, section 1 to be considered as division 1; section 2, as division 2;
and section 3 as division 3:

Division 1

1 Amend House File 172, as amended and passed by the House,
2 as follows:

3 1. Page 11, by striking lines 16 through 35, inclusive,

4 and by inserting in lieu thereof the following:

5 "Council members, officers, and employees of the
6 department shall not, while holding such office or posi-
7 tion, hold any other office or position under the laws of
8 this state, or any other state or territory of the United
9 States; nor engage in any occupation, business, endeavor,
10 or activity which would or does conflict with his duties
11 under this act; nor, directly or indirectly, use his office
12 or employment to influence, persuade, or induce any other
13 officer, employee, or person to adopt his political views
14 or favor any particular candidate for an elective or appoint-
15 ive public office; nor, directly or indirectly, solicit
16 or accept, in any manner or way, any money or other thing
17 of value for any person seeking an elective or appointive
18 public office, or to any political party or any group of
19 persons seeking to become a political party. Any officer or
20 employee violating this section or any other provision of
21 this Act shall, in addition to any other penalties provided
22 by law be subject to suspension or discharge from his employ-
23 ment. Any council member shall, in addition to any other
24 penalties provided by law, be subject to removal from office
25 as provided by law."

Division 2

Page 2

1 2. Page 18, line 32, by inserting after the word

2 "Act." the following:

3 "The director shall, by rule and regulation, pre-
4 scribe the kind and type of seal that shall be placed up-
5 on each container, package, carton or box, containing
6 several bottles or other containers of alcoholic liquor
7 being transported within this state. The director shall
8 further prescribe the fee to be paid to the department for
9 such seals and the manner in which they are to be placed
10 upon each container, package, carton or box.

11 The director shall prescribe by such rule and regula-
12 tion, three methods of cross-checks and identification as
13 between the seal affixed on the container, package, carton
14 or box, and the bill of lading which is completed regard-
15 ing alcoholic liquor being shipped into Iowa for resale by
16 the state.

17 Such containers, packages, cartons, or boxes shall not
18 be required to have this seal, if the individual bottles
19 or containers of alcoholic liquor contained therein have
20 thereon the identifying marker prescribed in section 26 of
21 this Act. Alcoholic liquor transported in violation of this
22 section, is contraband, and shall be immediately seized by
23 any peace officer and forfeited to the state."

Division 3

24 3. Page 35A, by striking lines 10 through 17, inclu-
25 sive, and by inserting in lieu thereof the following:

Page 3

1 "f. Employ any person under legal age in the sale
2 or serving of alcoholic liquor or beer for consumption on
3 the premises where sold unless the person shall be at least

- 4 18 years old and the business of selling food or other
- 5 services constitutes more than fifty percent of the gross
- 6 business transacted therein and then only for the purpose
- 7 of serving or clearing alcoholic beverages or beer as an
- 8 incident to a meal. This paragraph shall not apply to
- 9 Class "C" beer permit holders."

Senator Gaudineer withdrew division 1 of the amendment.

Senator Gaudineer moved the adoption of division 2 of his amendment and requested a roll call.

On the question "Shall division 2 of the Gaudineer amendment be adopted?" (H.F. 172) the vote was:

Rule 24 was invoked.

Ayes, 21:

Anderson	Erskine	Gross	Palmer
Bass	Gaudineer	Hill	Schaben
Carlson	Gilley	Kennedy	Stephens
Coleman	Glenn	Miller	Tapscott
Conklin	Graham	Nicholson	Van Gilst
Doderer			

Nays, 27:

Arbuckle	Griffin	Ollenburg	Shaff
Balloun	Keith	Potgeter	Shawver
Briles	Kyhl	Potter	Smith
Brownlee	Lamborn	Rabedaux	Thordsen
Curran	Laverty	Rhodes	Van Drie
Davis	Milligan	Riley	Walsh
DeKoster	Mowry	Robinson	

Absent or not voting, 2:

Messerly	Neu
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Division 2 of the amendment lost.

Senator Potgeter offered the following amendment to division 3 of the amendment and moved its adoption:

- 1 Amend the Gaudineer amendment, filed April 6, 1971, to House
- 2 File 172, page 3, by striking all of line 1 and inserting
- 3 in lieu thereof the following:
- 4 "f. After July 1, 1971, any person under legal age
- 5 shall not be employed in the sale".

The amendment to division 3 of the amendment was adopted.

Senator Potgeter withdrew the following amendment to division 3 filed by him on April 12:

- 1 Amend the Gaudineer amendment, filed April 6, 1971, to House
- 2 File 172, page 3, by striking all of line 1 and inserting
- 3 in lieu thereof the following:
- 4 "f. After July 1, 1971, any person under legal age
- 5 shall not be employed in the sale".

On motion of Senator Gaudineer, division 3 of his amendment as amended was adopted.

On motion of Senator Lamborn, the Senate recessed until 1:15 p.m.

AFTERNOON SESSION

The Senate reconvened, President pro tempore Kyhl presiding.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File 254, a bill for an act relating to the rate of interest which may be paid by a real estate investment trust.

Also: That the House has passed the following bill in which the concurrence of House was asked:

Senate File 210, a bill for an act relating to conversion of credit union chapters.

Also: That the House has adopted the following concurrent resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 9, creating a study committee to develop legislative proposals for an Iowa Master Plan for Higher Education.

WILLIAM R. KENDRICK, Chief Clerk

HOUSE CONCURRENT RESOLUTION 9

By Lawson

Whereas, Iowa's future will be vitally affected by all segments of higher education, including regent institutions, area community colleges and private colleges and universities; and

Whereas, the Iowa legislature has assumed varying degrees of financial responsibility in all of the above-named areas at a time of serious cost elevation; and

Whereas, the Iowa Code makes no mention of the relationship between regent institutions and area community colleges, and is entirely silent on the subject of private colleges and universities; and

Whereas, the Iowa legislature has not altered its fundamental approach to higher education since adoption of the Land Grant College Policy of 1869; and

Whereas, the consequences of a lack of legislative policy in this area will be financial distress for the taxpayer and, ultimately, a weaker educational program for Iowa's young; and

Whereas, a higher education policy will both set limits on legislative responsibility, and provide security to institutions knowing that they can depend on legislative support; and

Whereas, a policy should be adopted which clearly defines the role of each

type of institution receiving legislative support, with particular attention to types of program offered, numbers and cost of students served, and entrance and graduation requirements, as well as speaking to overlapping offerings by two-year, four-year and graduate institutions of all types in Iowa, *Now Therefore*,

Be It Resolved by the House, the Senate Concurring, that a study committee made up of members of the House and the Senate, and an equal number of public members who are not representatives of the institutions involved and who are selected by the Governor, be instructed to develop legislative proposals for an Iowa Master Plan for Higher Education during the interim and to deliver them to the Second Regular Session of the Sixty-fourth General Assembly.

HOUSE MESSAGE CONSIDERED

House File 254, a bill for an act relating to the rate of interest which may be paid by a real estate investment trust.

Read first time and **passed on file**.

SPECIAL ORDER CONTINUED

House File 172

The Senate resumed consideration of House File 172.

Senator Hill offered the following amendment:

Division 1

- 1 Amend House File 172, as amended, passed, and
- 2 reprinted by the House, as follows:
- 3 1. Page 33A, lines 3 and 4, by striking the words
- 4 "directly or indirectly extend any credit for alcoholic
- 5 beverages or beer or".

Division 2

- 6 2. Page 63, by striking lines 4 through 11 inclusive,
- 7 and renumbering the remaining subsections of section
- 8 135 to conform with this amendment.

Senator Griffin called for a division of the amendment into two divisions.

Senator Hill moved the adoption of division 1 of his amendment.

Division 1 of the amendment lost.

Senator Hill moved the adoption of division 2 of his amendment.

Division 2 of the amendment lost.

Senator Walsh offered the following amendment by Senators Walsh, et al.:

- 1 Amend House File 172, as amended, passed, and re-
- 2 printed by the House, page 34, by striking lines 24
- 3 and 25 and inserting in lieu thereof the following:
- 4 "a.m. on Tuesday, Wednesday, Thursday, Friday, and

- 5 Saturday, between the hours of one a.m. and twelve noon
 6 on Sunday, and between the hours of one a.m. and six
 7 a.m. on Monday."

Senator Walsh offered the following amendment to the amendment and moved its adoption :

- 1 Amend the Walsh, et al., amendment to House File 172, filed
 2 April 14, 1971, by adding after the period in line 7 the
 3 following:
 4 "However, no licensee or permittee shall sell or
 5 dispense alcoholic liquor or beer after one a.m. on
 6 Sunday unless the business of selling food or other services
 7 constitutes more than fifty percent of the gross business
 8 transacted on the premises; and for the purposes of interpret-
 9 ing this subsection the rental income from accommodations
 10 in a hotel or motel shall be excluded."

Roll call was requested.

On the question "Shall the amendment to the amendment be adopted?" (H.F. 172) the vote was :

Rule 24 was invoked.

Ayes, 26:

Arbuckle	DeKoster	Palmer	Schaben
Balloun	Doderer	Potgeter	Shaff
Bass	Griffin	Rabedeaux	Shawver
Briles	Kennedy	Rhodes	Tapscott
Brownlee	Kyhl	Riley	Thordsen
Coleman	Miller	Robinson	Walsh
Davis	Nicholson		

Nays, 22:

Anderson	Gilley	Lamborn	Potter
Carlson	Glenn	Laverty	Smith
Conklin	Graham	Milligan	Stephens
Curran	Gross	Mowry	Van Drie
Erskine	Hill	Ollenburg	Van Gilst
Gaudineer	Keith		

Absent or not voting, 2:

Messerly Neu

The amendment to the amendment was adopted.

President Jepsen took the chair at 2:28 p.m.

Senator Walsh moved the adoption of the Walsh, et al., amendment as amended.

Roll call was requested.

On the question "Shall the Walsh, et al., amendment as amended be adopted?" (H.F. 172) the vote was :

Rule 24 was invoked.

Ayes, 12:

Brownlee	Kennedy	Palmer	Tapscott
Davis	Miller	Riley	Thordsen
Griffin	Nicholson	Shawver	Walsh

Nays, 35:

Anderson	DeKoster	Kyhl	Rhodes
Arbuckle	Doderer	Lamborn	Robinson
Balloun	Erskine	Laverty	Schaben
Bass	Gaudineer	Milligan	Shaff
Briles	Gilley	Mowry	Smith
Carlson	Glenn	Ollenburg	Stephens
Coleman	Graham	Potgeter	Van Drie
Conklin	Gross	Potter	Van Gilst
Curran	Hill	Rabedaux	

Absent or not voting, 3:

Keith	Messerly	Neu
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The amendment as amended lost.

Senator Kyhl offered the following amendment and moved its adoption:

- 1 Amend House File 172, as amended, passed and reprinted by the
- 2 House, as follows:
- 3 1. Page 38, line 26, by adding after the word "to" the words
- 4 "the general fund of the counties and also to".
- 5 2. Page 38, line 27, by adding after the word "to" the words
- 6 "the county general fund and".
- 7 3. Page 38, line 28, by adding after the word "each" the words
- 8 "rural area,".
- 9 4. Page 38, line 30, by adding after the word "all" the words
- 10 "rural areas,".

Roll call was requested.

On the question "Shall the Kyhl amendment be adopted?" (H.F. 172) the vote was:

Rule 24 was invoked.

Ayes, 18:

Anderson	Coleman	Keith	Rabedaux
Arbuckle	Conklin	Kyhl	Shawver
Balloun	Curran	Laverty	Smith
Bass	Gilley	Mowry	Stephens
Briles	Hill		

Nays, 30:

Brownlee	Graham	Ollenburg	Schaben
Carlson	Griffin	Palmer	Shaff
Davis	Gross	Potgeter	Tapscott
DeKoster	Kennedy	Potter	Thordsen
Doderer	Lamborn	Rhodes	Van Drie
Erskine	Miller	Riley	Van Gilst
Gaudineer	Milligan	Robinson	Walsh
Glenn	Nicholson		

Absent or not voting, 2:

Messerly Neu

The amendment lost.

Senator Tapscott offered the following amendment filed February 25 by Senators Tapscott, et al.:

1 Amend House File 172, as amended, passed by the House
2 and reprinted, page 40, by adding the following new sub-
3 section after line 19:

4 The treasurer of state shall semiannually distribute
5 a sum of money equal to four percent of the gross sales
6 made by the state liquor stores, one-half of which shall
7 be paid to the Iowa commission on alcoholism, and one-
8 half shall be paid to each county treasurer in the amount
9 determined by dividing the total population of each
10 county by the total population of the state according to
11 the latest federal decennial census. Such apportionment
12 shall be made semiannually as of July 1 and January 1 of
13 each year. Warrants for the same shall be issued by the
14 state comptroller upon certification of the treasurer of
15 state and the apportionment shares mailed to the
16 treasurer of each county and to the Iowa commission on
17 alcoholism. This appropriation shall be used for the
18 following purposes: the rehabilitation of alcoholics
19 pursuant to the provisions of chapter one hundred twenty-
20 three B (123B) of the Code and the implementation of new
21 alcoholic treatment procedures and services. The
22 expenditure of funds by the county board of supervisors
23 shall be approved by the Iowa commission on alcoholism,
24 as shall all new alcoholism rehabilitation programs using
25 or having access to these funds. The provisions of

Page 2

1 section eight point thirty-three (8.33) of the Code shall
2 apply to these funds and any unused funds shall revert to
3 the general fund of the state.

Senator Tapscott offered the following amendment to the amend-
ment by Senators Tapscott, et. al., and moved its adoption:

1 Amend the Tapscott, et al., amendment, filed February
2 25, 1971, to House File 172 as follows, line 5, by
3 striking the word "four" and inserting in lieu
4 thereof the word "two".

President pro tempore Kyhl took the chair at 3:15 p.m.

The amendment to the amendment was adopted.

Senator Tapscott moved the adoption of the amendment as amended and requested a roll call.

On the question "Shall the Tapscott amendment as amended be adopted?" (H.F. 172) the vote was:

Rule 24 was invoked.

Ayes, 18:

Briles	Gaudineer	Miller	Stephens
Carlson	Glenn	Palmer	Tapscott
Conklin	Gross	Schaben	Van Drie
Curran	Kennedy	Smith	Van Gilst
Doderer	Kyhl		

Nays, 30:

Anderson	Erskine	Milligan	Rhodes
Arbuckle	Gilley	Mowry	Riley
Balloun	Graham	Nicholson	Robinson
Bass	Griffin	Ollenburg	Shaff
Brownlee	Hill	Potgeter	Shawver
Coleman	Keith	Potter	Thordsen
Davis	Lamborn	Rabedeaux	Walsh
DeKoster	Laverty		

Absent or not voting, 2:

Messerly	Neu
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The amendment as amended lost.

Senator Walsh offered the amendment filed by him on April 15 and found on pages 845-847, inclusive, of the Senate Journal and moved its adoption.

Roll call was requested.

On the question "Shall the Walsh amendment be adopted?" (H.F. 172) the vote was:

Ayes, 14:

Arbuckle	Doderer	Palmer	Tapscott
Briles	Griffin	Potgeter	Van Drie
Brownlee	Kennedy	Shawver	Walsh
Coleman	Miller		

Nays, 30:

Anderson	Gaudineer	Laverty	Rhodes
Balloun	Gilley	Milligan	Riley
Bass	Glenn	Mowry	Robinson
Carlson	Graham	Nicholson	Schaben
Curran	Gross	Ollenburg	Shaff
Davis	Hill	Potter	Smith
DeKoster	Kyhl	Rabedeaux	Stephens
Erskine	Lamborn		

Absent or not voting, 6:

Conklin	Messerly	Thordsen	Van Gilst
Keith	Neu		

The amendment lost.

Senator Arbuckle offered the following amendment and moved its adoption:

- 1 Amend House File 172, as amended, passed and reprinted by
- 2 the House, page 14, line 2, by inserting after the word "insti-

3 tution" the words " , except that local authorities may by
4 ordinance reduce such minimum distance".

Roll call was requested.

On the question "Shall the Arbuckle amendment be adopted?"
(H.F. 172) the vote was:

Ayes, 26:

Arbuckle	Gaudineer	Nicholson	Robinson
Balloun	Gilley	Palmer	Schaben
Bass	Griffin	Potgeter	Shawver
Briles	Gross	Rabedeaux	Thordsen
Carlson	Kennedy	Rhodes	Van Drie
Coleman	Kyhl	Riley	Walsh
Curran	Milligan		

Nays, 21:

Anderson	Erskine	Lamborn	Potter
Brownlee	Glenn	Laverty	Shaff
Conklin	Graham	Miller	Smith
Davis	Hill	Mowry	Stephens
DeKoster	Keith	Ollenburg	Tapscott
Doderer			

Absent or not voting, 3:

Messerly	Neu	Van Gilst
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The amendment was adopted.

Senator Schaben offered the following amendment:

- 1 Amend House File 172, as amended, passed, and re-
- 2 printed by the House, page 50, by adding after line 15
- 3 the following new section and renumbering the remaining
- 4 sections accordingly:
- 5 "ATTORNEY FEE LIMITED. Fees assessed by an attorney
- 6 upon his client for services rendered in connection
- 7 with a civil liability suit under section ninety-three
- 8 (93) of this Act shall not exceed twenty-five percent
- 9 of amounts recovered by that client up to fifty thou-
- 10 sand dollars, and shall not exceed ten percent of
- 11 amounts recovered in excess of fifty thousand dollars."

Senator Schaben moved the adoption of the amendment and
called for a division.

The amendment lost.

Senator Briles offered the following amendment by Senators
Briles, et al.:

- 1 Amend House File 172, as amended, passed, and re-
- 2 printed by the House, as follows:
- 3 1. Page 2, by striking lines 21 through 28, in-
- 4 clusive, and inserting in lieu thereof the following:
- 5 "1. 'Commission' means the commission created
- 6 by this Act under the name of the 'Iowa beer and

7 liquor control commission'."

8 2. Page 2, line 35, by striking the word "depart-
9 ment" and inserting in lieu thereof the word "commis-
10 sion".

11 3. Page 3, line 35, by striking the word "director"
12 and inserting in lieu thereof the word "commission".

13 4. Page 4, line 28, by striking the word "depart-
14 ment" and inserting in lieu thereof the word "commis-
15 sion".

16 5. Page 5, line 22, by striking the word "depart-
17 ment" and inserting in lieu thereof the word "commis-
18 sion".

19 6. Page 6, line 30, by striking the word "depart-
20 ment" and inserting in lieu thereof the word "commis-
21 sion".

22 7. Page 7, by striking lines 10 through 35, in-
23 clusive.

24 8. By striking pages 8, 9, 10, and 11, and insert-
25 ing in lieu thereof the following new sections:

Page 2

1 1. "COMMISSION CREATED. There is hereby created
2 a commission composed of three electors of this state
3 to be known and designated as the Iowa beer and liquor
4 control commission, not more than two of whom shall
5 belong to the same political party, and no two of
6 whom shall, at the time of appointment, reside in
7 the same congressional district. The commission shall
8 be held strictly accountable for the enforcement of
9 the provisions of this Act."

10 2. "APPOINTMENT—TERM. The members of the first
11 commission shall be appointed by the governor, sub-
12 ject to approval of the senate by a majority vote
13 of the members, as follows: One for a term to expire
14 July 1, 1935; one for a term to expire July 1, 1937;
15 and one for a term to expire July 1, 1939. Said terms
16 shall begin immediately upon the appointment, approval
17 and qualification.

18 Thereafter, the term of each member of said commis-
19 sion shall be six years; and the governor shall,
20 within sixty days following the organization of each
21 regular session of the general assembly, appoint,
22 with the approval of two-thirds of the members of
23 the senate, a successor to the member of said
24 commission whose term of office will expire July 1
25 next following."

Page 3

1 3. "VACANCIES. Any vacancy or vacancies on said
2 commission which may occur when the general assembly
3 is not in session shall be filled by appointment by
4 the governor, which appointment shall expire at the
5 end of thirty days following the organization of the
6 next general assembly. Prior to the expiration of
7 said period of thirty days, the governor shall trans-

8 mit to the senate for its approval an appointment
9 for the unexpired portion of the regular term. Any
10 vacancy or vacancies occurring when the general
11 assembly is in session shall be filled in the same
12 manner as regular appointments are made, and before
13 the end of such session, and for the unexpired portion
14 of the regular term."

15 4. "BONDS. The commissioners shall post a bond
16 or bonds, at the expense of the state, with such
17 sureties as the executive council shall approve to
18 guarantee to the state the proper handling and account-
19 ing of such moneys and merchandise and other properties
20 as may be required in the administration of this Act.
21 It shall be the duty of the commission to secure from
22 all agents, servants, and employees of the commission
23 holding positions of trust a bond or bonds with such
24 sureties as the commission will approve adequate to
25 guarantee to the state the proper handling and account-

Page 4

1 ing of all moneys, merchandise and other properties."

2 5. "ORGANIZATION—SALARY—ASSISTANTS. The commis-
3 sion shall, on July 1 of each year, select one of its
4 members as chairman, who shall serve in such capacity
5 for the succeeding year. Each member of the commis-
6 sion shall devote his entire time to the duties of
7 his office, and his salary shall be as fixed by the
8 general assembly. Said commission may employ a sec-
9 retary and such other assistants and employees as
10 may reasonably be necessary, and at such salary each
11 as may be fixed by the state division of personnel."

12 6. "EXPENSES. Members of the commission and said
13 secretary, assistants and employees shall be allowed
14 their actual and necessary expenses while traveling
15 on business of the commission outside of their place
16 of residence; provided, however, that an itemized
17 account of such expenses shall be verified by the
18 member, secretary, assistant or employee making claim
19 for payment and shall be approved by a majority of
20 the members of the commission. If such account is
21 paid, the same shall be filed in the office of said
22 commission and be and remain a part of its permanent
23 records. All expenses and salaries of commissioners
24 and employees shall be paid from appropriations for
25 such purposes and the commission shall be subject

Page 5

1 to the budget requirements of chapter eight (8) of
2 the Code."

3 7. "REMOVAL. Any member, secretary, officer or
4 employee of said commission shall be removable for
5 any of the causes and in the manner provided by chapter
6 sixty-six (66) of the Code relating to removal from
7 office; such removal shall not be in lieu of any other
8 punishment that may be prescribed by the laws of the

9 state of Iowa."

10 8. "EXEMPTION FROM SUIT. The commission, or any
11 member of the commission, shall not be personally
12 liable for any action at law for damages sustained
13 by any person because of any action performed or done
14 by the commission, or any member of the commission,
15 in the performance of their respective duties in the
16 administration and in the carrying out of the purposes
17 and provisions of this Act."

18 9. "PROHIBITION ON MEMBERS AND EMPLOYEES. No
19 member, officer or employee of said commission shall,
20 while holding such office or position, hold any other
21 office or position under the laws of this state or
22 of any other state or of the United States, and shall
23 not engage in any occupation or business inconsistent
24 or interfering with the duties of such employment;
25 and no such member, officer or employee shall, while

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1 holding such office or position, serve on or under
2 or be a member of any committee of any political
3 party, and shall not, directly or indirectly, use
4 his influence to induce any other officer or officers,
5 employee or employees, elector or electors of this
6 state to adopt his political views or to favor any
7 particular candidate for office, nor shall any such
8 member, officer or employee contribute in any manner,
9 directly or indirectly, any money or other things
10 of value to or for any person or persons, committee
11 or committees, for campaign or election purposes.
12 Any such member, officer or employee who violates
13 any of the terms or provisions of this section shall
14 be deemed guilty of corruption."

15 10. "PLACE OF BUSINESS. The principal place of
16 business of the commission shall be in the city of
17 Des Moines, and the executive council shall provide
18 suitable quarters or offices for the commission in
19 Des Moines."

20 11. "POWERS. The commission shall have the fol-
21 lowing functions, duties and powers:

22 1. To buy, import, and have in its possession
23 for sale and sell liquors in the manner set forth
24 in this Act.

25 2. To establish, maintain or discontinue state

Page 7

1 liquor stores and to determine the cities and towns
2 in which state liquor store shall be located. How-
3 ever, no liquor store shall be established within
4 three hundred feet of any school building used for
5 school purposes or any church used as such.

6 3. To grant and refuse, or cancel for cause, per-
7 mits for the purchase of liquor.

8 4. To rent, lease, or equip any building or any
9 land necessary to carry out the purposes of this Act.

10 5. To lease all plants and lease or buy equipment
11 it may consider necessary and useful in carrying into
12 effect the objects and purposes of this Act.

13 6. To appoint vendors, clerks, or other employees
14 required for the operation or carrying out of this
15 Act and to dismiss the same, but not without cause
16 deemed by the commission in its discretion as
17 sufficient; to fix their salaries or remuneration;
18 assign them their title, duties and powers.

19 7. To issue and grant permits, including beer
20 permits, liquor control licenses and other licenses;
21 and to revoke all such licenses and permits for cause.

22 8. To determine the nature, form and capacity
23 of all packages containing liquor kept or sold under
24 this Act.

25 9. To license, inspect and control the manufacture

Page 8

1 of alcoholic liquors and regulate the entire liquor
2 industry in the state. The commission shall create
3 an enforcement division and shall appoint a director,
4 who shall be an attorney licensed to practice in the
5 state of Iowa, and five assistant directors, at least
6 two of whom shall be accountants. The director of
7 the enforcement division shall employ needed clerical
8 help, and such other assistants and agents as are
9 necessary to carry out the enforcement of the laws
10 on beer and liquor control. The enforcement division
11 shall enforce the provisions of title six (VI) of
12 the Code.

13 10. To employ a chemist, maintain a laboratory,
14 to test, label and certify to all alcoholic liquors
15 sold in Iowa.

16 11. To establish and maintain in its own name
17 in the state treasury a special account, hereinafter
18 known as the liquor control Act fund, in an amount
19 necessary for use of the commission, said amount to
20 be determined by the state comptroller.

21 12. To hear appeals from any order denying an
22 application for a liquor control license.

23 13. To perform such other duties and responsi-
24 bilities as may be required under this Act."

25 12. "RULES AND REGULATIONS.

Page 9

1 1. The commission may make such rules and regula-
2 tions not inconsistent with this Act which to the
3 commission may seem expedient or necessary for carrying
4 out the provisions of this Act and for the efficient
5 administration thereof.

6 2. Without attempting or intending to limit the
7 power of the commission as to the provisions contained
8 in subsection one (1) hereof, it is declared that
9 the commission may and it does have the power to make
10 regulations in the manner set forth in the foregoing

11 subsection and that said powers shall extend to and
12 include the following:

13 a. Prescribing the duties of the secretary, of-
14 ficers, clerks, servants, agents, or employees of
15 the commission and regulating their conduct while
16 in the discharge of their duties.

17 b. Regulating the management, equipment and mer-
18 chandise of state liquor stores, and warehouses in
19 and from which liquors are transported, kept or sold
20 and prescribing the books and records to be kept
21 therein.

22 c. Regulating the purchase of liquor generally
23 and the furnishing of liquor to state liquor
24 stores established under this Act determining the
25 classes, varieties, and brands of alcoholic liquors

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1 to be kept in state warehouses or for sale at any
2 state liquor store.

3 d. Prescribing forms or information blanks to
4 be used for the purpose of this Act and the terms
5 and conditions under which permits and licenses may
6 be issued or granted.

7 e. Prescribing the nature and character of proof
8 to be furnished to establish legal age.

9 f. Providing for the issuing and distributing
10 of price lists showing the price to be paid by
11 purchasers for each brand, class or variety of liquors
12 kept for sale under this Act by the commission. Each
13 licensee holding a liquor control license and
14 dispensing liquors at retail shall establish prices
15 based on serving one ounce of intoxicating liquor
16 per sale.

17 g. Prescribing what official seals or labels
18 should be attached to the packages of liquor sold
19 under this Act including the various kinds of official
20 seals or labels for the different classes or varieties
21 or brands of liquors.

22 h. Prescribing the kind, quantity, and character
23 of liquors which may be purchased or sold including
24 the quantity which may be purchased or sold at any
25 one time or within any specified period of time.

Page 11

1 i. Prescribing the duties of the commission em-
2 ployees authorized to issue permits or licenses.

3 j. Prescribing, subject to this Act, the days
4 and hours during which state liquor stores shall be
5 kept open for the purpose of the sale or dispensing
6 of liquors.

7 k. Prescribing, subject to this Act, the records
8 of sales to holders of special permits and licenses
9 and for the report of same to the commission.

10 l. Prescribing the place and the manner in which
11 liquor may be lawfully kept or stored by the licensed

12 manufacturer under this Act.

13 m. Prescribing the time, manner, means, and method
14 by which distillers, brewers, vendors, or others hav-
15 ing permission under this Act may deliver or transport
16 liquors and prescribing the time, manner, means, and
17 methods by which liquor under this Act may be lawfully
18 conveyed, carried or transported.

19 n. Prescribing, subject to the provisions of this
20 Act, the conditions and qualifications necessary for
21 the obtaining of licenses and the books and records
22 to be kept and the remittance to be made by those
23 holding licenses and determining the number of persons,
24 firms, or corporations who shall be entitled to li-
25 censes and providing for the inspection of the records

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1 of all such licenses.

2 o. Prescribing the conditions and qualifications
3 necessary for the obtaining of special liquor and
4 beer permits under this Act.

5 p. Prescribing the purchase of liquor and furnish-
6 ing liquor to state liquor stores under this Act.

7 3. The commission shall prepare, print, and furnish
8 all forms required under this Act."

9 9. By striking the words "director" or "depart-
10 ment", as the case may be, and inserting in lieu
11 thereof the word "commission" on page 12, lines 15,
12 17, 22, 26, 27, 33, and 35; on page 13, lines 6, 7,
13 and 28; on page 16A, lines 10, 21, and 22; on page
14 17A, lines 19, 21, 23, 24, 28, 30, 32, and 35; on
15 page 18, lines 3, 5, 15, 22, 25, and 26; on page 19,
16 lines 11, 12, 13, and 14; on page 20, lines 6, 19,
17 28, and 34; on page 21, lines 1, 4, 8, and 17; on
18 page 22, lines 3, 8, 13, and 24; on page 23, lines
19 7, 8, 19, 21, and 30; on page 24, lines 10, 17, 24,
20 25, 29, and 35; on page 25, lines 2, 6, 8, 13, 21,
21 and 31; on page 26, lines 6, 11, 13, 19, 29, and 35;
22 on page 28, lines 15 and 22; on page 29, lines 20,
23 21, and 22; on page 30, lines 4, 26, and 35; on page
24 31A, line 7; on page 31B, lines 36, 40, and 45; on
25 page 32, lines 1, 5, 9, 13, and 21; on page 36A, lines

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1 20 and 27; on page 37, lines 19, 22, and 24; on page
2 38, lines 16, 19, 20, and 23; on page 40, lines 20,
3 22, 23, and 28; on page 41, lines 14, 20, 23, and
4 35; on page 42, lines 2 and 11; on page 50, lines
5 13 and 15; on page 51, lines 5, 12, and 20; on page
6 58, lines 5, 12, 32, and 33; on page 59, line 9; on
7 page 60, lines 9 and 28; on page 61, lines 17, 18,
8 23, 32, and 33; on page 62B, lines 41, 42, 49, and
9 52; on page 63, lines 1, 2, 5, 9, 18, and 19; on page
10 64, lines 18, 19, 23, 24, and 33; on page 65, line
11 4; on page 6, lines 18, 20, 21, and 24; on page 67,
12 line 28; on page 68, line 13.

13 10. Page 13, line 18, by striking the words "de-
14 partment hearing board" and inserting in lieu thereof
15 the word "commission".

16 11. Page 13, line 22, by striking the words "hear-
17 ing board" and inserting in lieu thereof the word
18 "commission".

19 12. Page 13, by striking lines 29 through 35,
20 inclusive.

21 13. Page 14, by striking lines 1 through 35, in-
22 clusive.

23 14. Page 15, by striking lines 1 through 35, in-
24 clusive.

25 15. Page 16A, by striking lines 1 through 9, in-

Page 14

1 clusive.

2 16. Page 25, line 5, by striking the words "HEAR-
3 ING BOARD" and inserting in lieu thereof the word
4 "COMMISSION".

5 17. Page 25, lines 7 and 8, by striking the words
6 "hearing board, established pursuant to section fifteen
7 (15) of this Act,".

8 18. Page 25, by striking the words "hearing board"
9 and inserting in lieu thereof the word "commission"
10 in lines 9 and 10, 15 and 16, 18, 24, and 28.

11 19. Page 29, line 9, by striking the words "di-
12 rector may in his" and inserting in lieu thereof the
13 words "commission may in its".

14 20. Page 32, lines 20 and 21, by striking the
15 words "council member or department" and inserting
16 in lieu thereof the words "commissioner, secretary,
17 or commission".

President Jepsen took the chair at 4:27 p.m.

Senator Briles moved the adoption of the amendment.

Roll call was requested.

On the question "Shall the Briles et al amendment be adopted?"
(H.F. 172) the vote was:

Rule 24 was invoked.

Ayes, 14:

Anderson	Gilley	Mowry	Stephens
Briles	Graham	Nicholson	Thordsen
Coleman	Kyhl	Schaben	Walsh
Conklin	Miller		

Nays, 32:

Arbuckle	Davis	Griffin	Laverty
Balloun	DeKoster	Gross	Milligan
Bass	Doderer	Hill	Ollenburg
Brownlee	Erskine	Keith	Palmer
Carlson	Gaudineer	Kennedy	Potgeter
Curran	Glenn	Lamborn	Potter

Rabedaux	Riley	Shaff	Tapscott
Rhodes	Robinson	Shawver	Van Drie

Absent or not voting, 4:

Messerly	Neu	Smith	Van Gilst
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The amendment lost.

Senator Tapscott offered the following amendment by Senators Tapscott and Doderer:

- 1 Amend House File 172, page 6, line 22, by inserting
- 2 after the word "which" the words "is not restricted on
- 3 the basis of race, creed, color, sex, national origin,
- 4 or religion, and,"

Senator Tapscott moved the adoption of the amendment and requested a roll call.

On the question "Shall the Tapscott-Doderer amendment be adopted?" (H.F. 172) the vote was:

Ayes, 8:

Coleman	Doderer	Palmer	Schaben
Conklin	Kennedy	Robinson	Tapscott

Nays, 38:

Anderson	Erskine	Lamborn	Rabedaux
Arbuckle	Gaudineer	Laverty	Rhodes
Balloun	Gilley	Miller	Riley
Bass	Glenn	Milligan	Shaff
Briles	Graham	Mowry	Shawver
Brownlee	Griffin	Nicholson	Stephens
Carlson	Gross	Ollenburg	Thorsden
Curran	Hill	Potgeter	Van Drie
Davis	Keith	Potter	Walsh
DeKoster	Kyhl		

Absent or not voting, 4:

Messerly	Neu	Smith	Van Gilst
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The amendment lost.

Senator Griffin moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 172) the vote was:

Rule 24 was invoked.

Ayes, 33:

Arbuckle	Coleman	Gaudineer	Keith
Balloun	Curran	Glenn	Kennedy
Bass	Davis	Griffin	Lamborn
Brownlee	DeKoster	Gross	Laverty
Carlson	Doderer	Hill	Milligan

Ollenburg
Palmer
Potgeter
Potter

Rabedeaux
Rhodes
Riley

Robinson
Shaff
Shawver

Tapscott
Van Drie
Walsh

Nays, 13:

Anderson
Briles
Conklin
Erschine

Gilley
Graham
Kyhl

Miller
Mowry
Nicholson

Schaben
Stephens
Thordsen

Absent or not voting, 4:

Messerly

Neu

Smith

Van Gilst

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

Senator Griffin moved that the vote by which House File 172 passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House insists on its amendments to Senate File 188, a bill for an act relating to definition of criminal trespass, and requests a conference committee. Conferees on the part of the House are: the Representative from Pottawattamie, Mr. Knoke, chairman; the Representative from Black Hawk, Mr. Hansen; the Representative from Union, Mr. Christensen, and the Representative from Keokuk, Mr. Dunton.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 446, a bill for an act relating to public recreation on private lands.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 600, a bill for an act relating to the minimum age for appointment of commissioned and warrant officers in the national guard.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 605, a bill for an act relating to the regulated use of ground water.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 120, a bill for an act relating to the control of vehicles at institutions under board of regents.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 277, a bill for an act to legalize and validate the procedures wherein the West Marshall Community School District entered into contract for sale of real estate.

WILLIAM R. KENDRICK, Chief Clerk

HOUSE AMENDMENT TO SENATE FILE 120

- 1 Amend Senate File 120, as amended and passed by the
2 Senate as follows:
3 1. Page 2, by adding after the period in line 26 the
4 following new sentences:
5 "The procedures shall require giving notice of the
6 violation and the sanction involved and provide an
7 opportunity for an administrative hearing. Appeal of the
8 administrative ruling may be heard de novo by the district
9 court. The rules promulgated under this section shall be
10 subject to chapter seventeen A (17A) of the Code."
11 2. Page 2, by striking lines 27 through 31.

HOUSE MESSAGES CONSIDERED

House File 446, a bill for an act relating to public recreation on private lands.

Read first time and **passed on file**.

House File 600, a bill for an act relating to the minimum age for appointment of commissioned and warrant officers in the national guard.

Read first time and **passed on file**.

House File 605, a bill for an act relating to the regulated use of ground water.

Read first time and **passed on file**.

SENATE CONCURRENT RESOLUTION 35

By Walsh

Whereas, on May 1, 1971, pursuant to Act of the United States Congress, Railpax commences rail passenger service over those lines designated by the directors of that corporation and the department of transportation, and;

Whereas, under the terms of the federal act authorizing the Railpax network, all other railroad passenger service than that designated as Railpax may be terminated by railroad companies participating in the Railpax Corporation, and;

Whereas, the route selected for the Railpax network to service Iowa touches only the extreme southern part of the state, thereby bypassing most major communities in the state, as well as the heavy suburban and rural concentrations of population, and;

Whereas, the Milwaukee Railroad has announced plans, effective May 1, 1971, to abandon passenger service through the central part of the state, and the Illinois Central Railroad has announced termination of passenger service, effective May 1, 1971, to northeast and northern Iowa, and the Burlington Northern Railroad has announced termination of passenger service, effective May 1, 1971, to northeast Iowa.

Whereas, these terminations of service, coupled with the proposed Rail-

pax route locations are tantamount to an end of rail passenger service to the people of Iowa, *Now Therefore*,

Be It Resolved by the Senate, the House Concurring, That the United States Congress is hereby petitioned to suspend the May 1, 1971 effective date on which rail passenger service may be terminated by railroads participating in Railpax and direct the Railpax directors and the United States department of transportation to reexamine the Railpax routes and general passenger train service so as to expand the locations for rail passenger in order to serve a majority of communities and people of the state.

Be It Further Resolved, That the Secretary of the Senate be, and he is hereby, directed to forward copies of the resolution to the directors of Railpax and the Honorable John Volpe, Secretary of the United States department of transportation.

CONFERENCE COMMITTEE APPOINTED

President Jepsen announced the appointment of the following conference committee on Senate File 188, on the part of the Senate: Senators Mowry, chairman; Nicholson, Arbuckle and Hill.

REPORTS OF COMMITTEE

Senator Stephens submitted the following reports:

MR. PRESIDENT: Your committee on agriculture, to which was referred **House File 384**, a bill for an act to change certain references in the Code from "poultry and hatchery association" to "poultry association, incorporated", begs leave to report it has had the same under consideration and recommends the same **do pass**.

RICHARD L. STEPHENS, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on agriculture, to which was referred **House File 470**, a bill for an act relating to sale or transfer of livestock brands, begs leave to report it has had the same under consideration and recommends the same **do pass**.

RICHARD L. STEPHENS, Chairman

Ordered passed on file.

AMENDMENTS FILED

- 1 Amend Senate File 85 as follows:
- 2 1. Page 22, by inserting after line 5 the following new sub-
- 3 section and renumbering the remaining subsections:
- 4 8. 'Detergent' means a cleaning compound composed of in-
- 5 organic components, including surface active agents, soaps,
- 6 water softening agents, builders, dispersing agents, corrosion
- 7 inhibitors, foaming agents, buffering agents, brighteners,
- 8 fabric softeners, dyes, perfumes, enzymes, and fillers, which
- 9 are available for household, personal, laundry, industrial, and
- 10 other uses in liquid, bar, spray, tablet, flake, powder, or

11 other form.

12 2. Page 23, by inserting after line 13 the following new sub-
13 section and renumbering the remaining subsections:

14 5. Establish, modify or repeal rules and regulations govern-
15 ing the labeling of detergents. Any rules and regulations shall
16 be formulated to provide potential purchasers with accurate in-
17 formation concerning the percent phosphorus or phosphate in the
18 formula, the weight in grams of phosphorus or phosphate per recom-
19 mended use level and the ingredients in the package.

TOM RILEY

1 Amend Senate File 332 as follows:

2 1. Page 1, line 8, by striking the word "therefore"
3 and inserting in lieu the word "therefor".

4 2. Page 1, by striking from line 13 after the word
5 "time" the word "or".

6 3. Page 2, by striking lines 9 through 35, inclusive,
7 and inserting in lieu thereof the following:

8 "1. SEASONS—LIMITS—ALL WATERS OF STATE EXCEPT
MIS-

9 MISSISSIPPI AND MISSOURI RIVERS.

10 a. There may be a continuous open season with no
11 daily catch limit or possession limit on the following
12 fish: buffalo, carp, chubs, dogfish, gar, gizzard shad,
13 minnows, redhorse, sheepshead, suckers, quillback,
14 bluegill, crappie, redear sunfish, rock bass, sunfishes,
15 warmouth bass, white bass, yellow bass, yellow perch,
16 catfish, bullheads, and sand sturgeon.

17 b. There may be a continuous open season on rock
18 sturgeon with one as the daily catch and possession
19 limit.

20 c. There may be a continuous open season on paddlefish
21 with a daily catch limit of two and a possession limit
22 of four.

23 d. There may be a continuous open season on trout
24 with a daily catch limit of six and a possession limit
25 of twelve.

Page 2

1 e. There may be a continuous open season on the
2 following fish with a daily catch limit of five and a
3 possession limit of ten: largemouth bass, spotted bass
4 or Kentucky bass, and smallmouth bass.

5 f. There may be a continuous open season with a
6 combined daily catch limit of five and a combined
7 possession limit of ten on the following fish: walleye
8 and sauger pike perch.

9 g. There may be a continuous open season with a daily
10 catch limit of three and possession limit of six on
11 the following fish: northern pike and pickerel.

12 h. There may be an open season from May fifteenth
13 through November thirtieth with a daily catch and
14 possession limit of one on muskellunge.

15 i. There may be a continuous open season with a daily
16 catch limit of forty-eight and a possession limit of

17 ninety-six frogs, except the daily catch and possession
18 limit on bullfrogs or rana catesbeiana shall be twelve.

19 2. SEASONS—LIMITS—MISSISSIPPI AND MISSOURI RIVERS
20 ONLY.

21 a. There may be a continuous open season with no
22 daily catch limit or possession limit on the following
23 fish: buffalo, carp, chubs, dogfish, gar, gizzard shad,
24 minnows, redhorse, sheepshead, suckers, quillback,
25 bluegill, crappie, redear sunfish, rock bass, sunfishes,

Page 3

1 warmouth bass, white bass, yellow bass, yellow perch,
2 catfish, bullheads, and sand sturgeon.

3 b. There may be a continuous open season on rock
4 sturgeon with one as the daily catch and possession
5 limit.

6 c. There may be a continuous open season on paddlefish
7 with a daily catch limit of two and a possession limit
8 of four.

9 d. There may be a continuous open season on trout
10 with a daily catch limit of six and a possession limit
11 of twelve.

12 e. There may be a continuous open season on the
13 following fish with a combined daily catch limit of ten
14 and a possession limit of twenty: largemouth bass,
15 spotted bass or Kentucky bass, and smallmouth bass.

16 f. There may be a continuous open season on the
17 following fish with a combined daily catch limit of ten
18 and a possession limit of twenty: Walleye and sauger
19 pike perch.

20 g. There may be a continuous open season on the
21 following fish with a combined daily catch limit of five
22 and a possession limit of ten: northern pike and
23 pickerel.

24 h. There may be an open season from May fifteenth
25 through November thirtieth for muskellunge with a daily

Page 4

1 catch and possession limit of one.

2 i. There may be a continuous open season with a daily
3 catch limit of forty-eight and a possession limit of
4 ninety-six frogs, except the daily catch limit and
5 possession limit on bullfrogs or rana catesbeiana shall
6 be twelve."

7 4. Page 3, by striking lines 1 through 24, inclusive.

ALDEN J. ERSKINE

1 Amend Senate File 459 as follows:

2 1. Page 1, line 1, by striking the words "prohibit the sale"
3 and inserting in lieu thereof "require the labeling".

4 2. Page 2, by striking lines 15 and 16 and inserting in lieu
5 thereof: "To require the container of every detergent to list
6 all ingredients by common or usual name, or if there is none, by
7 chemical name, in descending order of predominance. The percent

8 phosphorus or phosphate must be indicated by giving the percentage
9 weight and the weight in grams per recommended use level."

TOM RILEY

1 Amend House File 577 as passed by the House as
2 follows:

3 Page 2, by adding after line 27 the following new
4 paragraph:

5 "A person receiving assistance pursuant to the
6 provisions of chapters two hundred thirty-nine (239),
7 two hundred forty-one A (241A), two hundred forty-nine
8 (249), or two hundred fifty (250) of the Code shall, upon
9 request, receive an annual restricted area permit free of
10 charge from the state conservation commission."

EUGENE M. HILL

On motion of Senator Lamborn, the Senate adjourned until 9:00
a.m., Tuesday, April 20, 1971.

JOURNAL OF THE SENATE

ONE HUNDREDTH DAY

SENATE CHAMBER

DES MOINES, IOWA, TUESDAY, APRIL 20, 1971

The Senate met in regular session, President pro tempore Kyhl presiding.

Prayer was offered by the Reverend Ray Thompson, pastor of the Salem United Methodist Church, Meservey, Iowa.

The Senate pledged allegiance to the flag.

The Journal of Monday, April 19, 1971, was approved.

LEAVE OF ABSENCE

Senator Lamborn asked and received unanimous consent that Senator Messerly be granted a leave of absence because of illness.

PRESENTATION OF VISITORS

The Chair announced that the following visitors were present in the Senate gallery:

Eighty students from Storm Lake Community School, Storm Lake, Iowa.

Twenty students from Visitation School, Des Moines, Iowa, accompanied by Sister Mary Thomasina.

Twenty-four students from Iowa Mennonite School, Kalona, Iowa, accompanied by their instructor, Mr. Lehman.

Fifty-four students from Saint Mary's School, Humboldt, Iowa, accompanied by Sister Therese Marie and Mrs. LaBounty.

Twenty-four students from Harlan High School, Harlan, Iowa, accompanied by Louise Louie and Ted Williams.

Twenty-nine students from Thornton Community School, Thornton, Iowa, accompanied by Larry Carey.

Forty-two students from John Adams and Roosevelt Junior High Schools, Mason City, Iowa, accompanied by their instructors, Don Brown and Mr. Attleson.

PETITIONS

The following petitions were presented and placed on file:

By Senator Kennedy, from one hundred fourteen residents of Clayton and Allamakee Counties opposing any raise in the registration fee of snowmobiles.

By Senator Robinson, from forty-one residents of Linn County opposing repeal of the Iowa Meat and Poultry Inspection law.

By Senators Walsh and Kennedy, from sixty-three residents of Dubuque County opposing any tax increase which does not include at least the equivalent of one-half cent of sales tax to Iowa cities and towns.

By Senator Balloun, from eighty-one residents of Tama County recommending legislation to shift the costs of financing education, welfare, and state institutions from property taxes to some other form of taxation.

By Senator Smith, from thirty-six residents of O'Brien County opposing repeal of the Iowa Meat and Poultry Inspection law.

By Senator Arbuckle, from forty-seven pharmacists, residents of north central Iowa, opposing the repeal of Chapter 725.5 of the Code Iowa.

SUPPLEMENTAL REPORT OF
COMMITTEE ON MEMORIAL RESOLUTIONS

Senator Stephens submitted the following report and moved its adoption:

MR. PRESIDENT: Your committee on memorial resolutions begs leave to report that a committee should be appointed to prepare a suitable memorial resolution for the following deceased member of the Senate:

Oscar N. Hultman, Montgomery County

RICHARD L. STEPHENS, Chairman
RUDY VAN DRIE
CHARLES P. MILLER

The motion prevailed and the report was adopted.

CONSIDERATION OF BILLS

Senator Lamborn asked and received unanimous consent to take up out of order Senate File 469.

Senate File 469

On motion of Senator Lavery, Senate File 469, a bill for an act to legalize and validate the proceedings of the Town Council of the

Town of Bussey, in the County of Marion, State of Iowa, in amending a certain Resolution for the authorization and issuance of Water Revenue Bonds, dated April 1, 1961, to increase the maximum rates which may be charged to consumers of water, was taken up and considered.

Senator Lavery moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 469) the vote was:

Ayes, 31:

Arbuckle	Gilley	Miller	Shawver
Balloun	Glenn	Mowry	Smith
Bass	Gross	Neu	Stephens
Briles	Hill	Palmer	Tapscott
Brownlee	Kennedy	Rabedeaux	Thordsen
Carlson	Kyhl	Rhodes	Van Drie
Curran	Lamborn	Riley	Walsh
DeKoster	Lavery	Robinson	

Nays, none.

Absent or not voting, 19:

Anderson	Erskine	Messerly	Potter
Coleman	Gaudineer	Milligan	Schaben
Conklin	Graham	Nicholson	Shaff
Davis	Griffin	Ollenburg	Van Gilst
Doderer	Keith	Potgeter	

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

Senator Lamborn asked and received unanimous consent to take up out of order Senate File 460.

Senate File 460

On motion of Senator Riley, Senate File 460, a bill for an act providing for enactment of the uniform partnership act, was taken up and considered.

Senator Riley moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 460) the vote was:

Ayes, 41:

Arbuckle	Curran	Glenn	Miller
Balloun	Davis	Gross	Milligan
Bass	DeKoster	Hill	Mowry
Briles	Doderer	Kennedy	Neu
Brownlee	Erskine	Kyhl	Nicholson
Carlson	Gaudineer	Lamborn	Palmer
Conklin	Gilley	Lavery	Potgeter

Potter
Rabedaux
Rhodes
Riley

Robinson
Shawver
Smith

Stephens
Tapscott
Thordsen

Van Drie
Van Gilst
Walsh

Nays, none.

Absent or not voting, 9:

Anderson
Coleman
Graham

Griffin
Keith

Messerly
Ollenburg

Schaben
Shaff

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

HOUSE AMENDMENTS CONSIDERED

Senate File 417

Senator Neu called up for consideration Senate File 417, a bill for an act relating to judicial redistricting and judicial nominating commissions, amended by the House, and moved that the Senate concur in the following amendment:

- 1 Amend Senate File 417, as passed by the Senate, as
- 2 follows:
- 3 1. Page 2, line 7, by striking the word "Butler,".
- 4 2. Page 2, line 8, by striking the word "Bremer,".
- 5 3. Page 2, by striking line 10 and inserting in lieu
- 6 thereof the words "Mitchell, Floyd, Butler, Bremer,
- 7 Worth, Winnebago, Hancock, Cerro".
- 8 4. Page 2, line 14, by inserting before the word
- 9 "Emmet" the word "Kossuth,".
- 10 5. Page 3, line 5, by striking the word "Butler,".
- 11 6. Page 3, line 6, by striking the word "Bremer,".
- 12 7. Page 3, by striking line 8 and inserting in
- 13 lieu thereof the words "Mitchell, Floyd, Butler, Bremer,
- 14 Worth, Winnebago, Hancock, Cerro".
- 15 8. Page 3, line 13, by inserting after the words
- 16 "counties of" the word "Kossuth".

Roll call was requested.

On the question "Shall the Senate concur in the House amendment?" (S.F. 417) the vote was:

Ayes, 24:

Arbuckle
Briles
Brownlee
Carlson
Curran
Davis

Graham
Griffin
Keith
Kuhl
Lamborn
Laverty

Milligan
Neu
Ollenburg
Potgeter
Potter
Rabedaux

Shaff
Shawver
Smith
Van Drie
Van Gilst
Walsh

Nays, 22:

Balloun	Erskine	Kennedy	Rhodes
Bass	Gaudineer	Miller	Riley
Coleman	Gilley	Mowry	Robinson
Conklin	Glenn	Nicholson	Stephens
DeKoster	Gross	Palmer	Thordsen
Doderer	Hill		

Absent or not voting, 4:

Anderson	Messerly	Schaben	Tapscott
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The motion prevailed and the Senate concurred in the House amendment.

Senator Neu moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 417) the vote was:

Ayes, 34:

Arbuckle	Glenn	Neu	Shaff
Bass	Hill	Nicholson	Shawver
Carlson	Keith	Palmer	Smith
Coleman	Kennedy	Potgeter	Stephens
Curran	Kyhl	Potter	Thordsen
Davis	Lamborn	Rabedeaux	Van Drie
DeKoster	Laverty	Riley	Van Gilst
Erskine	Miller	Robinson	Walsh
Gaudineer	Milligan		

Nays, 8:

Balloun	Conklin	Graham	Mowry
Briles	Gilley	Gross	Rhodes

Absent or not voting, 8:

Anderson	Doderer	Messerly	Schaben
Brownlee	Griffin	Ollenburg	Tapscott

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

Senate File 120

Senator Neu called up for consideration Senate File 120, a bill for an act relating to the control of institutions under the jurisdiction of the state board of regents, amended by the House, and moved that the Senate concur in the following amendments:

- 1 Amend Senate File 120, as amended and passed by the
- 2 Senate as follows:
- 3 1. Page 2, by adding after the period in line 26 the
- 4 following new sentences:
- 5 "The procedures shall require giving notice of the
- 6 violation and the sanction involved and provide an
- 7 opportunity for an administrative hearing. Appeal of the
- 8 administrative ruling may be heard de novo by the district

- 9 court. The rules promulgated under this section shall be
 10 subject to chapter seventeen A (17A) of the Code.”
 11 2. Page 2, by striking lines 27 through 31.

The motion prevailed and the Senate concurred in the House amendments.

Senator Neu moved that the bill as amended by the House and concurred in by the Senate be read the last time now, which motion prevailed, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 120) the vote was:

Ayes, 44:

Arbuckle	Doderer	Lamborn	Rabedaux
Balloun	Erskine	Lavery	Rhodes
Bass	Gaudineer	Miller	Robinson
Briles	Gilley	Milligan	Shaff
Brownlee	Glenn	Mowry	Shawver
Carlson	Graham	Neu	Smith
Coleman	Gross	Nicholson	Stephens
Conklin	Hill	Ollenburg	Thordsen
Curran	Keith	Palmer	Van Drie
Davis	Kennedy	Potgeter	Van Gilst
DeKoster	Kyhl	Potter	Walsh

Nays, 1:

Riley

Absent or not voting, 5:

Anderson	Messerly	Schaben	Tapscott
Griffin			

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

CONSIDERATION OF BILLS

House File 572

On motion of Senator Keith, House File 572, a bill for an act relating to the construction of an administration building for the state highway commission, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Keith moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 572) the vote was:

Ayes, 43:

Arbuckle	Brownlee	Conklin	DeKoster
Balloun	Carlson	Curran	Erskine
Bass	Coleman	Davis	Gilley

Glenn	Lamborn	Palmer	Shawver
Graham	Laverty	Potgeter	Smith
Griffin	Miller	Potter	Stephens
Gross	Milligan	Rabedaux	Thordsen
Hill	Mowry	Rhodes	Van Drie
Keith	Neu	Riley	Van Gilst
Kennedy	Nicholson	Robinson	Walsh
Kyhl	Ollenburg	Shaff	

Nays, none.

Absent or not voting, 7:

Anderson	Doderer	Messerly	Tapscott
Briles	Gaudineer	Schaben	

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

SENATE FILE DEFERRED

Senator Lamborn asked and received unanimous consent that further action on **Senate File 53** be deferred and that the bill retain its place on the calendar under **unfinished business**.

UNFINISHED BUSINESS

Senate File 332

On motion of Senator Erskine, Senate File 332, a bill for an act relating to the seasons and limits on fish and frogs, was taken up for further consideration.

Senator Erskine asked and received unanimous consent to withdraw the amendment filed by him on March 8, 1971, and found on pages 456-457 of the Senate Journal.

Senator Erskine offered the amendment filed by him on April 19, 1971, and found on pages 886-887 of the Senate Journal and moved its adoption.

The amendment was adopted.

Senator Erskine moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 332) the vote was:

Ayes, 43:

Arbuckle	Curran	Graham	Laverty
Bass	DeKoster	Gross	Miller
Briles	Doderer	Hill	Milligan
Brownlee	Erskine	Keith	Mowry
Carlson	Gaudineer	Kennedy	Neu
Coleman	Gilley	Kyhl	Nicholson
Conklin	Glenn	Lamborn	Ollenburg

Palmer
Potgeter
Potter
Rabedeaux

Rhodes
Riley
Schaben
Shawver

Smith
Stephens
Tapscott
Thordsen

Van Drie
Van Gilst
Walsh

Nays, 1:
Balloun

Absent or not voting, 6:
Anderson
Davis

Griffin
Messerly

Robinson

Shaff

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

SENATE FILE DEFERRED

Senator Lamborn asked and received unanimous consent that further action on **Senate File 80** be deferred and that the bill retain its place on the calendar under **unfinished business**.

UNFINISHED BUSINESS

Senate File 292

On motion of Senator Briles, Senate File 292, a bill for an act prohibiting certain business entities from engaging in business in the agricultural industry and providing penalties for violations of the act, was taken up for further consideration.

Senator Briles offered the following amendment filed by him on March 31, 1971:

- 1 Amend Senate File 292 as follows:
- 2 Page 3, following line 12 insert the
- 3 following new section:
- 4 "Sec. 5. The provisions of this act may be waived
- 5 providing there is mutual agreement between the
- 6 processor or distributor and the producer of the
- 7 following commodities: seed, nursery and nursery
- 8 stock, honey, apples, popcorn, white corn, sorghum,
- 9 oats, dairy products, and tomatoes".

REFERRED TO COMMITTEE

Senator Van Drie moved that **Senate File 292** be referred to the committee on commerce.

President Jepsen took the chair at 11:15 a.m.

Roll call was requested.

On the question "Shall the motion to refer be adopted?" (S.F. 292) the vote was:

Rule 24 was invoked.

Ayes, 24:

Balloun	DeKoster	Milligan	Rabedeaux
Bass	Erskine	Neu	Rhodes
Brownlee	Griffin	Nicholson	Shawver
Carlson	Keith	Ollenburg	Thordsen
Curran	Kyhl	Potgeter	Van Drie
Davis	Laverty	Potter	Walsh

Nays, 21:

Briles	Glenn	Lamborn	Robinson
Coleman	Graham	Miller	Schaben
Conklin	Gross	Mowry	Stephens
Doderer	Hill	Palmer	Tapscott
Gaudineer	Kennedy	Riley	Van Gilst
Gilley			

Absent or not voting, 5:

Anderson	Messerly	Shaff	Smith
Arbuckle			

The motion prevailed and **Senate File 292** was referred to the committee on **commerce**.

Senate File 326

The Senate resumed consideration of Senate File 326, a bill for an act relating to the authority of the chemical technology review board.

Senator Potgeter offered the amendment filed by Senators Potgeter and Mowry on March 29, 1971, and found on pages 642-643 of the Senate Journal.

Senator Laverty raised a point of order that the amendment was not germane to the bill.

The Chair ruled the point well taken and the amendment out of order.

Senator Potgeter offered the following amendment and moved its adoption:

- 1 Amend Senate File 326, page 1, by striking in lines 18 and
- 2 19 the words "*Any such evidence may be received in the discretion*
- 3 *of the board at a public hearing held for such purpose.*" and
- 4 insert in lieu thereof the words "*Any such evidence shall be*
- 5 *received at a public hearing held for such purpose.*".

The amendment was adopted.

Senator Laverty moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 326) the vote was:

Ayes, 36:

Bass	Gilley	Laverty	Rabedaux
Briles	Glenn	Miller	Rhodes
Brownlee	Griffin	Milligan	Riley
Carlson	Gross	Neu	Schaben
Curran	Hill	Nicholson	Shawver
Davis	Keith	Ollenburg	Smith
Doderer	Kennedy	Palmer	Tapscott
Erschine	Kyhl	Potgeter	Van Drie
Gaudineer	Lamborn	Potter	Van Gilst

Nays, 8:

Arbuckle	Coleman	DeKoster	Mowry
Balloun	Conklin	Graham	Stephens

Voting present, 1:

Shaff

Absent or not voting, 5:

Anderson	Robinson	Thordsen	Walsh
Messerly			

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

INTRODUCTION OF BILLS

Senate Joint Resolution 9, by Senators Lamborn, Davis, Gaudineer, Conklin and Schaben (Alt, Kehe, Dunton, Miller and Rodgers), a joint resolution authorizing the executive council to acquire the Hubbell mansion known as Terrace Hill.

Read first time and **passed on file**.

Senate File 489, by Senators Walsh and Kennedy (Ellsworth, Mollett, and Stanley), a bill for an act relating to the regulation, licensing and control of the dispensing of optical devices.

Read first time and **passed on file**.

Senate File 490, by Senator Walsh (Ellsworth, Skinner, and Curtis), a bill for an act relating to the regulation of the practice of public accounting; to enlarge the state board of accountancy; to prescribe its powers and duties; and to provide penalties for violations of the provisions of this act.

Read first time and **passed on file**.

Senate File 491, by Senator Walsh, a bill for an act providing temporary reimbursement of property tax to community housing developers.

Read first time and **passed on file**.

Senate File 492, by Senator Walsh, a bill for an act relating to participation of counties in the food stamp program and the distribution of food stamps.

Read first time and **passed on file**.

Senate File 493, by Senator Walsh, a bill for an act relating to county transportation franchises.

Read first time and **passed on file**.

Senate File 494, by Senator Walsh, a bill for an act relating to the penalty for deliberate littering of highways.

Read first time and **passed on file**.

Senate File 495, by Senator Walsh, a bill for an act relating to powers of local boards of health.

Read first time and **passed on file**.

Senate File 496, by Senator Walsh, a bill for an act to establish uniform standards for the payment of wages by employers and to provide procedures for settling disputes concerning wage payment and providing penalties.

Read first time and **passed on file**.

Senate File 497, by Senators Walsh, Neu, Coleman, and Doderer (Holden, Ellsworth, and Franklin), a bill for an act relating to payments to welfare recipients in health care facilities.

Read first time and **passed on file**.

Senate File 498, by committee on higher education, a bill for an act authorizing merged areas to issue general obligation bonds for the purchase of community vocational school or community college buildings.

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

On motion of Senator Lamborn, the Senate recessed until the fall of the gavel.

AFTERNOON SESSION

The Senate reconvened, Senator Balloun presiding.

COMMUNICATION FROM THE SECRETARY OF STATE

April 20, 1971

Mr. Carroll Lane
Secretary of the Senate
State Capitol Building
Des Moines, Iowa 50319

I hereby certify that Senate File 170 was published in The Clinton Herald, Clinton, Iowa, April 5, 1971, and in The West Des Moines Express, West Des Moines, Iowa, April 8, 1971.

I further certify that Senate File 179 was published in The Sheldon Mail, Sheldon, Iowa, April 7, 1971, and in the Chariton Herald-Patriot, Chariton, Iowa, April 8, 1971.

I further certify that House File 119 was published in The Muscatine Journal, Muscatine, Iowa, April 9, 1971, and in the Times-Democrat, Davenport, Iowa, April 9, 1971.

I further certify that House File 130 was published in The Mt. Pleasant News, Mount Pleasant, Iowa, April 8, 1971, and in The Centerville Daily Iowegian & Citizen, Centerville, Iowa, April 8, 1971.

I further certify that House File 346, was published in the Hampton Chronicle, Hampton, Iowa, April 1, 1971, and in the Eldora Herald-Ledger, Eldora, Iowa, April 6, 1971.

Respectfully submitted,

MELVIN D. SYNHORST
Secretary of State

ANNOUNCEMENT BY PRESIDENT OF THE SENATE

President Jepsen announced the appointment of the following memorial resolution committee:

On Oscar N. Hultman:

Senator Bass, Chairman

Senator Briles

Senator Griffin

ASSIGNMENT OF BILLS TO COMMITTEE

President Jepsen announced the assignment of the following bills to committee:

S.J.R. 9 State government

S. F. 489 Commerce

S. F. 490 State government

S. F. 491 Ways and means

S. F. 492 Social services

S. F. 493 County government

- S. F. 494 Judiciary
- S. F. 495 Social services
- S. F. 496 Human and industrial relations
- S. F. 497 Social services
- H.C.R. 9 State government
- H. F. 254 Commerce
- H. F. 391 Agriculture
- H. F. 446 Conservation and recreation
- H. F. 600 State government
- H. F. 605 County government

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on April 15, 1971, the Governor approved and transmitted to the Secretary of State the following bills:

- S. F. 122—Relating to academic and administrative buildings and facilities and utilities services for such buildings and facilities and the financing by the State Board of Regents.
- S. F. 133—Relating to the establishment of a second grand jury and to the appointment of additional clerks of the grand jury.
- S. F. 209—Relating to dissolution of credit unions.
- S. F. 249—Relating to federal share insurance for credit unions.
- S. F. 353—Relating to powers of local authorities to designate snow routes and regulate the traffic thereon.

REPORTS OF COMMITTEES

Senator Thordsen submitted the following report:

MR. PRESIDENT: Your committee on law enforcement to which was referred **House File 522**, a bill for an act relating to the regulation of the manufacture, sale, transportation, storage, possession, and use of explosive materials; providing penalties for violations of those regulations; and requiring prompt reporting of knowledge or discovery of explosive devices, and providing a penalty for failure to so report, begs leave to report it has had the same under consideration and recommends the same **do pass**.

HAROLD A. THORDSEN, Chairman

Ordered passed on file.

Senator Potgeter submitted the following reports:

MR. PRESIDENT: Your committee on state government to which was re-

ferred **Senate Concurrent Resolution 22**, a resolution relating to creation of a study committee by the legislative council, begs leave to report it has had the same under consideration and recommends the same **be amended as follows; and when so amended the bill do pass:**

- 1 Amend Senate Concurrent Resolution 22, found on pages
- 2 420 and 421 of the Senate Journal, page 1, line 19, by
- 3 striking the word "directed" and inserting in lieu
- 4 thereof the word "authorized".

JAMES A. POTGETER, Chairman

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on state government to which was referred **Senate File 442**, a bill for an act relating to the investment of funds of public bodies, begs leave to report it has had the same under consideration and **returns the bill without recommendation.**

JAMES A. POTGETER, Chairman

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on state government to which was referred **Senate File 470**, a bill for an act relating to deferred compensation for governmental employees, begs leave to report it has had the same under consideration and recommends the same **be amended in accordance with the Doderer amendment filed April 16, 1971, and found on page 859 of the Senate Journal, and when so amended, the bill do pass.**

JAMES A. POTGETER, Chairman

Ordered passed on file.

Senator Shaff submitted the following report :

MR. PRESIDENT: Your committee on ways and means to which was referred **House File 197**, a bill for an act relating to taxation and regulation of rural electric cooperatives, begs leave to report it has had the same under consideration and recommends the same **be amended as follows; and when so amended the bill do pass:**

- 1 Amend House File 197 as follows:
- 2 1. Page 3, line 2 by inserting after the word "be" the
- 3 words "valued, assessed and".
- 4 2. Page 3, line 2 by striking the word "as" and inserting
- 5 in lieu thereof the words "in the manner".
- 6 3. Page 3, line 2, by striking the word "herein" and insert-
- 7 ing in lieu thereof the words "for valuation, assessment and
- 8 taxation of transmission lines under this Act".
- 9 4. Page 3, line 3, by adding after the word "service" the
- 10 words "to premises of existing customers as of the effective
- 11 date of this Act or to premises of customers included by subse-
- 12 quent annexation or incorporation".
- 13 5. Page 3, line 5, by inserting after the word "lines" the
- 14 words "used to serve the premises of such existing customers shall

15 be exchanged or".

16 6. Page 3, line 12, by inserting after the word "to" the
17 words "all ordinances of the city or town including".

ROGER J. SHAFF, Chairman

Ordered passed on file.

AMENDMENTS FILED

1 Amend the Shawver-Conklin amendment filed April 6, 1971 to
2 Senate File 259 as follows:

3 1. Page 2, line 17, by striking the word "Five" and
4 inserting in lieu thereof the word "Six".

5 2. Page 2, line 18, by striking the word "five"
6 and inserting in lieu thereof the word "six".

ALDEN J. ERSKINE

1 Amend Senate File 292, page 2, by striking lines 22, 23 and 24.

JAMES A. POTGETER

1 Amend Senate File 435 by striking all after the enacting
2 clause and inserting in lieu thereof the following:

3 Section 1. The purpose of this Act is:

4 1. To protect the owners of animals from the theft of
5 their pets;

6 2. To prevent the sale or use of stolen pets;

7 3. To prevent any misrepresentation as to any animal
8 sold to the public;

9 4. To insure that all vertebrate animals are provided
10 humane care and treatment by regulating the transportation,
11 sale, purchase, housing, care, handling and treatment of
12 such animals by persons or organizations engaged in trans-
13 porting, buying, or selling them for such use;

14 5. To insure that animals confined in pet shops,
15 kennels of any type, animal shelters, pounds, and other
16 facilities including those at which public auctions are
17 held, are provided humane care and treatment;

18 6. To authorize the sale, trade or adoption only of
19 those animals which appear to be free of infectious or
20 communicable disease;

21 7. To protect the public from zoonotic disease.

22 Sec. 2. As used in this Act, except as otherwise
23 expressly provided:

24 1. "Pound" or "dog pound" means a facility operated
25 by the state, a municipal corporation or other political

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1 subdivision of the state for the purpose of impounding or
2 harboring seized stray, homeless, abandoned or unwanted
3 dogs, cats or other animals; or facility operated for
4 such a purpose under a contract with any municipal
5 corporation or incorporated society for the prevention
6 of cruelty to animals.

7 2. "Person" means any individual, partnership, firm,
8 joint stock company, corporation, association, trust,

9 estate, or other legal entity.

10 3. "Animal shelter" means a facility which is used to
11 house or contain animals and which is owned, operated, or
12 maintained by a duly incorporated humane society, animal
13 welfare society, society for the prevention of cruelty to
14 animals, or other profit or nonprofit organization devoted
15 to the welfare, protection and humane treatment of
16 animals.

17 4. "Pet shop" means an establishment where animals
18 are bought, sold, exchanged, or offered for sale or
19 exchange to the general public, but does not include a
20 private kennel or hobby kennel.

21 5. "Boarding kennel" means a place or establishment
22 other than a pound or animal shelter where animals not
23 owned by the proprietor are sheltered, fed and watered in
24 return for a consideration.

25 6. "Private kennel" means one pack or collection of

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1 not more than four animals kept at any one time under one
2 ownership on single premises.

3 7. "Commercial kennel" means a kennel which performs
4 grooming or training services and may or may not render
5 boarding services in return for a consideration.

6 8. "Hobby kennel" means a noncommercial kennel at, in,
7 or adjoining a private residence where animals are kept
8 for the hobby of the householder, in using them for
9 hunting or practice training or for exhibiting them in
10 shows or field or obedience trials, or for guarding or
11 protecting the householder's property. The keeper of a
12 hobby kennel may keep or maintain up to ten animals of
13 either sex per year without changing the status of the
14 kennel, or may raise or sell the offspring of three
15 animals during any calendar year without changing the
16 status of the kennel.

17 9. "Commercial breeder" means a person engaged in the
18 business of breeding animals for sale, whether or not such
19 animals are raised, trained, groomed, or boarded by such
20 breeder.

21 10. "Animal" means any dog or cat, rabbit, rodent,
22 nonhuman primate, bird or other vertebrate but shall not
23 include horses, cattle, sheep, goats, swine and domestic
24 fowl.

25 11. "Public auction" means any place or location

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1 where animals are sold at auction to the highest bidder
2 regardless of whether such animals are offered as
3 individuals, as a group, or by weight.

4 12. "Secretary" means the secretary of agriculture of
5 the state of Iowa.

6 13. "Dealer" means any person who sells, exchanges,
7 or donates, or offers to sell, exchange, or donate animals
8 to another dealer, pet shop, private kennel, hobby kennel,
9 commercial kennel, commercial breeder, or research facil-

10 ity.

11 14. "Research facility" means any school or college
12 of medicine, veterinary medicine, pharmacy, dentistry,
13 and osteopathy, or hospital, diagnostic or research
14 laboratories, or other educational or scientific
15 establishment situated in this state property concerned
16 with the investigation of, or instruction concerning the
17 structure or function of living organisms, the cause,
18 prevention, control or cure of diseases or abnormal
19 conditions of human beings or animals.

20 15. "Primary enclosure" means any structure used to
21 immediately restrict an animal or animals to a limited
22 amount of space, such as a room, pen, cage, compartment
23 or hutch.

24 16. "Housing facility" means any room, building or
25 area used to contain a primary enclosure or enclosures.

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1 17. "Sanitize" means to make physically clean and to
2 remove and destroy in a manner consistent with modern
3 techniques, agents injurious to health.

4 18. "Euthanasia" means the humane destruction of an
5 animal accomplished by a method that involves instan-
6 taneous unconsciousness and immediate death or by a method
7 that involved anesthesia, produced by an agent which
8 causes painless loss of consciousness, and death during
9 such loss of consciousness.

10 19. "Ambient temperature" means the temperature
11 surrounding the animal.

12 20. "Adequate feed" means the provision at suitable
13 intervals of not more than twenty-four hours or longer if
14 the dietary requirements of the species so require, of a
15 quantity of wholesome foodstuff suitable for the species
16 and age, sufficient to maintain a reasonable level of
17 nutrition in each animal. Such foodstuff shall be served
18 in a sanitized receptacle, dish or container.

19 21. "Adequate water" means reasonable access to a
20 supply of clean, fresh, potable water provided in a
21 sanitary manner or provided at suitable intervals for the
22 species and not to exceed twenty-four hours at any
23 interval.

24 22. "Animal warden" means any person employed,
25 contracted, or appointed by the state, municipal corpora-

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1 tion, or any political subdivision of the state for the
2 purpose of aiding in the enforcement of this law or any
3 other law or ordinance relating to the licensing of
4 animals, control of animals or seizure and impoundment of
5 animals and includes any state or municipal peace officer,
6 animal control officer, sheriff, constable or other
7 employee whose duties in whole or in part include assign-
8 ments which involve the seizure or taking into custody
9 of any animal.

10 Sec. 3. No pound shall be operated for more than six

11 months subsequent to the effective date of this Act
12 unless a certificate of registration for the pound is
13 granted by the secretary. Application for the certificate
14 shall be made in the manner approved by the secretary. No
15 fee shall be required for the application or certificate.
16 Certificates of registration shall be valid for a period
17 of one year from date of issuance or until revoked and
18 may be renewed upon application in the manner provided by
19 the secretary. A registered pound may engage in the sale
20 of animals under its control, if it obtains a license for
21 such activity, but no fee shall be charged therefor.
22 Sec. 4. No person shall operate an animal shelter for
23 more than six months subsequent to the effective date of
24 this Act unless a certificate of registration for the
25 animal shelter is granted by the secretary. Application

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1 for the certificate shall be made in the manner provided
2 by the secretary. No fee shall be required for the
3 application or certificate. Certificates of registration
4 shall be valid for a period of one year from date of
5 issuance or until revoked and may be renewed upon
6 application in the manner provided by the secretary. A
7 registered animal shelter may engage in the sale of
8 animals under its control, if it obtains a license for
9 such activity, but no fee shall be charged therefor.
10 Sec. 5. No person shall operate a pet shop for more
11 than six months subsequent to the effective date of this
12 Act, unless a license to operate a pet shop is granted by
13 the secretary. Application for the license shall be made
14 in the manner provided by the secretary. The license
15 period shall commence January first of each year and
16 terminate December thirty-first of that year. The license
17 fee shall be twenty-five dollars for each license period
18 or part thereof. The license may be renewed upon applica-
19 tion and payment of the prescribed fee in the manner pro-
20 vided by the secretary provided the licensee has conformed
21 to all statutory and regulatory requirements.
22 Sec. 6. No person shall operate a commercial kennel
23 or public auction for more than six months subsequent to
24 the effective date of this Act unless a license to operate
25 a commercial kennel or a public auction is granted by the

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1 secretary. Application for the license shall be made in
2 the manner provided by the secretary. The license period
3 shall commence January first of each year and terminate
4 December thirty-first of that year. The license fee shall
5 be twenty-five dollars for each license period or part
6 thereof. The license may be renewed upon application and
7 payment of the prescribed fee in the manner provided by
8 the secretary provided the licensee has conformed to all
9 statutory and regulatory requirements.
10 Sec. 7. No person shall be a dealer after the first
11 day of January 1972, unless a license is granted by the

12 secretary to the person. Application for the license shall
13 be made in the manner provided by the secretary. The
14 license period shall be the calendar year and the license
15 fee shall be fifty dollars for each license period or part
16 thereof. The license may be renewed upon application and
17 payment of the prescribed fee in the manner provided by the
18 secretary, provided the licensee has conformed to all
19 statutory and regulatory requirements.

20 Sec. 8. No person shall be a commercial breeder after
21 the first day of January 1972, unless a license is
22 granted by the secretary to the person. Application for
23 the license shall be made in the manner provided by the
24 secretary. The license period shall commence January
25 first of each year and terminate December thirty-first of

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1 that year. The license fee shall be fifty dollars for
2 each license period or part thereof. The license may be
3 renewed upon application and payment of the prescribed
4 fee in the manner provided by the secretary provided the
5 licensee has conformed to all statutory and regulatory
6 requirements.

7 Sec. 9. No person shall operate a boarding kennel for
8 more than six months subsequent to the effective date of
9 this Act unless a license to operate a boarding kennel is
10 granted by the secretary. Application for the license
11 shall be made in the manner provided by the secretary.
12 The license period shall commence January first of each
13 year and terminate December thirty-first of that year.
14 The license fee shall be fifteen dollars for each license
15 period or part thereof. The license may be renewed
16 upon application and payment of the prescribed fee in the
17 manner provided by the secretary provided the licensee
18 has conformed to all statutory and regulatory requirements.

19 Sec. 10. No person shall have either a private kennel
20 or a hobby kennel for more than six months subsequent to
21 the effective date of this Act, unless he obtains a
22 license from the secretary. Application for the license
23 shall be in the manner provided by the secretary. The
24 license period shall commence January first and
25 terminate December thirty-first of the year following the

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1 granting of the license. No fee shall be charged for the
2 license. The license may be renewed upon application in
3 the manner prescribed by the secretary, provided the
4 licensee has conformed to all statutory and regulatory
5 requirements.

6 Sec. 11. A certificate of registration may be denied
7 to any pound or animal shelter and a license may be denied
8 to any public auction, boarding kennel, private kennel,
9 commercial kennel, hobby kennel, pet shop, commercial
10 breeder or dealer or, if granted such certificate or
11 license may be revoked by the secretary if, after public
12 hearing, it is determined that the housing facilities or

13 primary enclosures are inadequate under the provisions of
14 this Act or if the feeding, watering, sanitizing and
15 housing practices at the pound, animal shelter, public
16 auction, pet shop, boarding kennel, private kennel,
17 commercial kennel, hobby kennel or those practices by the
18 commercial breeder or dealer, are not in compliance with
19 the provisions of this Act or with the rules and
20 regulations which shall be promulgated pursuant to the
21 authority of this Act. A license or certificate may also
22 be revoked if the secretary determines that the holder
23 has failed to keep true and proper records for registra-
24 tion and identification purposes or failed to give such
25 information to each buyer of animals or that the holder

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1 has engaged in deceptive or misleading advertising or
2 merchandising practices which tend to deceive or defraud
3 the public. The premises of each licensee or certificate
4 holder shall be open for inspection during normal busi-
5 ness hours.

6 Sec. 12. Operation of a pet shop, boarding kennel,
7 private kennel, commercial kennel, hobby kennel or public
8 auction or dealing in animals either as a dealer or a
9 commercial breeder, without a currently valid license
10 shall constitute a misdemeanor and each day of such oper-
11 ation shall constitute a separate offense.

12 Failure of any person licensed or registered to
13 adequately house, feed or water animals in his possession
14 or custody shall constitute a misdemeanor. Such animals
15 shall be subject to seizure and impoundment and may be
16 sold or euthanized at the discretion of the secretary and
17 such failure shall also constitute grounds for revocation
18 of license after public hearing.

19 Sec. 13. An animal warden, upon taking custody of any
20 animal in the course of his official duties, shall
21 immediately make a record of the matter in the manner pre-
22 scribed by the secretary and the record shall include a
23 complete description of the animal, reason for seizure,
24 location of seizure, the owner's name and address if
25 known and all license or other identification numbers, if

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1 any. Complete information relating to the disposition of
2 the animal shall be added in the manner provided by the
3 secretary immediately after disposition.

4 Sec. 14. Violation of any provision of this Act which
5 relates to the seizing, impoundment and custody of an
6 animal by an animal warden shall constitute a misdemeanor
7 and each animal handled in violation shall constitute a
8 separate offense.

9 Sec. 15. The secretary shall promulgate rules and
10 regulations consistent with the objectives and intent of
11 this Act for the purpose of carrying out such objectives
12 and intent within ninety days after the effective date
13 of this Act.

14 Sec. 16. This Act shall not apply to a place or
15 establishment which operates under the immediate super-
16 vision of a duly licensed veterinarian as a hospital where
17 animals are harbored, hospitalized and cared for
18 incidental to the treatment, prevention, or all alleviation
19 of disease processes during the routine practice of the
20 profession of veterinary medicine except that, if animals
21 are accepted by such place, establishment or hospital for
22 the primary purpose of boarding for a consideration the
23 place, establishment or hospital shall be subject to the
24 provisions hereof applicable to a boarding kennel and the
25 regulations relating thereto which shall hereafter be

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1 promulgated by the secretary.

2 Sec. 17. Nothing contained in this Act is intended
3 to, nor shall it be construed to, repeal any other pro-
4 vision of the Code creating crimes and resultant penalties
5 for cruelty to animals.

TOM RILEY

1 Amend House File 211 as follows:

2 1. Page 1, line 8, by inserting after the word "auditor"
3 the following: "*a county attorney*,".

4 2. Page 1, by striking lines 14 through 20, inclusive,
5 and inserting in lieu thereof the following:

6 "[There shall be elected in each county, at each
7 general election, a county attorney, who shall hold office
8 for a term of two years.]"

TOM RILEY
S. J. BROWNLEE
LEE H. GAUDINEER, JR.

On motion of Senator Lamborn, the Senate adjourned until 9:00
a.m., Wednesday, April 21, 1971.

JOURNAL OF THE SENATE

ONE HUNDRED FIRST DAY

SENATE CHAMBER

DES MOINES, IOWA, WEDNESDAY, APRIL 21, 1971

The Senate met in regular session, President pro tempore Kyhl presiding.

Prayer was offered by the Reverend M. O. Smith, pastor of the United Methodist Church, Washington, Iowa.

The Senate pledged allegiance to the flag.

The Journal of Tuesday, April 20, 1971, was approved.

PRESENTATION OF VISITORS

Senator Coleman rose on a point of personal privilege and presented to the Senate the Honorable Edward Breen, former member of the Senate from Webster County.

The Chair announced that the following visitors were present in the Senate gallery:

Eighty students from Sidney Community School, Sidney, Iowa, accompanied by their instructor, Mrs. Williams.

Seven students from Ankeny, Iowa, members of the Junior Municipal Council, accompanied by the mayor, Eldon Leonard.

Fifty-six students from Saint Augustin's School, Des Moines, Iowa, accompanied by Sister Joan.

Forty-five students from South Hamilton Community School, Jewell, Iowa, accompanied by Mrs. Berglund and Mrs. West.

Forty-five students from Dunlap Community School, Dunlap, Iowa, accompanied by Mr. Kingsbury.

Fifty-five students from Rockwell City Community School, Rockwell City, Iowa, accompanied by Mr. Sheldon and Mr. Herrigs.

Eighty students from Adel Community School, DeSoto, Iowa, accompanied by their instructors, Mrs. Ramsey, Mrs. Pratt and Mr. McIntyre.

Twenty-nine students from Bellevue Community School, Bellevue,

Iowa, accompanied by their instructors, James Fenton and Erbe Meier.

Fifty students from Wilton Junction High School, Wilton Junction, Iowa, accompanied by their instructors, Mrs. Fair and Mr. Hunzleman.

Sixteen students from Mingo Community School, Mingo, Iowa, accompanied by their instructor, Robert Larew.

Forty-six students from Bryant Elementary School, Boone, Iowa, accompanied by their instructor, Mrs. Enslow.

Sixty students from Davis Elementary School, Grinnell, Iowa, accompanied by Mrs. Bethel and Mrs. Hill.

Twenty-eight students from Battle Creek Community School Battle Creek, Iowa, accompanied by their instructors, Mrs. Reed and Mrs. Maxwell.

PETITIONS

The following petitions were presented and placed on file:

By Senator Lamborn, from two hundred sixty residents of Jackson County favoring legislation permitting liquor to be sold on Sunday after 1:00 p.m.

By Senator Arbuckle, from five residents of Greene County in support of House File 530, providing for a tax on insurance premiums collected by nonprofit hospital and medical service corporations.

By Senator Walsh, from forty-six residents of Dubuque County opposing any tax increase that does not include at least the equivalent of one-half cent of sales tax to Iowa cities and towns.

By Senator Laverty, from seven hundred eighty-one residents of Polk County, circulated by the fourth-grade students of Southeast Elementary School, Ankeny, Iowa, favoring legislation to ban the use of nonreturnable pop and beer cans.

RESOLUTIONS

The following resolutions were presented and placed on file:

By Senator Potgeter, from the Board of Trustees of the Durant Municipal Electric Plant, Durant, Iowa, opposing Senate File 397, and House Files 563, 574 and section 1, paragraph 3, of House File 197.

By Senator Potgeter, from the City Council of Steamboat Rock,

Iowa, opposing any increase in sales tax or income tax, unless the equivalent of one-half of one cent of sales tax is returned to the cities and towns on a per capita basis.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File 123, a bill for an act to prohibit the discharge of sewage.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 587, a bill for an act relating to rules of statutory construction.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 190, a bill for an act relating to the transfer of persons committed to jail.

WILLIAM R. KENDRICK, Chief Clerk

HOUSE AMENDMENT TO SENATE FILE 190

- 1 Amend Senate File 190, as amended and passed by the Senate
- 2 and reprinted, as follows:
- 3 1. Page 1, lines 4 and 5, by striking the words "or
- 4 construction,".
- 5 2. Page 1, line 9, by striking the words "subsections
- 6 two (2) and three (3)".
- 7 3. Page 1, line 10, by striking the word "shall" and
- 8 by inserting in lieu thereof the word "may" and by
- 9 inserting after the word "in" the words "lieu of or in".
- 10 4. Page 1, line 12, by striking all after the word "Code."
- 11 and all of lines 13 and 14 and the words "their operation."
- 12 in line 15 and inserting in lieu thereof the words "The
- 13 board shall establish rules and regulations for the operation
- 14 of each such facility.".
- 15 5. Page 2, lines 2 and 3, by striking the words "the
- 16 age, sex, or type of offender or person which may be detained
- 17 or confined therein;".
- 18 6. Page 2, line 16, by adding after the period the
- 19 following: "The board of supervisors shall deliver a copy
- 20 of the contract to each municipal court judge in the county
- 21 and to each district court judge of the district which
- 22 includes that county."
- 23 7. Page 3, line 18, by inserting after the word "Code."
- 24 the following: "The provisions of chapter seven hundred
- 25 forty-five (745) of the Code shall be applicable to any

Page 2

- 1 person detained, committed, or transferred to a facility
- 2 established and maintained pursuant to this Act."

HOUSE MESSAGES CONSIDERED

House File 123, a bill for an act to prohibit the discharge of sewage.

Read first time and **passed on file**.

House File 587, a bill for an act relating to rules of statutory construction.

Read first time and **passed on file**.

INTRODUCTION OF BILLS

Senate File 499, by committee on state government, a bill for an act to abolish the board of examiners in watchmaking, to transfer any funds remaining in the watchmakers' fund to the general fund of the state, and to repeal the requirements relating to secondhand watches.

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

Senate File 500, by committee on judiciary, a bill for an act relating to the Iowa inheritance tax.

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

ADOPTION OF SENATE CONCURRENT RESOLUTION 35

Senator Walsh called up for consideration **Senate Concurrent Resolution 35**, found on pages 884-885 of the Senate Journal, and moved its adoption.

President Jepsen took the chair at 9:49 a.m.

Roll call was requested.

On the question "Shall the resolution be adopted?" (S.C.R. 35) the vote was:

Ayes, 35:

Anderson	DeKoster	Lamborn	Robinson
Arbuckle	Doderer	Mowry	Shaff
Balloun	Erskine	Neu	Shawver
Brownlee	Gilley	Nicholson	Smith
Carlson	Graham	Ollenburg	Tapscott
Coleman	Gross	Potgeter	Thordsen
Conklin	Keith	Potter	Van Drie
Curran	Kennedy	Rabedeaux	Walsh
Davis	Kyhl	Riley	

Nays, 9:

Bass	Hill	Rhodes	Stephens
Gaudineer	Miller	Schaben	Van Gilst
Glenn			

Voting present, 1:

Milligan

Absent or not voting, 5:

Briles
Griffin

Lavery

Messerly

Palmer

The motion prevailed and the resolution was adopted.

Senator Walsh asked unanimous consent that Senate Concurrent Resolution 35 be immediately messaged to the House.

Objection was raised.

Senator Walsh moved that **Senate Concurrent Resolution 35** be **immediately messaged** to the House.

The motion prevailed and the request was complied with.

SENATE FILE WITHDRAWN

Senator Shawver asked and received unanimous consent that **Senate File 391** be **withdrawn** from further consideration of the Senate.

UNFINISHED BUSINESS

Senator Lamborn asked and received unanimous consent to take up out of order Senate File 306.

Senate File 306

The Senate resumed consideration of Senate File 306, a bill for an act relating to the licensing of funeral homes.

Senator Kennedy called up the following motion to reconsider filed by him on April 13, 1971, moved its adoption, and called for a division:

MR. PRESIDENT: I move to reconsider the vote by which the Bass amendment to Senate File 306, filed April 1, 1971, was adopted by the Senate.

The motion lost.

The Senate resumed consideration of division 2 of the Gaudineer, Tapscott and Bass amendment temporarily deferred on April 13:

Division 2

- 11 2. Page 3, line 20, by striking the word, "*annually*"
12 and by inserting in lieu thereof the words "*at least*
13 *annually and not less than thirty days before the date for*
14 *renewal of such license*,".

Senator DeKoster offered the following amendment to division 2 of the amendment filed April 13 by Senators DeKoster and Gaudineer

and moved its adoption :

- 1 Amend the Gaudineer, Tapscott and Bass amendment, filed
- 2 March 30, 1971, to Senate File 306, line 13, by striking
- 3 the word "*less*" and inserting in lieu thereof the word
- 4 "*more*".

The amendment to division 2 of the amendment was adopted.

On motion of Senator DeKoster, division 2 of the amendment as amended was adopted.

Senator DeKoster offered the following amendment and called for a division of the amendment, sections 1 and 4 to be considered as division 1, and sections 2 and 3, as division 2 :

Division 1

- 1 Amend Senate File 306 as follows:
- 2 1. Page 2, by inserting after line 29 the following new
- 3 subsection:
- 4 "*5. A "funeral home branch" is a place totally oper-*
- 5 *ated by a funeral home at a location within 25 miles of*
- 6 *the funeral home, bearing the same name as the funeral home*
- 7 *and having no preparation room."*
- 15 4. Page 4, by striking all of lines 5 and 6 and inserting in
- 16 lieu thereof "*A fee of thirty-five dollars shall be paid*
- 17 *annually on the anniversary date of the funeral home license*
- 18 *by the operator of such funeral home. An additional fee of*
- 19 *fifteen dollars shall be paid for each funeral home branch*
- 20 *operated by the funeral home operator. The fee"*.

Division 2

- 8 2. Page 3, by striking in line 20 the words "*and license*
- 9 *all [places]"* and inserting in lieu thereof the following:
- 10 "*[all places] all funeral homes. If all the requirements*
- 11 *for licensing are met, he shall during the first year*
- 12 *license all"*.
- 13 3. Page 3, line 22, by striking the words "*and [to]"* and
- 14 inserting in lieu thereof the words "*. [and to] He shall also"*.

Senator DeKoster withdrew division 2 of the amendment.

On motion of Senator DeKoster, division 1 of the amendment was adopted.

With the adoption of division 1 of the DeKoster amendment, the Balloun amendment filed March 29 and found on page 642 of the Senate Journal was out of order.

RE-REFERRED TO COMMITTEE

Senator Tapscott moved that Senate File 306 be re-referred to the committee on social services.

The motion prevailed and **Senate File 306** was re-referred to the committee on **social services**.

CONSIDERATION OF BILLS

Senate File 487

On motion of Senator Curran, Senate File 487, a bill for an act making appropriations to certain state agencies, was taken up and considered.

Senator Curran moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 487) the vote was:

Ayes, 44:

Anderson	Gaudineer	Laverty	Rhodes
Balloun	Gilley	Miller	Riley
Bass	Glenn	Milligan	Robinson
Carlson	Graham	Mowry	Schaben
Coleman	Griffin	Neu	Shawver
Conklin	Gross	Nicholson	Smith
Curran	Hill	Ollenburg	Stephens
Davis	Keith	Palmer	Tapscott
DeKoster	Kennedy	Potgeter	Thordsen
Doderer	Kyhl	Potter	Van Drie
Erskine	Lamborn	Rabedeaux	Van Gilst

Nays, none.

Absent or not voting, 6:

Arbuckle	Brownlee	Shaff	Walsh
Briles	Messerly		

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

SENATE FILE WITHDRAWN

Senator Shawver asked and received unanimous consent that **Senate File 316** be withdrawn from further consideration of the Senate.

Senator Lamborn asked and received unanimous consent to take up out of order Senate File 259.

Senate File 259

On motion of Senator Erskine, Senate File 259, a bill for an act relating to the imposition of an annual registration fee upon all motorboats and sailboats in lieu of personal property taxes and providing penalties for violations, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Erskine offered the following amendment filed by him on April 14 and moved its adoption:

1 Amend Senate File 259 as follows:

- 2 1. Page 5, line 27, by striking the word "sixty" and inserting
3 in lieu thereof the word "ninety".
- 4 2. Page 8, line 33, by striking the words "forty-eight hours"
5 and inserting in lieu thereof the words "[forty-eight hours] *five*
6 *days*".
- 7 3. Page 10, line 15, by striking the word "January" and insert-
8 ing in lieu thereof the word "July".
- 9 4. Page 10, line 16, by striking the figures "1970" and insert-
10 ing in lieu thereof the figures "1971".
- 11 5. Page 10, line 16, by striking the figures "1971" and insert-
12 ing in lieu thereof the figures "1972".

The amendment was adopted.

Senator Erskine offered the following amendment filed by him on March 31 and moved its adoption:

- 1 Amend Senate File 259, page 6, line 15, by striking
2 "thirty" and inserting "ninety".

The amendment was adopted.

Senator Shawver asked and received unanimous consent to withdraw the amendment filed by Senators Shawver and Conklin on March 25, 1971, and found on pages 614-615 of the Senate Journal.

Senator Shawver offered the amendment filed by Senators Shawver and Conklin on April 6, 1971, and found on pages 733-735, inclusive, of the Senate Journal.

Senator Erskine offered the following amendment to the amendment and moved its adoption:

- 1 Amend the Shawver-Conklin amendment, filed April 6, 1971, to
2 Senate File 259 as follows:
- 3 1. Page 2, line 17, by striking the word "Five" and
4 inserting in lieu thereof the word "Six".
- 5 2. Page 2, line 18, by striking the word "five"
6 and inserting in lieu thereof the word "six".

The amendment to the amendment was adopted.

Senator Shawver moved the adoption of the amendment as amended and called for a division.

The amendment as amended was adopted.

Senator Conklin offered the following amendment filed by her on March 25, 1971, and moved its adoption:

- 1 Amend Senate File 259 as follows:
- 2 1. Page 5, line 2, by striking the word "conservation"
3 and inserting the words "county general".
- 4 2. Page 5, line 3, by striking the words "of the county".

The amendment was adopted.

Senator Anderson offered the following amendment:

- 1 Amend Senate File 259, page 2, line 5, by inserting after
- 2 the word "state" the words "under the jurisdiction of the state
- 3 conservation commission".

Senator Anderson moved the adoption of his amendment and called for a division.

The amendment lost.

Senator Coleman moved to reconsider the vote by which the Conklin amendment of March 25, 1971, was adopted by the Senate.

Division was called for.

The motion to reconsider lost.

REPORT OF INVESTIGATING COMMITTEE

Senator Laverty submitted the following report and moved its adoption:

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Michael M. Sellers of Des Moines, Polk County, Iowa, for appointment as Commissioner of Public Safety for the State of Iowa under the provisions of section 80.2, 1971 Code of Iowa, as recently amended by Senate File 170, Sixty-fourth General Assembly, to serve at the pleasure of the Governor, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

CHARLES O. LAVERTY, Chairman
 HAROLD A. THORDSEN
 R. DEAN ARBUCKLE
 WILLIAM D. PALMER
 CHARLES F. BALLOUN

The motion prevailed and the report was adopted.

Senator Laverty moved that the appointment of Michael M. Sellers as Commissioner of Public Safety be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 43:

Anderson	Gaudineer	Mowry	Schaben
Arbuckle	Gilley	Neu	Shaff
Balloun	Glenn	Nicholson	Shawver
Bass	Graham	Ollenburg	Smith
Brownlee	Griffin	Palmer	Stephens
Carlson	Gross	Potgeter	Tapscott
Conklin	Keith	Potter	Thordsen
Curran	Kyhl	Rabedeaux	Van Drie
Davis	Lamborn	Rhodes	Van Gilst
DeKoster	Laverty	Riley	Walsh
Erskine	Milligan	Robinson	

Nays, 3:

Coleman

Hill

Kennedy

Absent or not voting, 4:

Briles

Doderer

Messerly

Miller

President Jepsen declared the appointment of Michael M. Sellers as Commissioner of Public Safety confirmed.

On motion of Senator Lamborn, the Senate recessed until 1:30 p.m.

AFTERNOON SESSION

The Senate reconvened, President Jepsen presiding.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 217, a bill for an act relating to compensating state employees for the use of their motor vehicles.

Also: That the House has adopted the following concurrent resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 35, proclaiming April 19-25, 1971, as "ENVIRONMENTAL WEEK IN IOWA".

WILLIAM R. KENDRICK, Chief Clerk

HOUSE AMENDMENT TO SENATE FILE 217

1 Amend Senate File 217, as passed by the Senate, by
2 striking all after the enacting clause and inserting in
3 lieu thereof the following:
4 Section 1. Section twenty-one point four (21.4), Code
5 1971, is amended as follows:
6 21.4 PRIVATE USE—RATE FOR STATE BUSINESS. No state
7 officer or employee shall use any state-owned car for his
8 own personal private use, nor shall he be compensated for
9 driving his own motor vehicle except [if such is done on
10 state business and in such case he shall not receive more
11 than ten cents per mile] *a state officer, or an employee may,*
12 *with the approval of the department head, drive his personal*
13 *car on state business up to six thousand miles per year.*
14 *Approval by the state car dispatcher shall be necessary for*
15 *use of a private vehicle driven on state business over six*
16 *thousand miles per year. In all cases of use of a personal*
17 *vehicle on state business, the state officer or employee*
18 *shall not receive more than ten cents per mile. When a*
19 *state officer or employee drives over eleven thousand five*
20 *hundred miles per year he shall either be assigned a state*

21 *car by the state car dispatcher or, if he resides in an area*
22 *where a car pool is established, then he shall use a car from*
23 *that pool except that if the state employee is not employed*
24 *in Polk county, this provision may be waived by approval of*
25 *the state car dispatcher. When a state car has been assigned*

Page 2

1 *to a state officer or employee he shall not collect mileage*
2 *for the use of his personal vehicle unless the state vehicle*
3 *assigned to him is not useable.*
4 *This section shall not apply to elected officers of the*
5 *state, judges of the district court, judges of the supreme*
6 *court, or officials and employees of the state whose mileage*
7 *is paid by other than state agencies.*
8 Sec. 2. This Act, being deemed of immediate importance
9 shall take effect and be in force from and after its
10 publication in The Daily Freeman-Journal, a newspaper
11 published in Webster City, Iowa, and in The Record, a
12 newspaper published in Cedar Falls, Iowa.

HOUSE CONCURRENT RESOLUTION 35

By Larson, Cochran, McCormick, Kennedy, Jesse, Uban,
Husak, Wyckoff, Priebe, Skinner, Gluba, Small, Scott,
Sargisson, Dunton, Ewell, Kinley, Blouin, Schmeiser,
Norpel, Willits, Dougherty, Rodgers, Doyle,
Anania, Middleswart and Knoblauch

Whereas, the citizens of Iowa inherited a land endowed with an abundance of natural resources and with opportunities for human fulfillment; and

Whereas, the General Assembly recognizes the profound impact of man's activity on the interrelations of all components of the natural environment, including the influences of resource exploitation, environmental pollution, and population growth; and

Whereas, the General Assembly further recognizes the critical importance of restoring and maintaining environmental quality to the overall welfare and development of man; and

Whereas, man and nature must exist in harmony to fulfill the opportunities of present and future generations, *Now Therefore*,

Be It Resolved by the House of Representatives, the Senate Concurring, That the Sixty-fourth General Assembly resolves to assure all citizens a clean, healthy, and aesthetically pleasing environment and to achieve a balance between population and resources; and

Be It Further Resolved, That the Sixty-fourth General Assembly proclaims April 19-25, 1971, as "ENVIRONMENTAL WEEK IN IOWA" to focus attention and concern on the serious environmental problems which threaten the quality of human life throughout our state, nation, and world; and That the Sixty-fourth General Assembly designates April 22, 1971, as EARTH DAY when all citizens may reaffirm their commitment to pollution-free air, water, and land which sustain life on the planet Earth.

CONSIDERATION OF BILLS

Senate File 259

The Senate resumed consideration of Senate File 259.

Senator Van Drie offered the following amendment and moved its adoption :

- 1 Amend Senate File 259, page 5, by striking in lines 3 and
- 2 4 the following: "In counties having no conservation fund,
- 3 the moneys shall be credited to the county general fund."

The amendment was adopted.

Senator Erskine moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 259) the vote was :

Rule 24 was invoked.

Ayes, 21 :

Carlson	Erskine	Lamborn	Shaff
Conklin	Gilley	Mowry	Shawver
Curran	Graham	Nicholson	Smith
Davis	Keith	Ollenburg	Stephens
DeKoster	Kyhl	Potter	Van Gilst
Doderer			

Nays, 20 :

Anderson	Coleman	Miller	Rhodes
Arbuckle	Gaudineer	Milligan	Schaben
Balloun	Glenn	Palmer	Tapscott
Bass	Hill	Potgeter	Van Drie
Brownlee	Laverty	Rabedeaux	Walsh

Absent or not voting, 9 :

Briles	Kennedy	Neu	Robinson
Griffin	Messerly	Riley	Thordsen
Gross			

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

Senate File 463

On motion of Senator Keith, Senate File 463, a bill for an act relating to registration fees for snowmobiles and the disposition of the fees, was taken up and considered.

Senator Van Gilst offered the following amendment filed by Senators Van Gilst, Keith and Graham and moved its adoption :

- 1 Amend Senate File 463 as follows:
- 2 1. Page 2, line 8, by striking the word "*twelve*" and insert-
- 3 ing in lieu thereof the word "*nine*".
- 4 2. Page 3, line 3, by striking the word "*One-half*" and
- 5 inserting in lieu thereof the words "*Six dollars*".

The amendment was adopted.

Senator Potgeter offered the following amendment:

- 1 Amend Senate File 463, page 2, by striking line 35 and
- 2 page 3, by striking lines 1 through 11, inclusive, and re-
- 3 numbering the remaining section.

Senator Potgeter moved the adoption of his amendment and called for a division.

The amendment lost.

Senator Potgeter offered the following amendment:

- 1 Amend Senate File 463, page 3, line 11, by adding after
- 2 the word "*county*," the following new sentence "*Fees collected*
- 3 *will be used solely for developing and improving facilities for*
- 4 *snowmobiles and winter sports.*"

(Senate File 463 pending.)

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File 423, a bill for an act to provide for uniform traffic summons.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 614, a bill for an act relating to the state fair board.

WILLIAM R. KENDRICK, Chief Clerk

HOUSE MESSAGES CONSIDERED

House File 423, a bill for an act to provide for uniform traffic summons and a schedule of minimum fines for certain traffic violations.

Read first time and **passed on file**.

House File 614, a bill for an act relating to the state fair board.

Read first time and **passed on file**.

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 259 failed to pass the Senate.

JOHN M. WALSH

MR. PRESIDENT: I move that the vote by which Senate File 292 was referred to the committee on commerce be reconsidered.

GEORGE L. SHAWVER

REPORTS OF COMMITTEES

Senator Mowry submitted the following reports:

MR. PRESIDENT: Your committee on commerce, to which was referred **Senate File 138**, a bill for an act to establish a chiropractic examining board fund and to increase the fee for renewal of a license to practice chiropractic, begs leave to report it has had the same under consideration and recommends the same **be amended as follows; and when so amended the bill do pass:**

- 1 Amend Senate File 138 as follows:
- 2 1. Page 2, line 10, by inserting after the word
- 3 "practice" the words "*chiropractic or*".
- 4 2. Page 2, by adding the following new section after
- 5 line 18:
- 6 "Sec. 2. Section one hundred forty-seven point
- 7 eighty (147.80), subsection two (2), Code 1971, is
- 8 amended by adding the following new section:
- 9 'For a license to practice chiropractic issued by
- 10 endorsement or under a reciprocal agreement, one hundred
- 11 dollars.'"
- 12 3. Page 2, line 17, by striking the word
- 13 "*chiropractic*,".
- 14 4. Page 2, line 32, by striking the words "*calendar*
- 15 *year*" and inserting in lieu thereof the word "*biennium*".
- 16 5. By renumbering the last section.

JOHN L. MOWRY, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on commerce, to which was referred **Senate File 199**, a bill for an act relating to prohibited advertising practices by chiropractors and providing a penalty therefor, begs leave to report it has had the same under consideration and recommends the same **be amended in accordance with the Miller amendment filed April 7, 1971, and found on page 756 of the Senate Journal; and when so amended the bill do pass.**

JOHN L. MOWRY, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on commerce, to which was referred **Senate File 437**, a bill for an act relating to cosmetology and to require the licensing of beauty salons, begs leave to report it has had the same under consideration and recommends the same **be amended in accordance with the Riley amendment filed April 1, 1971, and found on page 699 of the Senate Journal; and when so amended the bill do pass.**

JOHN L. MOWRY, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on commerce, to which was referred **Senate File 447**, a bill for an act relating to the licensing of real estate

apprentice salesmen, begs leave to report it has had the same under consideration and recommends the same **do pass**.

JOHN L. MOWRY, Chairman

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on commerce, to which was referred **House File 23**, a bill for an act relating to the definition of pipeline and pipeline company, begs leave to report it has had the same under consideration and recommends the same **do pass**.

JOHN L. MOWRY, Chairman

Ordered passed on file.

Senator Briles submitted the following reports :

MR. PRESIDENT: Your committee on county government, to which was referred **Senate File 167**, a bill for an act relating to juror fees, begs leave to report it has had the same under consideration and recommends the same **do pass**.

JAMES E. BRILES, Chairman

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on county government, to which was referred **Senate File 181**, a bill for an act relating to the liability of the commission of hospitalization and the clerk of the district court for certain acts, begs leave to report it has had the same under consideration and recommends the same **do pass**.

JAMES E. BRILES, Chairman

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on county government, to which was referred **Senate File 432**, a bill for an act relating to remitting of property taxes and special assessment taxes paid to the mortgage holder by the property owner, begs leave to report it has had the same under consideration and recommends the same **be indefinitely postponed**.

JAMES E. BRILES, Chairman

Ordered passed on file.

Senator Thordsen submitted the following report :

MR. PRESIDENT: Your committee on law enforcement, to which was referred **House File 479**, a bill for an act relating to the extension of operators' and chauffeurs' licenses for persons separated from military service, begs leave to report it has had the same under consideration and recommends the same **be amended as follows; and when so amended the bill do pass**:

- 1 Amend House File 479, page 1, by striking in lines 16 and

- 2 17 the words "*separation* is honorable and such", and insert the
3 words "[is honorable and such]".

HAROLD A. THORSEN, Chairman

Ordered passed on file.

AMENDMENTS FILED

- 1 Amend Senate File 239, page 2, by adding the following new sections
2 after line 31 and renumbering the remaining sections and internal
3 references to conform with this amendment:

4 Sec. All acquisition costs in connection with the solicitation
5 of subscribers to such hospital service plan or medical service plan
6 or pharmaceutical or optometric service plan, and administration costs
7 including salaries paid its officers, if any, shall at all times be
8 subject to the approval of the commissioner of insurance.

9 Sec. Every nonprofit corporation organized under the provisions
10 of this Act is hereby declared to be a charitable and benevolent
11 institution but its property and funds, including subscribers'
12 contracts, shall not be exempt from taxation.

WILLIAM D. PALMER

- 1 Amend Senate File 296, page 9, by striking lines 7 through
2 14 and inserting in lieu thereof the following:

3 "Sec. 29. After the costs of elections, referendum, necessary
4 board expenses and administrative costs have been paid, at least
5 seventy-five percent of the remaining funds in the soybean pro-
6 motion fund shall be remitted to the Iowa soybean association,
7 American soybean association and the American soybean institute for
8 market development activities to include developing and expanding
9 new markets for soybeans and soybean products worldwide. The
10 funds can only be used for research, promotion, and education in
11 cooperation with agencies who are equipped to do this kind of work."

H. L. OLLENBURG
RICHARD L. STEPHENS
C. JOSEPH COLEMAN

- 1 Amend Senate File 333 as follows:

2 1. Page 1, lines 24 and 25 by striking the
3 words "*the attorney general consents to, or*".
4 2. Page 1, line 25, by striking the comma " ,"
5 after the word "orders".

ARTHUR A. NEU

- 1 Amend Senate File 418 as follows:

2 Page 2, line 11, by inserting after the word
3 "*service*" the words " , *except for the purpose of*
4 *receiving benefits pursuant to any retirement program*
5 *established by law*".

LEE H. GAUDINEER

- 1 Amend Senate File 447, page 4, by striking lines 15 through 18 and
2 in lieu thereof the following: inserting

3 "or he shall have had experience substantially equal to that
4 which a licensed real estate salesman would ordinarily receive
5 during a period of twelve months, whether as a former broker
6 or salesman, a manager of real estate, or otherwise."

WILLIAM D. PALMER
JOHN E. TAPSCOTT

1 Amend Senate File 463, page 2, line 30, by striking
2 "twelve" and inserting in lieu thereof "nine".

BASS VAN GILST

1 Amend Senate File 474 as follows:

2 1. Page 2, by adding after line 26 the following
3 new section:

4 "Sec. 6. Chapter eighty-five (85), Code 1971, is
5 amended by adding the following new section:

6 "The county board of supervisors of any county may
7 elect to include as an employee for purposes of this
8 chapter any person confined as an inmate in a county jail
9 or confined in any other facility in lieu of confinement
10 in a county jail. If such election is made, the provi-
11 sions of subsection five (5) of section eighty-five point
12 one (85.1) of the Code shall apply to such county. If an
13 inmate in the performance of his work in connection with
14 the maintenance of a county jail or other local facility,
15 or in connection with any industry maintained therein, or
16 with any highway or public works activity outside a
17 county jail or other local facility sustains an injury
18 arising out of and in the course thereof, he shall, be
19 awarded and paid compensation as provided in this chapter.
20 If death results from such injury, death benefits shall
21 be awarded and paid to the dependents of the inmate. If
22 any such person is awarded weekly compensation under the
23 provisions of this section and is still committed to the
24 county jail or other facility, his compensation benefits
25 under subsection one (1) of section eighty-five point

Page 2

1 thirty-four (85.34) shall be paid to the county for so
2 long as he shall remain so committed. Weekly compensa-
3 tion benefits awarded pursuant to subsection two (2) of
4 section eighty-five point thirty-four (85.34) shall be
5 held in trust and paid to such person as provided in this
6 chapter upon his final discharge or parole, whichever
7 occurs first. In the event such person is recommitted to
8 the county jail or other facility prior to receiving, in
9 full, his weekly benefits pursuant to subsection one (1)
10 of section eighty-five point thirty-four (85.34), such
11 benefits shall again be paid to the county for so long as
12 he shall remain so recommitted. Also, weekly benefits un-
13 der subsection two (2) of section eighty-five point thirty-
14 four (85.34) shall be suspended and again held in trust
15 until such person is again released by final discharge or
16 parole, whichever first occurs. However, the industrial

17 commissioner may, if he finds that dependents of the
18 person awarded weekly compensation pursuant to subsections
19 one (1) and two (2) of section eighty-five point thirty-
20 four (85.34) would require welfare aid as a result of
21 terminating the compensation, order such weekly compensa-
22 tion to be paid to a responsible person for the use of his
23 dependents.'"
24 2. Page 1, line 2, by inserting before the first
25 word "and" the words ", disabled inmates,".

HAROLD A. THORSEN
TOM RILEY
W. R. RABEDEAUX
EDWARD E. NICHOLSON
EUGENE M. HILL
LUCAS J. DeKOSTER
LEE GAUDINEER

1 Amend Senate File 500 as follows:
2 1. Page 3, by inserting after line 18 the following
3 new sections:
4 1. "Section four hundred fifty point ten (450.10),
5 subsection six (6), Code 1971, is amended as follows:
6 6. When the property or any interest therein, or in-
7 come therefrom, taxable under the provisions of this
8 chapter passes to any person included under subsections
9 1 or 2 hereof, there shall be credited to the tax imposed
10 on the individual share so passing an amount equal to the
11 tax imposed *in this state* on the decedent on any property,
12 real, personal or mixed, or the proportionate share
13 thereof on property passing to the person taxed here-
14 under, which can be identified as having been received
15 by the decedent as a share in the estate of any person
16 who died within two years prior to the death of the
17 decedent, or which can be identified as having been
18 acquired by the decedent in exchange for property so
19 received. *The credit shall not be applicable to taxes*
20 *on property of the decedent which was not acquired from*
21 *the prior estate.*"
22 2. "Section four hundred fifty point twenty-two
23 (450.22), Code 1971, is amended as follows:
24 450.22 ADMINISTRATION AVOIDED. When the heirs or
25 persons entitled to inherit the property of an estate

Page 2

1 subject to the tax hereby imposed, desire to avoid the
2 appointment of an administrator as provided in section
3 450.21, *and in all instances where real estate is in-*
4 *volved and no regular probate proceedings are had*, they
5 or one of them shall file under oath the inventories
6 and reports and perform all the duties required by this
7 chapter, of administrators, including the filing of the
8 lien. Proceedings for the collection of the tax when
9 no administrator is appointed, shall conform as nearly
10 as may be to the provisions of this chapter in other
11 cases."

12 2. Page 4, by inserting after line 2 the following
13 new section:
14 "Section four hundred fifty point thirty-one (450.31),
15 Code 1971, is amended as follows:
16 450.31 OBJECTIONS. The director of revenue or any
17 person interested in the estate or property appraised
18 may, within [twenty] *forty-five* days thereafter, file
19 objections to said appraisement and give notice thereof
20 as in beginning civil actions, to the director of
21 revenue or the representative of the estate or trust,
22 if any, otherwise to the person interested as heir,
23 legatee, or transferee, on the hearing of which as an
24 action in equity either party may produce evidence
25 competent or material to the matters therein involved."

Page 3

1 3. Page 6, by inserting after line 17, the following
2 new section:
3 "Section six hundred thirty-three point three hundred
4 sixty-one (633.361), unnumbered paragraph one (1), Code
5 1971, is amended as follows:
6 Within sixty days after his qualification, unless a
7 longer time shall be granted by the court, the personal
8 representative shall file with the clerk, in duplicate,
9 a verified, or *affirmed under penalty of perjury*, full
10 and detailed report and inventory of the property of
11 the deceased, so far as the same has come to his knowl-
12 edge, as follows:"
13 4. By renumbering the sections of the bill in
14 accordance with this amendment.

LUCAS J. DeKOSTER

1 Amend Senate File 500, page 6, line 31, by striking the
2 words and figures "four hundred fifty point fifteen (450.15)"
3 and inserting in lieu thereof the words and figures "four
4 hundred fifty point twenty-three (450.23)".

LUCAS J. DeKOSTER

1 Amend House File 197, page 2, by striking from line
2 25, the words "the actual value thereof for the purpose of
3 section four" and all of lines 26, 27, and 28, and inserting
4 in lieu thereof, the words "shall be valued and assessed
5 as otherwise provided in this chapter for transmission lines
6 except that the actual value of the distribution lines for
7 the purpose of section four hundred thirty-seven point six
8 (437.6) of the Code shall be twenty-five percent (25%) of
9 the actual value of the distribution lines in the July, 1971
10 valuation, fifty percent (50%) of the actual value of the
11 distribution lines in the July, 1972 valuation, seventy-five
12 percent (75%) of the actual value of the distribution lines
13 in the July, 1973 valuation and thereafter shall be valued
14 and assessed as otherwise provided in this chapter for
15 transmission lines."

RUDY VAN DRIE
W. CHARLENE CONKLIN

1 Amend House File 197 as follows:

2 1. Page 3, line 4, by striking the comma and inserting in
3 lieu thereof a period.

4 2. Page 3, by striking lines 5, 6 and 7 and inserting in lieu
5 thereof the words "Notwithstanding the provisions of section
6 490A.23, no sale or exchange of electric utility property shall
7 be required of any public utility until July 1, 1972."

8 3. Page 3, by striking in line 7A the words "and notwithstand-
9 ing" and inserting in lieu thereof the word "notwithstanding".

CHARLES F. BALLOUN
JOHN C. RHODES
JOHN M. WALSH

1 Amend House File 197, page 3, line 7, by inserting after the
2 word "involved" the words ", or by a petition of sixty percent of
3 residents in annexed area."

RUDY VAN DRIE

1 Amend House File 216 as follows:

2 1. Page 2, line 16, by striking the words "offices and
3 equipment" and inserting in lieu thereof the words "[offices]
4 office space".

5 2. Page 2, line 20, by inserting after the word "acquire,"
6 the word "construction,".

7 3. Page 2, line 23, by inserting after the word "acquisition,"
8 the word "construction,".

9 4. Page 2, by striking line 35, and page 3, by striking lines
10 1 through 6, inclusive.

HAROLD A. THORDSEN
EDWARD E. NICHOLSON

1 Amend House File 274 as follows:

2 1. Page 1, by adding after line 21 the following sec-
3 tions:

4 Sec. 2. Section nineteen A point nine (19A.9), sub-
5 section fourteen (14), Code 1971, is amended as follows:

6 14. For [layoffs by reason of lack of funds or work, or
7 organization, and for] *reduction of personnel or [re-employ-
8 ment] reemployment, [of employees so laid off, giving primary
9 consideration in both layoffs and re-employment to]
10 competing employees shall be released or reemployed on the
11 basis of their performance record, [and secondary considera-
12 tion to seniority in service] and length of service. The
13 length of time an employee spent in active service in the
14 armed forces of the United States shall be credited in
15 computing his length of service, except for the purpose of
16 receiving benefits pursuant to any retirement program
17 established by law. Any employee who has been laid off may
18 keep his name on a preferred employment list for one year,
19 which list shall be exhausted by the agency enforcing the
20 [layoff] reduction before selection of an employee may be
21 made from the register in his classification.*

22 Sec. 3. Section nineteen A point nine (19A.9), sub-
23 section twenty-one (21), Code 1971, is amended by adding

Page 2

1 the following new paragraph:

2 "In examinations where experience is included in the
3 qualifications, time spent in active duty in the armed
4 forces of the United States shall be credited in a veteran's
5 rating if he was employed in a similar vocation to that for
6 which he is being examined and his employment was
7 interrupted by service in the armed forces."

8 Sec. 4. Section seventy-nine point one (79.1), Code
9 1971, is amended by adding the following new paragraph:

10 "In computing vacation allowances, an employee of the
11 state who has served in the armed forces of the United
12 States and received an honorable discharge, shall receive
13 credit for the length of time served on active duty."

14 Sec. 5. Chapter seventy (70), Code 1971, is amended by
15 adding the following new section:

16 "A person who has been employed by the state for a period
17 of more than one year and resigns because he has been
18 recalled or has been inducted in the armed forces of the
19 United States for active military duty, shall upon release
20 from such active duty, be reinstated in the employment
21 position he held at the time of being recalled or inducted.
22 The request shall be filed with the appropriate office not
23 more than sixty days following the release from active duty."

Page 3

1 2. Page 1, line 2, by adding after the word

2 "employees" the words "and benefits for veterans in state
3 employment".

LEE H. GAUDINEER, JR.
JOHN E. TAPSCOTT

On motion of Senator Lamborn, the Senate adjourned until 9:00
a.m., Thursday, April 22, 1971.

JOURNAL OF THE SENATE

ONE HUNDRED SECOND DAY

SENATE CHAMBER

DES MOINES, IOWA, THURSDAY, APRIL 22, 1971

The Senate met in regular session, President Jepsen presiding.

Prayer was offered by the Reverend Ray Hampton, pastor of the Salix United Methodist Church, Salix, Iowa.

The Senate pledged allegiance to the flag.

The Journal of Wednesday, April 21, 1971, was approved.

PRESENTATION OF VISITORS

The Chair announced that the following visitors were present in the Senate gallery :

Sixty students from Gilbert Community School, Gilbert, Iowa, accompanied by their instructors, Mrs. Jackson and Mrs. Harrison.

Forty-four students from Belmond Community School, Belmond, Iowa, accompanied by their instructor, Bob Gray.

Seventy students from Notre Dame High School, Cresco, Iowa, accompanied by Father Hawes and Mr. Collins.

Forty students from Central Webster School, Burnside, Iowa, accompanied by their instructor, Jim Ainslee.

Forty-three students from Manning Community School, Manning, Iowa, accompanied by Mrs. Johnson and Mr. Molzen.

Forty-three students from John Adams and Roosevelt Junior High Schools, Mason City, Iowa, accompanied by their instructors, Don Brown and Dick Attleson.

Sixty students from Altoona Elementary School, Altoona, Iowa, accompanied by their instructor, Miss Taylor.

Seventy-one students from Holy Trinity School, Des Moines, Iowa, accompanied by Mrs. Rowe and Mrs. Hawke.

PETITIONS

The following petitions were presented and placed on file:

By Senator Van Drie, from seventeen residents of Story County, favoring House File 530, providing for a tax on insurance premiums collected by nonprofit hospital and medical service corporations.

By Senator Walsh, from fourteen residents of Dubuque County, favoring legislation that would allocate one-half of any additional one cent sales tax to cities and towns.

By Senator Lavery, from twenty-two residents of Warren and Clarke Counties opposing repeal of the Iowa meat and poultry inspection law.

By Senators Nicholson and Thordsen, from two hundred twenty residents of Scott County opposing the use of any public funds to provide financial or material support of any private school, or to subsidize the salaries of teachers, or other personnel in private schools.

By Senators Messerly and Conklin, from twenty-six members of the Iowa State Employees Association, Black Hawk County, recommending a ten percent cost of living salary increase.

INTRODUCTION OF BILLS

Senate File 501, by committee on schools, a bill for an act relating to the investment of public funds from the sale of school bonds.

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

Senate File 502, by committee on environmental preservation, a bill for an act relating to the establishment of water effluent standards.

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

CONSIDERATION OF BILLS

House File 197

On motion of Senator Keith, House File 197, a bill for an act relating to taxation and regulation of rural electric cooperatives, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Keith offered the following amendment by the committee on ways and means and moved its adoption:

- 1 Amend House File 197 as follows:
- 2 1. Page 3, line 2, by inserting after the word "be" the
- 3 words "valued, assessed and".
- 4 2. Page 3, line 2, by striking the word "as" and inserting
- 5 in lieu thereof the words "in the manner".
- 6 3. Page 3, line 2, by striking the word "herein" and insert-
- 7 ing in lieu thereof the words "for valuation, assessment and
- 8 taxation of transmission lines under this Act".
- 9 4. Page 3, line 3, by adding after the word "service" the
- 10 words "to premises of existing customers as of the effective
- 11 date of this Act or to premises of customers included by subse-
- 12 quent annexation or incorporation".
- 13 5. Page 3, line 5, by inserting after the word "lines" the
- 14 words "used to serve the premises of such existing customers shall
- 15 be exchanged or".
- 16 6. Page 3, line 12, by inserting after the word "to" the
- 17 words "all ordinances of the city or town including".

The amendment was adopted.

Senator Van Drie offered the following amendment filed by Senators Van Drie and Conklin and moved its adoption:

- 1 Amend House File 197, page 2, by striking from line
- 2 25, the words "the actual value thereof for the purpose of
- 3 section four" and all of lines 26, 27, and 28, and inserting
- 4 in lieu thereof, the words "shall be valued and assessed
- 5 as otherwise provided in this chapter for transmission lines
- 6 except that the actual value of the distribution lines for
- 7 the purpose of section four hundred thirty-seven point six
- 8 (437.6) of the Code shall be twenty-five percent (25%) of
- 9 the actual value of the distribution lines in the July, 1971
- 10 valuation, fifty percent (50%) of the actual value of the
- 11 distribution lines in the July, 1972 valuation, seventy-five
- 12 percent (75%) of the actual value of the distribution lines
- 13 in the July, 1973 valuation and thereafter shall be valued
- 14 and assessed as otherwise provided in this chapter for
- 15 transmission lines."

Roll call was requested.

On the question "Shall the Van Drie-Conklin amendment be adopted" (H.F. 197) the vote was:

Rule 24 was invoked.

Ayes, 5:

Carlson	DeKoster	Van Drie	Walsh
Conklin			

Nays, 40:

Anderson	Bass	Coleman	Doderer
Arbuckle	Briles	Curran	Erskine
Balloun	Brownlee	Davis	Gaudineer

Gilley	Kyhl	Nicholson	Schaben
Glenn	Lamborn	Ollenburg	Shaff
Graham	Lavery	Palmer	Smith
Gross	Miller	Potgeter	Stephens
Hill	Milligan	Potter	Tapscott
Keith	Mowry	Rhodes	Thorsden
Kennedy	Neu	Riley	Van Gilst

Voting present, 1:

Rabedeaux (under Rule 24)

Absent or not voting, 4:

Griffin	Messerly	Robinson	Shawver
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The amendment lost.

Senator Balloun offered the following amendment filed by Senators Balloun, Rhodes and Walsh:

- 1 Amend House File 197 as follows:
- 2 1. Page 3, line 4, by striking the comma and inserting in
- 3 lieu thereof a period.
- 4 2. Page 3, by striking lines 5, 6 and 7 and inserting in lieu
- 5 thereof the words "Notwithstanding the provisions of section
- 6 490A.23, no sale or exchange of electric utility property shall
- 7 be required of any public utility until July 1, 1972."
- 8 3. Page 3, by striking in line 7A the words "and notwithstand-
- 9 ing" and inserting in lieu thereof the word "not withstanding".

Senator Keith raised a point of order on the amendment for the reason that it was not germane to the bill.

The Chair ruled the point not well taken and the amendment germane.

Senator Hill raised a point of order on the amendment for the reason that it amended the same lines of the bill already amended by the committee amendment.

The Chair ruled the point not well taken and the amendment in order.

Senator Bass offered the following amendment to the amendment:

- 1 Amend the Balloun, et al., amendment to House File 197,
- 2 found on page 929 of the Senate Journal, dated April 21,
- 3 1971, as follows:
- 4 1. By striking from line 7 the word "until" and
- 5 inserting in lieu thereof the word "after".

Senator Bass moved the adoption of the amendment to the amendment and called for a division.

The amendment to the amendment lost.

Senator Balloun moved the adoption of the amendment and requested a roll call.

On the question "Shall the Balloun, et al., amendment be adopted?" (H.F. 197) the vote was:

Ayes, 15:

Balloun	Gaudineer	Neu	Thordsen
Briles	Laverty	Palmer	Van Drie
Conklin	Milligan	Rhodes	Walsh
Curran	Mowry	Riley	

Nays, 30:

Anderson	Gilley	Kyhl	Robinson
Arbuckle	Glenn	Lamborn	Schaben
Bass	Graham	Miller	Shaff
Brownlee	Griffin	Nicholson	Smith
Coleman	Gross	Ollenburg	Stephens
Davis	Hill	Potgeter	Tapscott
Doderer	Keith	Potter	Van Gilst
Erskine	Kennedy		

Voting present, 1:

Rabedeaux (under Rule 24)

Absent or not voting, 4:

Carlson	DeKoster	Messerly	Shawver
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The amendment lost.

Senator Van Drie withdrew the following amendment filed by him on April 21, 1971:

- 1 Amend House File 197, page 3, line 7, by inserting after the
- 2 word "involved" the words ", or by a petition of sixty percent of
- 3 residents in annexed area."

Senator Walsh offered the following amendment:

- 1 Amend House File 197 by striking on page 2, lines 34 and 35,
- 2 and page 3, lines 1 through 13.

Senator Hill raised a point of order on the amendment for the reason that it would affect the same subject matter already considered and adopted by the Senate.

The Chair ruled the point not well taken and the amendment in order.

Senator Walsh asked and received unanimous consent to withdraw the amendment.

Senator Keith moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 197) the vote was:

Rule 24 was invoked.

Ayes, 32:

Anderson	Erskine	Kyhl	Rhodes
Arbuckle	Gilley	Lamborn	Robinson
Bass	Glenn	Laverty	Schaben
Briles	Graham	Miller	Shaff
Brownlee	Griffin	Neu	Smith
Coleman	Hill	Ollenburg	Stephens
Davis	Keith	Potgeter	Tapscott
Doderer	Kennedy	Potter	Van Gilst

Nays, 12:

Balloun	Gaudineer	Mowry	Thordsen
Conklin	Gross	Palmer	Van Drie
Curran	Milligan	Riley	Walsh

Voting present, 1:

Rabedeaux (under Rule 24)

Absent or not voting, 5:

Carlson	Messerly	Nicholson	Shawver
DeKoster			

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

Senator Keith moved that the vote by which House File 197 passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Rhodes, from the joint committee on enrolled bills, submitted the following report and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled the following bills: Senate Files 78, 210, 225, 257, 277, 312 and 347; House Files 29, 505, 551 and 570.

JOHN C. RHODES
Chairman, Senate Committee
ELIZABETH R. MILLER
Chairman, House Committee

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate the following bills: Senate Files 78, 210, 225, 257, 277, 312 and 347; House Files 29, 505, 551 and 570.

BILLS SENT TO THE GOVERNOR

Senator Rhodes, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 22nd day of April, 1971, sent to the Governor for his approval: Senate Files 78, 210, 225, 257, 277, 312 and 347.

JOHN C. RHODES, Chairman

Passed on file.

On motion of Senator Lamborn, the Senate recessed until 1:15 p.m.

AFTERNOON SESSION

The Senate reconvened, President Jepsen presiding.

CONSIDERATION OF BILLS

Senator Lamborn asked unanimous consent to take up out of order Senate File 296.

Objection was raised by Senator Glenn.

Senator Lamborn moved to take up out of order Senate File 296, which motion prevailed.

Senate File 296

On motion of Senator Lamborn, Senate File 296, a bill for an act relating to the establishment of a soybean promotion fund to receive assessments made on the sale of soybeans; to establish an Iowa soybean promotion board; to provide for a referendum among soybean producers to make an appropriation and to provide penalties, was taken up and considered.

Senator Potgeter moved that Senate File 296 be referred to the committee on commerce and called for a division.

The motion lost.

SENATE FILE DEFERRED

Senator Potgeter moved that further action on Senate File 296 be deferred and that the bill retain its place on the calendar.

Senator Lamborn moved as a substitute motion that further action on **Senate File 296** be deferred and that the bill be placed on the calendar under **unfinished business**, which motion prevailed.

CONSIDERATION OF BILLS

Senator Lamborn asked and received unanimous consent to take up out of order Senate File 302.

Senate File 302

On motion of Senator Conklin, Senate File 302, a bill for an act relating to the reporting of motor vehicle accidents, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Conklin moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 302) the vote was:

Ayes, 46:

Anderson	Gaudineer	Miller	Riley
Arbuckle	Gilley	Milligan	Robinson
Balloun	Glenn	Mowry	Schaben
Bass	Graham	Neu	Shaff
Briles	Griffin	Nicholson	Shawver
Brownlee	Gross	Ollenburg	Smith
Carlson	Hill	Palmer	Stephens
Coleman	Keith	Potgeter	Tapscott
Conklin	Kennedy	Potter	Van Drie
Curran	Kyhl	Rabedeaux	Van Gilst
Davis	Lamborn	Rhodes	Walsh
Erskine	Laverty		

Nays, none.

Absent or not voting, 4:

DeKoster	Doderer	Messerly	Thordsen
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Lamborn asked and received unanimous consent to take up out of order Senate File 418.

Senate File 418

On motion of Senator Gaudineer, Senate File 418, a bill for an act relating to benefits for veterans in state employment, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

SENATE FILE DEFERRED

Senator Gaudineer asked and received unanimous consent that further action on **Senate File 418** be deferred and that the bill be placed on the calendar under **unfinished business**.

CONSIDERATION OF BILLS

Senator Lamborn asked and received unanimous consent to take up out of order Senate File 425.

Senate File 425

On motion of Senator Milligan, Senate File 425, a bill for an act to legalize and validate the proceedings of the Town Council of the Town of Peterson, Clay County, Iowa, levying certain special assessments and issuing special assessment Street Improvement Bonds, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Milligan moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 425) the vote was:

Ayes, 43:

Anderson	Erskine	Miller	Robinson
Arbuckle	Gaudineer	Milligan	Schaben
Balloun	Gilley	Neu	Shaff
Bass	Glenn	Nicholson	Shawver
Briles	Graham	Ollenburg	Smith
Brownlee	Griffin	Palmer	Stephens
Carlson	Gross	Potgeter	Tapscott
Coleman	Hill	Potter	Van Drie
Conklin	Kennedy	Rabedaux	Van Gilst
Curran	Kyhl	Rhodes	Walsh
Davis	Lamborn	Riley	

Nays, none.

Absent or not voting, 7:

DeKoster	Keith	Messerly	Thordsen
Doderer	Laverty	Mowry	

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

MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File 73, a bill for an act relating to conservation of soil and water resources of the state.

WILLIAM R. KENDRICK, Chief Clerk

INTRODUCTION OF BILL

Senate File 503, by committee on county government, a bill for an act relating to the salaries of county officers.

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

HOUSE MESSAGE CONSIDERED

House File 73, a bill for an act relating to conservation of soil and water resources of the state, and to control of water pollution.

Read first time and **passed on file**.

REPORT OF CONFERENCE COMMITTEE
ON HOUSE FILE 369

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to consider the difference between the Senate and the House of Representatives on House File 369, an act relating to fees for census searches charged by the Iowa department of history and archives, respectfully submit the following recommendations:

1. That the Senate amendment to House File 369 be amended as follows:

1. By striking from line 3 the word "If".
2. By striking lines 4 through 8, inclusive, and inserting in lieu thereof the following:

"In addition to the three dollar fee, if the request for a search of census records is for the purpose of determining genealogy, the curator shall require a deposit of ten dollars and shall charge to the person requesting the search the actual cost of performing the search. If the actual cost of performing the search is less than ten dollars, the curator shall refund to the person requesting the search the difference between the actual cost and the ten dollar deposit. If the actual cost of performing the search exceeds ten dollars, the curator shall inform the person requesting the search of the additional amount due, and shall forward the results of the search upon receipt of the additional amount."

2. That the House of Representatives concur in the Senate amendment.

On the part of the Senate:
EDWARD E. NICHOLSON, Chairman
JAMES A. POTGETER
ROGER J. SHAFF
MINNETTE DODERER

On the part of the House:
EDGAR H. HOLDEN, Chairman
GEORGE N. PIERSON
HERBERT L. CAMPBELL
JAMES H. SCHWARTZ

BILLS ASSIGNED TO COMMITTEE

President Jepsen announced the assignment of the following bills to committee:

- H. F. 123 Environmental preservation
- H. F. 423 Cities and towns
- H. F. 587 Judiciary
- H. F. 614 County government

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on April 22, 1971, the Governor approved and transmitted to the Secretary of State the following bill:

H. F. 505—Relating to the fees charged for insurance agent licenses and making the act retroactive.

H. F. 570—Relating to the collection of sales and use taxes.

REPORTS OF COMMITTEE

Senator Mowry submitted the following reports:

MR. PRESIDENT: Your committee on commerce, to which was referred **Senate File 239**, a bill for an act to authorize and regulate nonprofit corporations which provide prepaid comprehensive health care, begs leave to report it has had the same under consideration and recommends the same **do pass**.

JOHN L. MOWRY, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on commerce, to which was referred **House File 307**, a bill for an act relating to the amount of credit life insurance that may be sold to a debtor, begs leave to report it has had the same under consideration and recommends the same **be amended as follows: and when so amended the bill do pass**:

1 Amend House File 307 as follows:

2 1. By adding after line 13 the following new section:

3 "Sec. 2. Section five hundred nine point one (509.1),

4 subsection three (3), Code 1971, is amended by adding

5 the following new paragraphs:

6 f. The commissioner of insurance may establish

7 premium rates, including minimum and maximum amounts,

8 which may be charged by an insurer for a policy of group

9 credit life insurance. The rates shall be established

10 at an amount which will support and maintain a minimum

11 loss ratio of fifty percent. The commissioner may

12 require the filing with him of such information and

13 material by affected insurers as he deems necessary

14 in establishing the premium rates, and shall consider

15 past and prospective loss experience within this state,

16 underwriting practice and judgment, and any other

17 relevant factors in making his determinations under

18 this paragraph.

19 g. The commissioner of insurance may establish

20 appropriate hearing and appeal procedures for insurers

21 aggrieved with determination made pursuant to paragraph

22 f of this subsection."

23 2. Amend the title, line 2, by inserting after the

24 word "debtor" the words "and to the premium rates which

Page 2

1 may be charged for such insurance”.

JOHN L. MOWRY, Chairman

Ordered passed on file.

AMENDMENTS FILED

1 Amend the Ollenburg, et al., amendment to Senate File 296,
2 dated April 21, 1971, line 6, by adding after the word “to”
3 the words “such organizations as”.

C. JOSEPH COLEMAN

1 Amend Senate File 397 as follows:
2 1. Page 15, after line 24, by inserting the following new
3 paragraph: “Sections 30 through 43, inclusive, of this Act shall
4 not be effective or operative unless funded by an appropriation
5 of the General Assembly.”
6 2. Page 48, line 21, by inserting after the word “duties” the
7 words, “if an appropriation is made by the General Assembly for
8 such purposes”.

RALPH W. POTTER

1 Amend the Riley amendment filed April 20, 1971, to Senate File 435,
2 page 4, line 15, by striking the word “property” and inserting the
3 word “properly”.

TOM RILEY

1 Amend Senate File 466 as follows:
2 1. Page 2, line 16, by striking the word “half” and inserting the
3 word “quarter”.
4 2. Page 2, by striking all after the period in line 20 and lines
5 21, 22, 23 and 24.
6 3. Page 2, line 29, by striking the words “and one-quarter”.
7 4. Page 3, line 1, by striking the word “half” and inserting
8 the word “quarter”.
9 5. Page 3, by striking all after the period in line 2 and lines
10 3, 4, 5 and 6.

WILLIAM D. PALMER

1 Amend House File 307, page 1, by adding after line 13 the following
2 new section:
3 Sec. 2. RATE FILING AND APPROVAL.
4 1. All schedule for premium rates designed for use with any credit
5 life or credit accident and health insurance policy or certificate issued
6 or used in this state shall be filed with the commissioner. Each rate
7 filing shall state the proposed effective date therein.
8 2. The filings shall be accompanied by the information upon which
9 the insurer supports the rate filing and such information shall be
10 sufficient to support and maintain a minimum loss ratio of fifty percent.
11 When a rate filing is not accompanied by the information upon which
12 insurer supports such filing, and the commissioner does not have suffi-
the
cient

13 information to determine whether the filing will support fifty percent
14 minimum loss ratio, he shall require the insurer to furnish such infor-
15 and in such event the period of examination shall commence as of the mation
16 such information is received. date

17 3. The commissioner shall within thirty days after the receipt of any
18 premium rate filing disapprove such filing if the premium rate charged
19 to be charged appears to be such that it will not produce and maintain a
20 minimum loss ratio of fifty percent for that class of business. In
21 determining whether to disapprove any such premium rate filing, the
22 commissioner shall give due consideration to past and prospective loss
23 experience within this state, to underwriting practice and judgment to
24 extent appropriate, and any other relevant factors.

25 4. If the commissioner notifies the insurer that the premium rate

Page 2

1 filing is disapproved, it shall be unlawful thereafter for such insurer
2 to issue or use the policy form or certificate for which such rate filing
3 was made until a revised rate filing is approved by the commissioner.

5 4 5. Any insurer may revise its schedule or premium from time to
6 time and all such revised filing shall be subject to the provisions of
this section.

7 6. The commissioner may, at any time after a hearing held not less
8 than twenty days after written notice to the insurer, withdraw his ap-
9 of any rate filing if in his judgment the insurer's rate filing produces a
10 loss ratio of less than the percentage approved for use in this state.
11 The written notice of such hearing shall state the reason for the pro-
12 posed withdrawal.

13 7. Any order or final determination of the commissioner under the
14 provisions of this section shall be subject to judicial review.

WILLIAM D. PALMER

1 Amend House Concurrent Resolution 35, found on page
2 920 of the Senate Journal, as follows:

1. Line 28, by striking the period and inserting in lieu thereof the following “; and”.

5 2. By adding after line 28 the following:

6 *Be It Further Resolved*, that the Sixty-fourth General Assembly
7 of Iowa set aside a week during the month of April in the
8 year 1972, as "ENVIRONMENTAL WEEK IN IOWA", and that
9 a day in April, 1972, be designated as "EARTH DAY".

CHARLES O. LAVERTY

On motion of Senator Lamborn, the Senate adjourned until 9:00 a.m., Friday, April 23, 1971.

JOURNAL OF THE SENATE

ONE HUNDRED THIRD DAY

SENATE CHAMBER

DES MOINES, IOWA, FRIDAY, APRIL 23, 1971

The Senate met in regular session, President Jepsen presiding.

Prayer was offered by the Reverend Alfred W. Burlingame, pastor of the Saint Mark's Episcopal Church, Maquoketa, Iowa.

The Senate pledged allegiance to the flag.

The Journal of Thursday, April 22, 1971, was approved.

PRESENTATION OF VISITORS

Senator Thordsen rose on a point of personal privilege and presented to the Senate, The Honorable Lynn F. Battles, former member of the House of Representatives from Jackson County.

The Chair announced that the following visitors were present in the Senate gallery :

Forty-three students from Osage, Iowa, accompanied by Mrs. Watson and Mrs. Link.

Thirty-eight students from Cal Community School, Latimer, Iowa, accompanied by their principal, Mr. Lang, and instructor, Mr. Harris.

Forty students from Elkhorn-Kimballton Community School, Elkhorn, Iowa, accompanied by their instructors, Mrs. Elaine Greve and Raymond Jansen.

Forty students from Mitchellville Elementary School, Mitchellville, Iowa, accompanied by their instructors, Mrs. Vaurus and Mrs. Punelli.

Forty-five students from Belmond High School, Belmond, Iowa, accompanied by Mr. Gray.

PETITIONS

The following petitions were presented and placed on file :

By Senator Van Drie, from eight residents of Story County favoring House File 530, providing for a tax on insurance premiums col-

lected by nonprofit hospital and medical service corporations.

By Senator Van Drie, from ten residents of Story County opposing diversion of authorized highway, road and street funds to uses other than the state road system.

INTRODUCTION OF BILLS

Senate File 504, by committee on state government, a bill for an act relating to the marketing division of the department of agriculture.

Read first time and **passed on file**.

Senate File 505, by committee on ways and means, a bill for an act relating to state income tax deductions.

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

Senate File 506, by DeKoster, a bill for an act relating to administration in Iowa of the federal mental retardation facilities and community mental health centers act of 1963.

Read first time and **passed on file**.

HOUSE AMENDMENTS CONSIDERED

Senate File 190

Senator Tapscott called up for consideration Senate File 190, a bill for an act relating to the transfer of persons committed to jail, amended by the House, and moved that the Senate concur in the following amendments:

- 1 Amend Senate File 190, as amended and passed by the Senate
- 2 and reprinted, as follows:
- 3 1. Page 1, lines 4 and 5, by striking the words "or
- 4 construction,".
- 5 2. Page 1, line 9, by striking the words "subsections
- 6 two (2) and three (3)".
- 7 3. Page 1, line 10, by striking the word "shall" and
- 8 by inserting in lieu thereof the word "may" and by
- 9 inserting after the word "in" the words "lieu of or in".
- 10 4. Page 1, line 12, by striking all after the word "Code."
- 11 and all of lines 13 and 14 and the words "their operation."
- 12 in line 15 and inserting in lieu thereof the words "The
- 13 board shall establish rules and regulations for the operation
- 14 of each such facility.".
- 15 5. Page 2, lines 2 and 3, by striking the words "the
- 16 age, sex, or type of offender or person which may be detained
- 17 or confined therein;".
- 18 6. Page 2, line 16, by adding after the period the
- 19 following: "The board of supervisors shall deliver a copy

20 of the contract to each municipal court judge in the county
 21 and to each district court judge of the district which
 22 includes that county."

23 7. Page 3, line 18, by inserting after the word "Code."
 24 the following: "The provisions of chapter seven hundred
 25 forty-five (745) of the Code shall be applicable to any

Page 2

- 1 person detained, committed, or transferred to a facility
- 2 established and maintained pursuant to this Act."

The motion prevailed and the Senate concurred in the House amendments.

Senator Tapscott moved that the bill as amended by the House and concurred in by the Senate be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 190) the vote was:

Ayes, 35:

Anderson	Glenn	Miller	Schaben
Balloun	Graham	Mowry	Shaff
Bass	Griffin	Neu	Smith
Briles	Gross	Nicholson	Tapscott
Carlson	Keith	Palmer	Thordsen
Coleman	Kennedy	Potter	Van Drie
Doderer	Kyhl	Rhodes	Van Gilst
Erskine	Lamborn	Riley	Walsh
Gaudineer	Laverty	Robinson	

Nays, 7:

Arbuckle	Gilley	Rabedeaux	Stephens
Conklin	Hill	Shawver	

Absent or not voting, 8:

Brownlee	Davis	Messerly	Ollenburg
Curran	DeKoster	Milligan	Potgeter

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

CONSIDERATION OF BILLS

Senator Lamborn asked and received unanimous consent to take up out of order House File 37.

House File 37

On motion of Senator Briles, House File 37, a bill for an act authorizing a public agency to dispose of an interest in property, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

HOUSE FILE DEFERRED

Senator Gaudineer asked and received unanimous consent that further action on **House File 37** be deferred and that the bill be placed on the calendar under **unfinished business**.

CONSIDERATION OF BILLS

Senator Lamborn asked and received unanimous consent to take up out of order House File 278.

House File 278

On motion of Senator Gilley, House File 278, a bill for an act relating to eligibility requirements for aid to dependent children, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Gilley moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 278) the vote was:

Ayes, 38:

Anderson	Gilley	Miller	Schaben
Arbuckle	Glenn	Mowry	Shaff
Bass	Graham	Neu	Shawver
Briles	Griffin	Nicholson	Smith
Carlson	Gross	Palmer	Stephens
Coleman	Hill	Potter	Tapscott
Davis	Keith	Rabedeaux	Thordsen
Doderer	Kyhl	Rhodes	Van Drie
Erskine	Lamborn	Riley	Van Gilst
Gaudineer	Laverty		

Nays, 2:

Balloun	Conklin
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Absent or not voting, 10:

Brownlee	Kennedy	Ollenburg	Robinson
Curran	Messery	Potgeter	Walsh
DeKoster	Milligan		

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

Senator Lamborn asked and received unanimous consent to take up out of order House File 24.

House File 24

On motion of Senator Van Drie, House File 24, a bill for an act to exempt certain electric utility projects from petition requirements, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Van Drie moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 24) the vote was:

Ayes, 41:

Anderson	Gaudineer	Lamborn	Riley
Arbuckle	Gilley	Laverty	Robinson
Balloun	Glenn	Miller	Schaben
Bass	Graham	Mowry	Shawver
Briles	Griffin	Neu	Smith
Carlson	Gross	Nicholson	Stephens
Coleman	Hill	Palmer	Tapscott
Conklin	Keith	Potter	Thordsen
Davis	Kennedy	Rabedaux	Van Drie
Doderer	Kyhl	Rhodes	Van Gilst
Erskine			

Nays, none.

Absent or not voting, 9:

Brownlee	Messeryly	Ollenburg	Shaff
Curran	Milligan	Potgeter	Walsh
DeKoster			

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

SENATE FILE WITHDRAWN

Senator Briles asked and received unanimous consent that **Senate File 20** be **withdrawn** from further consideration of the Senate.

CONSIDERATION OF BILLS

Senator Lamborn asked and received unanimous consent to take up out of order House File 26.

House File 26

On motion of Senator Van Drie, House File 26, a bill for an act relating to the use of eminent domain for the development or utilization of water or water power for manufacturing, power, industrial and recreational purposes, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Van Drie moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 26) the vote was:

Ayes, 39:

Anderson	Erskine	Lamborn	Schaben
Arbuckle	Gaudineer	Mowry	Shaff
Balloun	Gilley	Neu	Shawver
Bass	Glenn	Nicholson	Stephens
Briles	Griffin	Palmer	Tapscott
Carlson	Gross	Potter	Thordsen
Coleman	Hill	Rabedeaux	Van Drie
Conklin	Keith	Rhodes	Van Gilst
Davis	Kennedy	Riley	Walsh
Doderer	Kyhl	Robinson	

Nays, none.

Absent or not voting, 11:

Brownlee	Graham	Miller	Potgeter
Curran	Laverty	Milligan	Smith
DeKoster	Messerly	Ollenburg	

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

SENATE FILE WITHDRAWN

Senator Briles asked and received unanimous consent that **Senate File 19** be **withdrawn** from further consideration of the Senate.

CONSIDERATION OF BILLS

Senator Lamborn asked and received unanimous consent to take up out of order House File 122.

House File 122

On motion of Senator Griffin, House File 122, a bill for an act relating to the number of official county newspapers, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

HOUSE FILE DEFERRED

Senator Schaben asked unanimous consent that further action on House File 122 be deferred and that the bill be placed on the calendar under unfinished business.

Objection was raised by Senator Griffin.

Senator Schaben moved that further action on **House File 122** be deferred and that the bill be placed on the calendar under **unfinished business**, which motion prevailed.

CONSIDERATION OF BILLS

Senator Lamborn asked and received unanimous consent to take up out of order House File 399.

House File 399

On motion of Senator Bass, House File 399, a bill for an act relating to exemptions from the merit system and providing for work test appointments, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Mowry offered the following amendment by Senators Mowry, et al.:

- 1 Amend House File 399, page 2, by inserting after line 4, the
- 2 following new section and renumbering the remaining section:
- 3 "Sec. 2. Section nineteen A point three (19A.3),
- 4 Code 1971, is amended by striking subsection five (5)
- 5 and inserting in lieu thereof the following:
- 6 5. All employees under the supervision of the
- 7 secretary of state, the auditor of state, the treasurer
- 8 of state, the secretary of agriculture and the attorney
- 9 general."

Senator Mowry moved the adoption of the amendment and requested a roll call.

On the question "Shall the Mowry, et al., amendment be adopted?" (H.F. 399) the vote was:

Rule 24 was invoked.

Ayes, 26:

Anderson	Gilley	Mowry	Shawver
Balloun	Graham	Nicholson	Smith
Bass	Griffin	Potter	Stephens
Briles	Keith	Rabedeaux	Thordsen
Carlson	Kyhl	Rhodes	Van Drie
Conklin	Lamborn	Shaff	Walsh
Erskine	Lavery		

Nays, 18:

Coleman	Glenn	Milligan	Robinson
Davis	Gross	Neu	Schaben
DeKoster	Hill	Palmer	Tapscott
Doderer	Kennedy	Riley	Van Gilst
Gaudineer	Miller		

Absent or not voting, 6:

Arbuckle	Curran	Ollenburg	Potgeter
Brownlee	Messery		

The amendment was adopted.

Senator Glenn moved that House File 399 be re-referred to the committee on state government, and requested a roll call.

On the question "Shall the motion to re-refer be adopted?" (H.F. 399) the vote was:

Ayes, 13:

Coleman	Gross	Miller	Schaben
Doderer	Hill	Palmer	Tapscott
Gaudineer	Kennedy	Robinson	Van Gilst
Glenn			

Nays, 31:

Anderson	DeKoster	Laverty	Shaff
Arbuckle	Erskine	Mowry	Shawver
Balloun	Gilley	Neu	Smith
Bass	Graham	Nicholson	Stephens
Briles	Griffin	Potter	Thorsden
Carlson	Keith	Rabedeaux	Van Drie
Conklin	Kyhl	Rhodes	Walsh
Davis	Lamborn	Riley	

Absent or not voting, 6:

Brownlee	Messerly	Ollenburg	Potgeter
Curran	Milligan		

The motion lost.

CALL OF THE SENATE

The Chair announced the following call of the Senate had been filed at the desk:

MR. PRESIDENT: Pursuant to Rule 19 of the Permanent Rules of the Senate, we, the undersigned, request a call of the Senate on House File 399 and all amendments and motions thereto.

LEE H. GAUDINEER, JR.
C. JOSEPH COLEMAN
GENE W. GLENN
JOHN E. TAPSCOTT
CHARLES P. MILLER
JAMES F. SCHABEN
GENE V. KENNEDY
MINNETTE DODERER
WILLIAM D. PALMER
BASS VAN GILST
EUGENE M. HILL
G. WILLIAM GROSS
CLOYD ROBINSON

Senator Lamborn moved that the call of the Senate be lifted.

Roll call was requested.

Senator Glenn moved that the Senate adjourn until 10:00 a.m., Monday, April 26, 1971, and requested a roll call.

On the question "Shall the motion to adjourn be adopted?" the vote was:

Ayes, 12:

Coleman	Glenn	Kennedy	Robinson
Doderer	Gross	Miller	Tapscott
Gaudineer	Hill	Palmer	Van Gilst

Nays, 33:

Anderson	Erskine	Milligan	Schaben
Arbuckle	Gilley	Mowry	Shaff
Balloun	Graham	Neu	Shawver
Bass	Griffin	Nicholson	Smith
Briles	Keith	Potter	Stephens
Carlson	Kyhl	Rabedeaux	Thordsen
Conklin	Lamborn	Rhodes	Van Drie
Davis	Laverty	Riley	Walsh
DeKoster			

Absent or not voting, 5:

Brownlee	Messerly	Ollenburg	Potgeter
Curran			

The motion lost.

Senator Lamborn moved that the call of the Senate be lifted.

On the question "Shall the call of the Senate be lifted?" (H.F. 399) the vote was:

Ayes, 32:

Anderson	DeKoster	Laverty	Riley
Arbuckle	Erskine	Milligan	Shaff
Balloun	Gilley	Mowry	Shawver
Bass	Graham	Neu	Smith
Briles	Griffin	Nicholson	Stephens
Carlson	Keith	Potter	Thordsen
Conklin	Kyhl	Rabedeaux	Van Drie
Davis	Lamborn	Rhodes	Walsh

Nays, 12:

Coleman	Glenn	Kennedy	Robinson
Doderer	Gross	Miller	Tapscott
Gaudineer	Hill	Palmer	Van Gilst

Absent or not voting, 6:

Brownlee	Messerly	Potgeter	Schaben
Curran	Ollenburg		

The motion prevailed and the call of the Senate was lifted.

Senator Doderer offered the following amendment:

- 1 Amend House File 399, page 2 by adding the following
- 2 new section after line 23:
- 3 Sec. 3. Section nineteen A point three (19A.3), Code
- 4 1971, subsection 1 is amended as follows:
- 5 1. [The] *All employees of the highway commission, and*
- 6 *board of regents, and the general assembly, employees*

- 7 of the general assembly, other officers elected by
 8 popular vote, and persons appointed to fill vacancies
 9 in elective offices.

Senator Tapscott moved that the Doderer amendment be laid on the table.

Roll call was requested.

On the question "Shall the motion to table the Doderer amendment be adopted?" (H.F. 399) the vote was:

Ayes, 11:

Coleman	Gross	Miller	Tapscott
Gaudineer	Hill	Palmer	Van Gilst
Glenn	Kennedy	Robinson	

Nays, 33:

Anderson	Doderer	Milligan	Schaben
Arbuckle	Erskine	Mowry	Shaff
Balloun	Gilley	Neu	Shawver
Bass	Graham	Nicholson	Smith
Briles	Keith	Potter	Stephens
Carlson	Kyhl	Rabedaux	Thordsen
Conklin	Lamborn	Rhodes	Van Drie
Davis	Laverty	Riley	Walsh
DeKoster			

Absent or not voting, 6:

Brownlee	Griffin	Ollenburg	Potgeter
Curran	Messerly		

The motion lost.

Senator Doderer moved the adoption of her amendment.

Roll call was requested.

On the question "Shall the Doderer amendment be adopted?" (H.F. 399) the vote was:

Rule 24 was invoked.

Ayes, 21:

Balloun	Graham	Palmer	Shawver
Briles	Gross	Riley	Smith
Coleman	Hill	Robinson	Tapscott
Doderer	Kennedy	Schaben	Thordsen
Gaudineer	Miller	Shaff	Van Gilst
Glenn			

Nays, 24:

Anderson	DeKoster	Lamborn	Potter
Arbuckle	Erskine	Laverty	Rabedaux
Bass	Gilley	Milligan	Rhodes
Carlson	Griffin	Mowry	Stephens
Conklin	Keith	Neu	Van Drie
Davis	Kyhl	Nicholson	Walsh

Absent or not voting, 5:

Brownlee	Messerly	Ollenburg	Potgeter
Curran			

The amendment lost.

Senator Gaudineer offered the following amendment:

- 1 Amend House File 399, page 2, by inserting after
- 2 line 23, the following new section:
- 3 "Sec. Chapter nineteen A (19A), Code 1971 is
- 4 hereby amended by adding the following new section
- 5 thereto:
- 6 *Any department, board, commission, or agency of*
- 7 *state government which by departmental rules inaugurates*
- 8 *a system of collective bargaining with its employees,*
- 9 *shall not be subject to this chapter."*

Senator Gaudineer moved the adoption of his amendment and requested a roll call.

On the question "Shall the Gaudineer amendment be adopted?" (H.F. 399) the vote was:

Ayes, 17:

Coleman	Hill	Rabedeaux	Tapscott
Doderer	Kennedy	Riley	Thordsen
Gaudineer	Nicholson	Robinson	Van Gilst
Glenn	Palmer	Schaben	Walsh
Gross			

Nays, 26:

Anderson	Davis	Kyhl	Potter
Arbuckle	DeKoster	Lamborn	Rhodes
Balloun	Erskine	Lavery	Shawver
Bass	Gilley	Milligan	Smith
Briles	Graham	Mowry	Stephens
Carlson	Griffin	Neu	Van Drie
Conklin	Keith		

Absent or not voting, 7:

Brownlee	Messerly	Ollenburg	Shaff
Curran	Miller	Potgeter	

The amendment lost.

Senator Glenn offered the following amendment:

- 1 Amend House File 399, page 2, by inserting after
- 2 line 23, the following new section:
- 3 "Sec. Chapter nineteen A (19A), Code 1971 is
- 4 hereby amended by adding the following new section
- 5 thereto:
- 6 *Any employees performing duties required by section*
- 7 *one hundred eighty-nine A point five (189A.5) shall be*
- 8 *subject to this chapter."*

Senator Lamborn raised a point of order on the amendment for the reason that it was not in order.

The Chair ruled the point well taken and the amendment out of order.

Senator Glenn moved that the rules be suspended and that the Mowry amendment be reconsidered.

On the question "Shall the motion to suspend the rules and reconsider the Mowry amendment be adopted?" (H.F. 399) the vote was:

Ayes, 11:

Coleman	Gross	Milligan	Schaben
Gaudineer	Hill	Palmer	Van Gilst
Glenn	Kennedy	Robinson	

Nays, 26:

Anderson	Gilley	Mowry	Shawver
Arbuckle	Graham	Neu	Smith
Bass	Griffin	Nicholson	Stephens
Carlson	Keith	Potter	Thordsen
Conklin	Kyhl	Rabedeaux	Van Drie
Davis	Lamborn	Riley	Walsh
Erskine	Laverty		

Absent or not voting, 13:

Balloun	DeKoster	Miller	Rhodes
Briles	Doderer	Ollenburg	Shaff
Brownlee	Messerly	Potgeter	Tapscott
Curran			

The motion lost.

Senator Lamborn moved that the Senate recess until 1:00 p.m.

Objection was raised.

Division was called for.

Senator Lamborn withdrew his motion to recess.

Senator Glenn raised a point of order that after a motion has been put by the Chair it cannot be withdrawn without a vote of the Senate.

The Chair ruled the point well taken and put the motion to a vote.

The motion to recess lost.

Senator Gaudineer offered the following amendment:

- 1 Amend House File 399, page 2, by inserting after
- 2 line 23, the following new section:
- 3 "Sec. Chapter nineteen A (19A), Code 1971, is
- 4 hereby amended by adding the following new section
- 5 thereto:

6 *In the event the majority of employees in any*
 7 *department, board, commission or agency of state*
 8 *government, vote, at an election called by the head*
 9 *thereof, to be exempted from this chapter, such*
 10 *employees shall thereafter not be subject to the*
 11 *provisions of this chapter."*

Senator Gaudineer offered the following amendment to the amendment and moved its adoption:

1 Amend the Gaudineer amendment to House File 399,
 2 lines 9 and 10 by striking the word, "*such employees*"
 3 and by inserting in lieu thereof the words, "*all*
 4 *employees in such department, board, commission or*
 5 *agency*".

The amendment to the amendment was adopted.

Senator Gaudineer moved the adoption of his amendment as amended and requested roll call.

On the question "Shall the Gaudineer amendment as amended be adopted?" (H.F. 399) the vote was:

Ayes, 14:

Coleman	Gross	Riley	Shawver
Doderer	Hill	Robinson	Thordsen
Gaudineer	Kennedy	Schaben	Van Gilst
Glenn	Rabedeaux		

Nays, 23:

Anderson	Gilley	Laverty	Rhodes
Arbuckle	Graham	Milligan	Smith
Balloun	Griffin	Mowry	Stephens
Bass	Keith	Neu	Van Drie
Davis	Kyhl	Nicholson	Walsh
Erskine	Lamborn	Potter	

Absent or not voting, 13:

Briles	Curran	Miller	Potgeter
Brownlee	DeKoster	Ollenburg	Shaff
Carlson	Messerly	Palmer	Tapscott
Conklin			

The amendment as amended lost.

CALL OF THE SENATE

The Chair announced the following call of the Senate had been filed at the desk and directed the Secretary to call the roll:

MR. PRESIDENT: Pursuant to Rule 19 of the Permanent Rules of the Senate, we, the undersigned, request a call of the Senate on House File 399 and all amendments and motions thereto.

C. JOSEPH COLEMAN
 MINNETTE DODERER
 LEE H. GAUDINEER, JR.

EUGENE M. HILL
GENE V. KENNEDY
CHARLES P. MILLER
WILLIAM D. PALMER
CLOYD E. ROBINSON
JAMES F. SCHABEN
BASS VAN GILST
GENE W. GLENN

Roll call revealed all members present with the exception of Senators Briles, Brownlee, Conklin, Curran, DeKoster, Messerly, Ollenburg, Potgeter and Tapscott.

Senator Lamborn asked unanimous consent that the absent Senators be excused from the call of the Senate.

Objection was raised.

Senator Lamborn moved that the absent Senators be excused from the call of the Senate.

On the question "Shall the motion to excuse the absent Senators from the call of the Senate be adopted?" the vote was:

Rule 24 was invoked.

Ayes, 27:

Arbuckle	Graham	Mowry	Shawver
Balloun	Griffin	Neu	Smith
Bass	Keith	Potter	Stephens
Carlson	Kyhl	Rabedaux	Thordsen
Davis	Lamborn	Rhodes	Van Drie
Erskine	Lavery	Riley	Walsh
Gilley	Milligan	Shaff	

Nays, 14:

Anderson	Glenn	Miller	Robinson
Coleman	Gross	Nicholson	Schaben
Doderer	Hill	Palmer	Van Gilst
Gaudineer	Kennedy		

Absent or not voting, 9:

Briles	Curran	Messerly	Potgeter
Brownlee	DeKoster	Ollenburg	Tapscott
Conklin			

The motion prevailed and the absent Senators were excused.

Senator Lamborn moved that the call of the Senate be lifted.

The Chair called for a division.

The motion prevailed and the call of the Senate was lifted.

(House File 399 pending.)

MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 35, petitioning the United States Congress to suspend the May 1, 1971, effective date regarding rail passenger service by railroads participating in Railpax.

WILLIAM R. KENDRICK, Chief Clerk

INTRODUCTION OF BILL

Senate File 507, by committee on state government (committee on state government), a bill for an act relating to the Iowa crime commission.

Read first time and placed on calendar.

BILLS ASSIGNED TO COMMITTEE

President Jepsen announced the assignment of the following bills to committee:

S.C.R. 36 State government

S.C.R. 37 State government

S. F. 504 Agriculture

S. F. 506 Social services

SENATE CONCURRENT RESOLUTION 36

By Committee on Environmental Preservation
(Committee on Environmental Preservation)

Whereas, the people of Iowa have a fundamental interest in the orderly development of the state, consistent with the protection and enhancement of its land, air, and water resources; and

Whereas, it is prudent that limited natural resources be placed under a management system that seeks the most efficient use of resources while protecting reserves for the future; and

Whereas, the interdependency of air, water, land, and related environmental issues requires closely coordinated programs and development to prevent, abate, and control pollution problems; and

Whereas, the Environmental Preservation Study Committee, created by the Sixty-third General Assembly, studied pollution problems in this state and recommended legislation to broaden the scope of pollution control laws and programs and to coordinate and consolidate existing pollution control programs, but due to time limitations and recent changes in federal pollu-

tion control programs and guidelines, was unable to thoroughly study and evaluate related natural resource programs, to consider new federal pollution control guidelines and programs, nor recommend additional consolidation of state environmental programs; and

Whereas, the Environmental Preservation Study Committee recommends the continued examination and evaluation of state environmental conditions and the capacities of existing state agencies to effectively deal with these conditions, *Now Therefore*,

Be It Resolved by the Senate, the House of Representatives Concurring, That the Legislative Council is requested to create a study committee to continue the study of state environmental programs and agencies including, but not limited to, an inventory and evaluation of existing programs, a determination of their effectiveness, and the need for further coordination and consolidation of these programs and agencies, the need for additional pollution control programs, and the implementation of federally-sponsored environmental pollution control programs; and

Be It Further Resolved, That a report of the study including proposed legislation to implement the recommendations of the study committee, be prepared and submitted to the Legislative Council and the members of the General Assembly.

SENATE CONCURRENT RESOLUTION 37

By Schaben

Whereas, a legislative session of great length imposes an undue burden upon many members of the General Assembly who because of their status as citizen legislators must continue to maintain their normal employment and conduct their businesses in their home communities; and

Whereas, the proper scheduling and planning of legislative activities with the establishment of definite deadlines would allow the General Assembly to accomplish the same amount of work in a shorter time resulting in monetary savings to the State of Iowa; and

Whereas, the work conducted and completed on Fridays by the General Assembly could easily be completed during the first four days of a legislative week by proper scheduling, planning, and endeavor, *Now Therefore*,

Be It Resolved by the Senate, the House Concurring, That the General Assembly establish a weekly schedule consisting of the first four work days of a week in order that the members of the General Assembly may continue to serve without jeopardizing their normal employment and business activities and thus allowing more persons representing more varied occupational groups to be members of the General Assembly; and

Be It Further Resolved, That the General Assembly establish time limits for each legislative session of ninety session days for the first session of each General Assembly and seventy-five days for the second session of each General Assembly.

REPORT OF COMMITTEE

Senator Briles submitted the following report:

MR. PRESIDENT: Your committee on county government, to which was referred **House File 614**, a bill for an act relating to the state fair board,

begs leave to report it has had the same under consideration and recommends the same **do pass**.

JAMES E. BRILES, Chairman

Ordered passed on file.

AMENDMENTS FILED

- 1 Amend Senate Joint Resolution 9, page 1, line 24,
- 2 by striking the words "until final" and inserting in lieu
- 3 thereof a period and the word "Final".

CLIFTON C. LAMBORN

- 1 Amend Senate File 85 as follows:
- 2 1. Page 3, line 8, by inserting after the word "Act"
- 3 the words ", subject to the provisions of chapter nine-
- 4 teen A (19A) of the Code".
- 5 2. Page 3, by striking lines 17 to 35, inclusive,
- 6 and inserting in lieu thereof the following:
- 7 "Sec. 4. There are created within the department
- 8 the air quality commission, the water quality commis-
- 9 sion, the chemical technology commission, and the solid
- 10 waste disposal commission. Each commission shall estab-
- 11 lish policy for the programs and services assigned to
- 12 it. The membership of the commissions shall be as fol-
- 13 lows:
- 14 1. The air quality commission shall have seven mem-
- 15 bers appointed by the governor with consent of two-thirds
- 16 of the senate, except that of the initial commission
- 17 membership, four members shall be the appointed members
- 18 of the Iowa air pollution control commission abolished
- 19 by this Act, whose terms do not expire on the thirtieth
- 20 of June, 1971. The terms of the four members shall
- 21 expire on the thirtieth of June, 1973. The remaining
- 22 three commission members shall be appointed by the
- 23 governor with the consent of two-thirds of the senate
- 24 for four-year terms.
- 25 2. The water quality commission shall have seven

Page 2

- 1 members appointed by the governor with consent of two-
- 2 thirds of the senate, except that of the initial
- 3 commission membership, five members shall be the appointed
- 4 members of the Iowa water pollution control commission
- 5 abolished by this act, whose terms do not expire on the
- 6 first of July, 1971. The terms of the two members
- 7 scheduled to expire on the first of July, 1973, shall
- 8 expire on the thirtieth of June, 1973, and the terms
- 9 of the three members scheduled to expire on the first
- 10 of July, 1975, shall expire on the thirtieth of June,
- 11 1975. The remaining two commission members shall be
- 12 appointed by the governor with the consent of two-thirds
- 13 of the senate for two-year terms.
- 14 3. The chemical technology commission shall have
- 15 seven members appointed by the governor with consent

16 of two-thirds of the senate, except that of the initial
17 commission membership, two members shall be the appointed
18 members of the chemical technology review board abolished
19 by this Act, whose terms expire on the thirtieth of June,
20 1974. The remaining five commission members shall be
21 appointed by the governor with consent of two-thirds
22 of the senate for four-year terms, except that one such
23 member, designated by the governor, shall be appointed
24 for an initial term of three years.
25 4. The solid waste disposal commission shall have

Page 3

1 seven members appointed by the governor with consent
2 of two-thirds of the senate for four-year terms, except
3 that three members of the initial commission, designated
4 by the governor, shall be appointed for two-year terms.
5 Any commission member may be removed by the governor
6 for cause. The members appointed to the commissions
7 shall be electors of the state and selected on the basis
8 of their qualifications and fitness to discharge the
9 duties of office. The term of office for each member
10 of the commissions shall be four years, except as
11 otherwise provided for members of the initial commissions
12 or in the case of a vacancy. The term of office of each
13 member of the commissions shall commence on the first
14 day of July of the year of the appointment. Vacancies
15 occurring during a term of office shall be filled by
16 appointment for the balance of the unexpired term subject
17 to confirmation by two-thirds of the senate.
18 Each commission shall meet at least four times a year.
19 Other meetings shall be called by the chairman or upon
20 written request of a majority of the members of the com-
21 mission. The chairman shall preside at all meetings
22 or in his absence the vice chairman shall preside. The
23 executive director shall attend the meetings of the com-
24 missions and act as secretary for them. The members
25 of each commission shall be paid a per diem of forty

Page 4

1 dollars while in session, ten cents a mile for travel,
2 and their reasonable and necessary expenses while
3 attending such meetings.
4 A majority of each commission shall constitute a
5 quorum and the concurrence of a majority of a commission
6 shall be required to determine any matter relating to
7 its duties."
8 3. Page 4, by striking lines 1 through 35, inclu-
9 sive.
10 4. Page 5, by striking lines 1 through 10, inclu-
11 sive.
12 5. Page 6, by inserting after line 8 the following
13 new subsection:
14 "Review the rules and regulations recommended by the
15 executive director and adopt, amend or repeal the rules
16 and regulations deemed necessary for the effective ad-

17 ministration of the department. The rules and regula-
18 tions shall include departmental policy relating to the
19 disclosure of information on any violation or alleged
20 violation of the rules and regulations, standards, or
21 orders issued by the department and keeping of confi-
22 dential information obtained by the department in the
23 administration and enforcement of the provisions of this
24 Act.”

25 6. Page 7, by inserting after line 2 the following

Page 5

1 new section:

2 “There is created an advisory committee to the execu-
3 tive committee. The advisory committee shall consist
4 of the following:

5 1. Two ecologists, a fish and wildlife biologist,
6 a geologist-hydrologist, an agronomist, a regional plan-
7 ner, and an economist appointed by the governor from
8 the private or public colleges and universities in this
9 state.

10 2. An environmental engineer appointed by the presi-
11 dent, Iowa engineering society.

12 3. A member engaged in commerce or industry and a
13 member engaged in agricultural production appointed by
14 the governor.

15 4. A member appointed by the president, Iowa academy
16 of science.

17 The members of the advisory committee shall be elec-
18 tors of this state and shall be appointed for four-year
19 terms, except that five of the members appointed by the
20 governor to the initial advisory board shall be appointed
21 for two-year terms. If a vacancy occurs, the appointment
22 shall be made for the unexpired term.

23 The advisory committee shall advise and assist the
24 executive committee in obtaining scientific data on the
25 ecological problems in the state and coordinating the

Page 6

1 regulatory, enforcement, research, and educational
2 functions of the department. The advisory committee,
3 upon request, shall advise any commission within the
4 department in any matter relating to its duties and
5 responsibilities.

6 The advisory committee shall adopt rules relating
7 to its organizational structure, procedures, and meetings
8 under the general supervision of the executive committee.

9 The members of the advisory committee shall be reim-
10 bursed for all actual and necessary expenses incurred
11 by them in the discharge of their official duties.”

12 7. By renumbering the sections, subsections, and
13 internal references to sections and subsections to con-
14 form to this amendment.

GEORGE L. SHAWVER
CHARLES O. LAVERTY

1 Amend Senate File 296, page 3, line 12, by inserting
2 after the word "petition" the following:
3 "A referendum election shall not be valid unless at
4 least forty-four thousand or one-half of the total number
5 of producers eligible to vote therein, whichever is greater,
6 actually casts a valid vote, for or against, the proposition
7 to be decided."

JAMES F. SCHABEN

1 Amend Senate File 397, page 120, line 25, by inserting after
2 the word "division." the following:
3 "Nothing in this Act shall be construed to allow the
4 abrogation of any franchise approved prior to the effective
5 date of this Act."

RALPH W. POTTER

1 Amend Senate File 478, page 3, by adding the following
2 new section after line 32:
3 Sec. 3. All hunting and fishing licenses issued in the
4 state of Iowa after January 1, 1972, shall contain on the
5 face thereof, in bold type, the statement, 'Hunting (or
6 fishing, whichever is applicable) upon private property is
7 legal only with written permission of the owner or person
8 in control of such private property'.

J. WESLEY GRAHAM

1 Amend Senate File 502, page 3, by adding the following
2 new section after line 16:
3 Sec. 3. This Act, being deemed of immediate importance,
4 shall take effect and be in force from and after its publica-
5 tion in The New Hampton Tribune, a newspaper published in
6 New Hampton, Iowa, and in The Times-Plain Dealer, a
7 newspaper published in Cresco, Iowa.

GEORGE L. SHAWVER

1 Amend House File 73, as amended and passed by the
2 House, by striking from page 38 lines 21 through 31,
3 inclusive, and renumbering the succeeding subsections of
4 section 26 accordingly.

CHARLES O. LAVERTY

1 Amend House File 399, page 2, by inserting after line 23,
2 the following new section:
3 "Sec. No more than fifty-one (51) percent of the
4 employees appointed by any one department under the provisions
5 of this Act shall belong to the same political party."

GENE W. GLENN

1 Amend House File 399, page 2, by inserting after
2 line 23, the following new section:
3 "Sec. Chapter nineteen A (19A), Code 1971, is
4 hereby amended by adding the following new section
5 thereto:
6 *Any departments, boards, commissions or agencies*

7 *of the state of Iowa whose employees are exempted from*
8 *the provisions of this chapter shall not discriminate*
9 *in the hiring, firing and promotion of such employees*
10 *on the basis of race, creed, color, sex, national*
11 *origin or religion."*

MINNETTE DODERER

1 Amend House File 473, page 1, by adding the following
2 new section after line 11:
3 Sec. 2. This Act, being deemed of immediate importance,
4 shall take effect and be in force from and after its
5 publication in The Knoxville Express, a newspaper
6 published in Knoxville, Iowa, and in The Record-Herald
7 and Indianola Tribune, a newspaper published in Indianola,
8 Iowa.

CHARLES O. LAVERTY

On motion of Senator Lamborn, the Senate adjourned until 9:00 a.m., Monday, April 26, 1971.

JOURNAL OF THE SENATE

ONE HUNDRED SIXTH DAY

SENATE CHAMBER

DES MOINES, IOWA, MONDAY, APRIL 26, 1971

The Senate met in regular session, President Jepsen presiding.

Prayer was offered by Dr. Wayne E. Shoemaker, Director of Program Council, United Methodist Church, Des Moines, Iowa.

The Senate pledged allegiance to the flag.

The Journal of Friday, April 23, 1971, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Thordsen because of illness on request of Senator Lamborn.

PRESENTATION OF VISITORS

The Chair announced that the following visitors were present in the Senate gallery:

Twenty-nine students from West Marshall Community School, State Center, Iowa, accompanied by their instructors, Mrs. Bartine, Mrs. Griffiths, Mrs. Shives and Mrs. Smith.

Twenty-eight students from Green Mountain School, Green Mountain, Iowa, accompanied by their instructors, Mrs. Hoing, Mrs. Lynch and Mrs. Odle.

Thirty-five students from Dows Community School, Dows, Iowa, accompanied by their instructor, Mr. Hammel.

PETITION

The following petition was presented and placed on file:

By Senator Stephens, from eleven residents of Washington County opposing legalized gambling in Iowa.

COMMUNICATIONS

The following communications were presented:

OFFICE OF THE GOVERNOR

State Capitol

Des Moines, Iowa 50319

April 23, 1971

The Honorable Roger W. Jepsen
Lieutenant Governor of Iowa
State Capitol
Local

Dear Governor Jepsen:

It is my pleasure to submit to the Senate for their consideration the name of Miss Virginia Harper of Fort Madison, Lee County, Iowa, for appointment as a member of the State Board of Public Instruction under the provisions of Section 257.4, 1971 Code of Iowa, for the unexpired portion of a term ending January 2, 1974.

Sincerely

ROBERT D. RAY
Governor

Also:

Dear Governor Jepsen:

It is my pleasure to submit to the Senate for their consideration the name of Mr. Keith Gunzenhauser of West Des Moines, Polk County, Iowa, for appointment as a member of the Advisory Investment Board of the Iowa Public Employees' Retirement System under the provisions of Section 97B.8, 1971 Code of Iowa, for the regular six-year term commencing July 1, 1971, and ending June 30, 1977.

Sincerely

ROBERT D. RAY
Governor

ANNOUNCEMENT OF INVESTIGATING COMMITTEES
ON GOVERNOR'S APPOINTMENTS

President Jepsen, in accordance with section 2.32, Code 1971, announced the appointment of the following Senators to investigating committees:

As a member of the Advisory Investment Board of the Iowa Public Employees' Retirement System:

Keith Gunzenhauser of West Des Moines, Polk County, Iowa, for the regular six-year term commencing July 1, 1971, and ending June 30, 1977.

Senator Milligan, Chairman
Senator Gilley
Senator Miller
Senator Ollenburg
Senator Rhodes

As a member of the State Board of Public Instruction:
Virginia Harper of Fort Madison, Lee County, Iowa, for the unexpired portion of a term ending January 2, 1974.
Senator Davis, Chairman
Senator Conklin
Senator Miller
Senator Rabedeaux
Senator Stephens

CONSIDERATION OF BILLS

Senator Lamborn asked and received unanimous consent to take up out of order House File 48.

House File 48

On motion of Senator Keith, House File 48, a bill for an act relating to the movement of oversized mobile homes and vehicles, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Curran offered the following amendment filed by Senators Curran, Keith and Walsh on March 4, 1971, and moved its adoption:

- 1 Amend House File 48 as amended, passed, and reprinted

2 by the House by striking all after the enacting clause

3 and inserting in lieu thereof the following:

4 "Section 1. Section three hundred twenty-one E point

5 three (321E.3), Code 1971, is amended as follows:

6 321E.3 ESCORTS FOR MOVEMENT—DISTANCE SCHEDULES.

7 All movements of mobile homes and other vehicles the

8 width of which, including any load, exceeds the road-

9 way lane width of the highway or street being traversed,

10 shall be under escort. Permits for the movement of

11 other motor vehicles with indivisible loads exceeding

12 twelve feet five inches in width [or mobile homes of

13 widths including appurtenances exceeding twelve feet

14 five inches] shall be restricted to maximum trip distances

15 in accordance with the following schedule:

16 SCHEDULE OF OVER-WIDTH MOVEMENT DISTANCES FOR

17 WIDTHS OF 24 FEET OR MORE WITH TRAFFIC OF 4,000 OR

18 VEHICLES PER DAY PAVEMENT MORE

19 Load Distance

20 Width (ft.) (Miles)

21 13.....50

22 14.....50

23 15.....41

24 16.....32

25 17.....23

Page 2

1	18.....	15
2	19 to 40.....	10
3	Over 40.....	Not allowed.
4	<i>Any mobile home exceeding twelve feet five inches in</i>	
5	<i>width and not exceeding fourteen feet five inches may</i>	
6	<i>be moved on the highways of this state upon filing of</i>	
7	<i>an application for and receiving a single trip permit.</i>	
8	<i>Any mobile home exceeding fourteen feet five inches</i>	
9	<i>in width shall be restricted to maximum trip distances</i>	
10	<i>in accordance with the above schedule.</i>	
11	Sec. 2. Section three hundred twenty-one E point	
12	eight (321E.8), subsection one (1), Code 1971, is amended	
13	as follows:	
14	1. Vehicles with indivisible loads having an over-	
15	all width not to exceed twelve feet, five inches or	
16	mobile homes including appurtenances not to exceed	
17	twelve feet, five inches and an over-all length not	
18	to exceed [seventy feet, zero inches] <i>eighty-five feet,</i>	
19	<i>including the power unit,</i> may be moved for unlimited	
20	distances. The vehicle and load shall not exceed the	
21	height of thirteen feet, ten inches and the total gross	
22	weight as prescribed in section 321.463.	
23	Sec. 3. Section three hundred twenty-one E point	
24	nine (321E.9), subsection one (1), Code 1971, is amended	
25	as follows:	

Page 3

1	1. Vehicles with indivisible loads having an over-	
2	all width not to exceed twelve feet, five inches or	
3	mobile homes including appurtenances not to exceed	
4	[twelve] <i>fourteen</i> feet, five inches and an over-all length	
5	not to exceed [eighty feet, zero inches] <i>eighty-five feet,</i>	
6	<i>including the power unit,</i> may be moved for unlimited	
7	distances. No mobile home may be moved under the	
8	provisions of this subsection if the actual mobile home	
9	unit exceeds [sixty-eight feet in length] <i>seventy feet</i>	
10	<i>in length, not including any area occupied by a hitching</i>	
11	<i>device.</i> No unit moved under the provisions of this	
12	subsection shall exceed the height as prescribed in	
13	section 321.456 and the total gross weight as prescribed	
14	in section 321.463.	
15	Sec. 4. Section three hundred twenty-one E point	
16	eleven (321E.11), unnumbered paragraph one (1), Code	
17	1971, is amended as follows:	
18	Movements by permit in accordance with this chap-	
19	ter shall be permitted [only during daylight hours unless	
20	it is established by the issuing authority that the	
21	movement can be better accomplished at another period	
22	of time because of traffic volume conditions] <i>from thirty</i>	
23	<i>minutes before sunrise to thirty minutes after sunset.</i>	
24	Sec. 5. Section three hundred twenty-one point one	
25	(321.1), Code 1971, is amended by adding the following	

Page 4

- 1 new subsection:
- 2 "Daylight hours" means thirty minutes before sunrise
- 3 to thirty minutes after sunset.
- 4 Sec. 6. This Act, being deemed of immediate im-
- 5 portance, shall take effect and be in force from and
- 6 after its publication in Neola Gazette-Reporter, a
- 7 newspaper published in Neola, Iowa, and in Council
- 8 Bluffs Nonpareil, a newspaper published in Council
- 9 Bluffs, Iowa.

The amendment was adopted.

Senator Glenn moved that House File 48 be re-referred to the committee on transportation.

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

The Senate resumed session, President pro tempore Kyhl presiding.

On motion of Senator Balloun, the Senate recessed until 1:15 p.m.

AFTERNOON SESSION

The Senate reconvened, President Jepsen presiding.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File 420, a bill for an act relating to reduction of sentence for prisoners held in county jails.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 503, a bill for an act relating to levee and drainage districts.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 183, a bill for an act relating to disposal of unneeded documents.

Also: That the House has concurred in Senate amendment to and re-passed the following bill in which the concurrence of the House was asked:

House File 197, a bill for an act relating to taxation of rural electric cooperative property.

WILLIAM R. KENDRICK, Chief Clerk

INTRODUCTION OF BILL

Senate File 508, by Senator Tapscott, a bill for an act to establish day care centers and to make an appropriation.

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

HOUSE MESSAGES CONSIDERED

House File 420, a bill for an act relating to reduction of sentence for prisoners held in county jails.

Read first time and **passed on file**.

House File 503, a bill for an act relating to levee and drainage districts.

Read first time and **passed on file**.

CONSIDERATION OF BILLS

House File 48

The Senate resumed consideration of House File 48.

Senator Glenn re-stated his motion to re-refer House File 48 to the committee on transportation and requested a roll call.

On the question "Shall the motion to re-refer be adopted?" (H.F. 48) the vote was:

Ayes, 14:

DeKoster	Gross	Milligan	Riley
Doderer	Hill	Palmer	Robinson
Gaudineer	Kennedy	Potgeter	Tapscott
Glenn	Miller		

Nays, 35:

Anderson	Curran	Laverty	Schaben
Arbuckle	Davis	Messerly	Shaff
Balloun	Erskine	Mowry	Shawver
Bass	Gilley	Neu	Smith
Briles	Graham	Nicholson	Stephens
Brownlee	Griffin	Ollenburg	Van Drie
Carlson	Keith	Potter	Van Gilst
Coleman	Kyhl	Rabedaux	Walsh
Conklin	Lamborn	Rhodes	

Absent or not voting, 1:

Thordsen

The motion lost.

Senator Keith moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 48) the vote was:

Rule 24 was invoked.

Ayes, 27:

Anderson	Curran	Lamborn	Schaben
Arbuckle	Erskine	Messerly	Shaff
Balloun	Gilley	Nicholson	Smith
Bass	Griffin	Ollenburg	Van Drie
Briles	Gross	Potter	Van Gilst
Brownlee	Keith	Rabedaux	Walsh
Coleman	Kyhl	Rhodes	

Nays, 22:

Carlson	Glenn	Milligan	Riley
Conklin	Graham	Mowry	Robinson
Davis	Hill	Neu	Shawver
DeKoster	Kennedy	Palmer	Stephens
Doderer	Laverty	Potgeter	Tapscott
Gaudineer	Miller		

Absent or not voting, 1:

Thordsen

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

Senator Keith moved that the vote by which House File 48 passed the Senate be reconsidered and the motion to reconsider be laid on the table.

Roll call was requested.

On the question "Shall the motion to reconsider be laid on the table?" (H.F. 48) the vote was:

Ayes, 24:

Anderson	Curran	Kyhl	Rhodes
Arbuckle	Davis	Lamborn	Shaff
Balloun	Erskine	Nicholson	Smith
Bass	Gilley	Ollenburg	Stephens
Briles	Griffin	Potter	Van Drie
Brownlee	Keith	Rabedaux	Walsh

Nays, 25:

Carlson	Graham	Miller	Riley
Coleman	Gross	Milligan	Robinson
Conklin	Hill	Mowry	Schaben
DeKoster	Kennedy	Neu	Shawver
Doderer	Laverty	Palmer	Tapscott
Gaudineer	Messerly	Potgeter	Van Gilst
Glenn			

Absent or not voting, 1:

Thordsen

The motion lost.

MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File 129, a bill for an act to create a department of general services.

WILLIAM R. KENDRICK, Chief Clerk

INTRODUCTION OF BILLS

Senate File 509, by committee on human and industrial relations, a bill for an act relating to vocational training and apprenticeship programs.

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

Senate File 510, by committee on ways and means, a bill for an act relating to the transfer and use of state funds.

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

HOUSE MESSAGE CONSIDERED

House File 129, a bill for an act to create a department of general services, transferring services presently performed by designated state agencies to the department of general services, eliminating the performance of certain duties, and providing penalties.

Read first time and **passed on file**.

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which the Doderer amendment to House File 399, filed April 23, 1971 failed to pass the Senate.

RUDY VAN DRIE

MR. PRESIDENT: I move to reconsider the vote by which the Mowry, et al., amendment to House File 399, filed April 23, 1971, was adopted by the Senate.

CHARLES O. LAVERTY

MR. PRESIDENT: I move to reconsider the vote by which House File 48 passed the Senate.

C. JOSEPH COLEMAN

BILLS ASSIGNED TO COMMITTEE

President Jepsen announced the assignment of the following bills to committee:

H. F. 129 State government

H. F. 420 Judiciary

H. F. 503 County government

REPORTS OF COMMITTEES

Senator Stephens submitted the following reports:

MR. PRESIDENT: Your committee on agriculture to which was referred **House File 39**, a bill for an act relating to the regulation of aerial application of pesticides and establishing damage and enforcement procedures, begs leave to report it has had the same under consideration and recommends the same **do pass**.

RICHARD L. STEPHENS, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on agriculture to which was referred **House File 527**, a bill for an act relating to inspection fees for weights and measures, begs leave to report it has had the same under consideration and recommends the same **do pass**.

RICHARD L. STEPHENS, Chairman

Ordered passed on file.

Senator Messerly submitted the following report:

MR. PRESIDENT: Your committee on appropriations, to which was referred **Senate File 85**, a bill for an act creating a department of environmental quality, specifying its powers, duties, and functions, and providing penalties for violations thereof, begs leave to report it has had the same under consideration and recommends the same **be amended as follows; and when so amended the bill do pass**:

- 1 Amend Senate File 85 as follows:
- 2 1. Page 21, by inserting after line 3, the following
- 3 new section:
- 4 "Any rule or regulation adopted or order or variance
- 5 issued under chapter one hundred thirty-six B (136B) of
- 6 the Code, prior to the effective date of this Act, by
- 7 the Iowa air pollution control commission or by the
- 8 state department of health, shall remain effective until
- 9 modified or rescinded by action of the air quality com-
- 10 mission unless such rule or regulation is inconsistent
- 11 or contrary to sections twelve (12) through thirty (30)
- 12 of this Act."
- 13 2. Page 38, by inserting after line 1 the following
- 14 new section:
- 15 "Any rule or regulation adopted or order or permit
- 16 issued under chapters one hundred thirty-six A (136A),
- 17 four hundred fifty-five B (455B) and four hundred fifty-
- 18 five C (455C) of the Code, prior to the effective date
- 19 of this Act, by the Iowa water pollution control com-
- 20 mission or by the state department of health, shall
- 21 remain effective until modified or rescinded by action
- 22 of the water quality commission unless such rule or

- 23 regulation is inconsistent or contrary to sections
24 thirty-one (31) through seventy (70) of this Act.”
25 3. Page 43, by inserting after line 17 the following

Page 2

- 1 new section:
2 “Any rule or regulation adopted or order issued under
3 chapter four hundred six (406) of the Code, prior to the
4 effective date of this Act, by the commissioner of
5 public health shall remain effective until modified or
6 rescinded by action of the solid waste disposal commis-
7 sion unless such rule or regulation is inconsistent or
8 contrary to sections seventy-one (71) through seventy-
9 nine (79) of this Act.”
10 4. Page 74, by inserting after line 10 the following
11 new section:
12 “Any rule or regulation adopted or order issued under
13 chapters two hundred (200), two hundred six (206), and
14 two hundred six A (206A) of the Code, prior to the
15 effective date of this Act, by the chemical technology
16 review board or the secretary of agriculture, shall
17 remain effective until modified or rescinded by action
18 of the chemical technology commission unless such rule
19 or regulation is inconsistent or contrary to sections
20 eighty-five (85) through one hundred fourteen (114) of
21 this Act.”
22 5. Page 76, line 17, by striking the word “appro-
23 priations” and inserting in lieu thereof the word
24 “funds”.
25 6. Page 76, line 32, by striking the word “appro-

Page 3

- 1 priations” and inserting in lieu thereof the word
2 “funds”.
3 7. By renumbering the sections, subsections, and
4 internal references to sections and subsections to con-
5 form to this amendment.

FRANCIS L. MESSERLY, Chairman

Ordered passed on file.

AMENDMENTS FILED

- 1 Amend Senate File 296 as follows:
2 1. Page 2, by striking in lines 2 and 3 the words “or his
3 designee”.
4 2. Page 3, line 2, by striking the word “beans” and insert-
5 ing in lieu thereof the word “soybeans”.
6 3. Page 4, by adding after the period in line 35 the words
7 “Additional candidates may be nominated by a written petition
8 of one hundred producers. Procedures governing the time and
9 place of filing shall be promulgated and publicized by the
10 board.”
11 4. Page 5, by striking line 6 and inserting in lieu thereof
12 the words “designees, and two representatives of first purchaser

13 organizations shall serve on the board as ex officio members.
14 One each of the two first purchaser representatives shall be
15 appointed by, and serve at the pleasure of, the Iowa grain and
16 feed association and the farmers grain dealers association of
17 Iowa."

18 5. Page 6, line 17, by adding after the word "least" the
19 word "twice".

20 6. Page 6, line 18, by striking the word "five" and
21 inserting in lieu thereof the word "thirty".

22 7. Page 7, line 14, by striking the words "the invoice
23 of sale" and inserting in lieu thereof the words "the purchase
24 invoice".

25 8. Page 7, by adding after the period in line 18 the words

Page 2

1 "However, notwithstanding any other provision contained in this
2 chapter, producers may sign a waiver of compliance at the time
3 of sale and no assessment shall be levied on that sale. The
4 secretary shall furnish appropriate forms, upon request, to first
5 purchasers for this purpose. Odd lot purchases of less than one
6 hundred bushels are exempted from this Act."

7 9. Page 8, by striking in lines 6 and 7 the words "one
8 hundred twenty days" and inserting in lieu thereof the words
9 "one year".

10 10. Page 8, line 8, by striking the words "one hundred" and
11 inserting in lieu thereof the words "five hundred".

12 11. Page 8, line 29, by striking the word "sixty" and
13 inserting in lieu thereof the word "ninety".

14 12. Page 8, line 34, by inserting after the word "deducted."
15 the words "The proof of assessment may be in the form of a
16 duplicate or certified copy of the purchase invoice by the first
17 purchaser."

18 13. Page 9, by striking lines 27, 28, 29, and 30, and in
19 line 31 the words "trol of any person" and inserting in lieu
21 thereof the words "The secretary may examine any records relating
22 to the purchase, sale, storage, processing, handling, or assess-
23 ment of soybeans by any first purchaser."

24 14. Page 10, line 3, by inserting after the word "collected"
the words "and expended".

JAMES A. POTGETER

1 Amend Senate File 500, page 5, by adding the following new
2 section after line 20, and renumbering the remaining sections:

3 Sec. 6. Section four hundred fifty point fifty-nine (450.59),
4 Code 1971, is amended by striking unnumbered paragraph two.

LUCAS J. DeKOSTER

1 Amend House File 48, as amended, passed, and re-
2 printed by the House, by adding on page 4, after line 15
3 the following new section, and renumbering the remaining
4 section.

5 Sec. 6. Chapter three hundred twenty-one E (321E),
6 Code 1971, is hereby amended by adding the following new
7 section thereto:

8 "In no event shall a mobile home more than twelve

9 feet five inches in width be moved on a highway with a
10 pavement width of less than twenty-four feet. Notwith-
11 standing the provisions of section three hundred twenty-
12 one E point three (321E.3)."

LEE H. GAUDINEER, JR.

1 Amend House File 522 as follows:

2 Page 8, following line 5 insert the following:

3 "No charge shall be made for such user's permits."

RUDY VAN DRIE

On motion of Senator Lamborn, the Senate adjourned until 8:30
a.m., Tuesday, April 27, 1971.

JOURNAL OF THE SENATE

ONE HUNDRED SEVENTH DAY

SENATE CHAMBER

DES MOINES, IOWA, TUESDAY, APRIL 27, 1971

The Senate met in regular session, President pro tempore Kyhl presiding.

Prayer was offered by the Reverend Lawrence Sprankle, pastor of the First Baptist Church, Marion, Iowa.

The Senate pledged allegiance to the flag.

The Journal of Monday, April 26, 1971, was approved.

PRESENTATION OF VISITORS

The Chair announced that the following visitors were present in the Senate gallery:

Sixty students from Ballard High School, Huxley, Iowa, accompanied by their instructors, Mr. Anderson and Mr. Cole.

Forty-eight students from Albert City-Truesdale Community School, Albert City, Iowa, accompanied by their instructors, Mr. Henningson and Mr. Mowry.

Twenty-four students from Clearfield School, Clearfield, Iowa, accompanied by their instructor, Vera Carson.

Forty-five students from Radcliffe School, Radcliffe, Iowa, accompanied by Elaine Gelbous and Marjorie Krause.

One hundred four students from Newton Senior High School, Newton, Iowa, accompanied by their instructor, Fred Meeker.

Twenty-four students from Hawthorne Elementary School, Indianola, Iowa, accompanied by their instructor, Mrs. Laird.

Thirty-six students from West Branch High School, West Branch, Iowa, accompanied by their instructor, Mrs. Simon.

Nine students from Clear Lake Junior High School, Clear Lake, Iowa, accompanied by Mrs. Pedelty and Mrs. Dunn.

Thirty-one students from Deep River-Millersburg Community School, Millersburg, Iowa, accompanied by their instructor, Mrs. Corrine Tandy.

PETITIONS

The following petitions were presented and placed on file:

By Senator Shawver, from forty-five residents of Bremer County opposing repeal of the Iowa meat and poultry inspection law.

By Senator Van Gilst, from fifteen residents of Mahaska County opposing repeal of the Iowa Meat and Poultry Inspection law.

CONSIDERATION OF BILLS

Senator Lamborn asked and received unanimous consent to take up out of order House File 14.

House File 14

On motion of Senator Rhodes, House File 14, a bill for an act relating to the leasing of property by the state conservation commission, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Rhodes offered the following amendment filed by the committee on state government and moved its adoption:

1 Amend House File 14 as follows:

2 1. Page 1, line 6, by striking the words “, with
3 the approval of the executive council,” and inserting
4 in lieu thereof the words “[, with the approval of the
5 executive council,] *recommend that the executive coun-
6 cil*”.

7 2. Page 1, line 8, by striking the word “its” and
8 inserting in lieu thereof the words “[its] *the commis-
9 sion’s*”.

10 3. Page 1, line 11, by inserting after the word
11 “purpose.” the following:

12 “*The council may, if it approves the recommenda-
13 tion and the lease to be entered into is for five years
14 or less, execute the lease in behalf of the state and
15 commission. If the recommendation is for a lease in
16 excess of five years, the council shall advertise for
17 bids therefor as provided in section 19.20. If a bid
18 is accepted, the lease shall be let or executed by the
19 council as provided in section 19.21, except that the
20 lease shall be let or executed in accordance with the
21 most desirable bid. The lease shall not be executed
22 for a term longer than fifty years. Any such lease-
23 hold interest, including any improvements placed thereon,
24 shall be listed on the tax rolls as provided in chap-
25 ters 428 and 443; assessed and valued as provided in*

Page 2

1 *chapter 441; taxes levied thereon as provided in chap-
2 ter 444; collected as provided in chapter 445; and sub-*

- 3 *ject to tax sale, redemption, and apportionment of taxes*
 4 *as provided in chapters 446, 447, and 448. It shall*
 5 *be the duty of the lessee to discharge and pay all such*
 6 *taxes."*

Senator Mowry offered the following amendment to the amendment:

- 1 Amend committee on state government amendment to House
 2 File 14, filed April 8, 1971, page 1, line 22, by striking the word
 3 "fifty" and inserting in lieu thereof the word "twenty".

Senator Mowry moved the adoption of his amendment to the amendment and requested a roll call.

On the question "Shall the Mowry amendment to the amendment be adopted?" (H.F. 14) the vote was:

Ayes, 16:

Anderson	Coleman	Graham	Mowry
Balloun	Conklin	Gross	Robinson
Bass	Gilley	Hill	Stephens
Briles	Glenn	Milligan	Van Drie

Nays, 27:

Arbuckle	Griffin	Miller	Schaben
Carlson	Keith	Neu	Shawver
Curran	Kennedy	Nicholson	Smith
DeKoster	Kyhl	Palmer	Tapscott
Doderer	Lamborn	Potgeter	Van Gilst
Erschine	Laverty	Rabedeaux	Walsh
Gaudineer	Messerly	Rhodes	

Absent or not voting, 7:

Brownlee	Ollenburg	Riley	Thordsen
Davis	Potter	Shaff	

The amendment to the amendment lost.

Senator Van Drie offered the following amendment to the amendment and moved its adoption:

- 1 Amend the committee amendment on state government,
 2 filed April 8, 1971, to House File 14, page 1,
 3 line 22, by striking the word "*fifty*" and inserting in lieu
 4 thereof the word "*twenty-five*".

Senator Van Drie moved the adoption of his amendment to the amendment and called for a division.

The amendment to the amendment lost.

On motion of Senator Rhodes, the committee amendment was adopted.

Senator Rhodes moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 14) the vote was:

Ayes, 34:

Arbuckle	Gaudineer	Neu	Schaben
Bass	Griffin	Nicholson	Shaff
Briles	Keith	Palmer	Smith
Brownlee	Kennedy	Potgeter	Stephens
Carlson	Kyhl	Potter	Tapscott
Curran	Lamborn	Rabedeaux	Van Drie
DeKoster	Laverty	Rhodes	Van Gilst
Doderer	Messerly	Robinson	Walsh
Erskine	Miller		

Nays, 11:

Anderson	Gilley	Gross	Mowry
Coleman	Glenn	Hill	Shawver
Conklin	Graham	Milligan	

Absent or not voting, 5:

Balloun	Ollenburg	Riley	Thordsen
Davis			

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

SENATE FILE WITHDRAWN

Senator Curran asked and received unanimous consent that **Senate File 10** be **withdrawn** from further consideration of the Senate.

CONSIDERATION OF BILLS

Senator Lamborn asked and received unanimous consent to take up out of order House File 262.

House File 262

On motion of Senator Kennedy, House File 262, a bill for an act relating to traffic control signals, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Kennedy offered the following amendment and moved its adoption:

- 1 Amend House File 262, page 1, line 21, by inserting
- 2 after the word, "traffic" the words, ", but a vehicle
- 3 turning right at such intersection shall yield the right
- 4 of way to a pedestrian lawfully entering such intersection".

The amendment was adopted.

President Jepsen took the chair at 10:06 a.m.

HOUSE FILE DEFERRED

Senator Kennedy asked and received unanimous consent that further action on **House File 262** be deferred and that the bill be placed on the calendar under **unfinished business**.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Rhodes, from the joint committee on enrolled bills, submitted the following report and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate Files 120 and 417; House Files 12, 550 and 572.

JOHN C. RHODES
Chairman, Senate Committee
ELIZABETH R. MILLER
Chairman, House Committee

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate the following bills: Senate Files 120 and 417; House Files 12, 550 and 572.

BILLS SENT TO THE GOVERNOR

Senator Rhodes, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 27th day of April, 1971, sent to the Governor for his approval: Senate Files 120 and 417.

JOHN C. RHODES, Chairman

Passed on file.

CONSIDERATION OF BILLS

Senator Lamborn asked and received unanimous consent to take up for consideration House File 274.

House File 274

On motion of Senator Bass, House File 274, a bill for an act relating to military leave of absence for civil employees, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Bass offered the following amendment filed by him on April 14 and moved its adoption:

- 1 Amend House File 274, as passed by the House, as
- 2 follows:
- 3 Page 1, lines 8 and 9, by striking the words "*in*
- 4 *temporary employment*" and inserting in lieu thereof the
- 5 words "*employed temporarily for six months or less*".

The amendment was adopted.

Senator Gaudineer offered the amendment filed April 21, 1971, by Senators Gaudineer and Tapscott and found on pages 929-930 of the Senate Journal.

Senator Bass raised a point of order on the amendment for the reason that it was not germane to the bill.

The Chair ruled the point well taken and the amendment out of order.

Senator Bass moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 274) the vote was:

Ayes, 44:

Anderson	Doderer	Lamborn	Rabedeaux
Arbuckle	Erschine	Messerly	Rhodes
Balloun	Gaudineer	Miller	Schaben
Bass	Gilley	Milligan	Shaff
Briles	Glenn	Mowry	Shawver
Brownlee	Graham	Neu	Smith
Carlson	Griffin	Nicholson	Stephens
Coleman	Gross	Ollenburg	Tapscott
Conklin	Hill	Palmer	Van Drie
Curran	Keith	Potgeter	Van Gilst
DeKoster	Kyhl	Potter	Walsh

Nays, none.

Absent or not voting, 6:

Davis	Lavery	Robinson	Thordsen
Kennedy	Riley		

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

Senator Lamborn asked and received unanimous consent to take up out of order House File 283.

House File 283

On motion of Senator Bass, House File 283, a bill for an act relating to the payment of claims, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Bass moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 283) the vote was:

Ayes, 45:

Anderson	Erskine	Lamborn	Rabedaux
Arbuckle	Gaudineer	Messerly	Rhodes
Balloun	Gilley	Miller	Schaben
Bass	Glenn	Milligan	Shaff
Briles	Graham	Mowry	Shawver
Brownlee	Griffin	Neu	Smith
Carlson	Gross	Nicholson	Stephens
Coleman	Hill	Ollenburg	Tapscott
Conklin	Keith	Palmer	Van Drie
Curran	Kennedy	Potgeter	Van Gilst
DeKoster	Kyhl	Potter	Walsh
Doderer			

Nays, none.

Absent or not voting, 5:

Davis	Riley	Robinson	Thordsen
Laverty			

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

Senator Lamborn asked and received unanimous consent to take up out of order House File 429.

House File 429

On motion of Senator Rhodes, House File 429, a bill for an act relating to preparation of ballots and voting machines for constitutional questions, amendments and public measures, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Rhodes moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 429) the vote was:

Ayes, 39:

Anderson	Doderer	Kyhl	Rhodes
Arbuckle	Erskine	Lamborn	Schaben
Balloun	Gaudineer	Laverty	Shaff
Bass	Gilley	Messerly	Shawver
Briles	Glenn	Milligan	Smith
Brownlee	Graham	Nicholson	Stephens
Carlson	Griffin	Ollenburg	Tapscott
Coleman	Gross	Potgeter	Van Drie
Curran	Hill	Potter	Van Gilst
DeKoster	Kennedy	Rabedaux	

Nays, 5:

Conklin	Neu	Palmer	Walsh
Mowry			

Absent or not voting, 6:

Davis	Miller	Robinson	Thordsen
Keith	Riley		

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

Senator Lamborn asked and received unanimous consent to take up out of order House File 473.

House File 473

On motion of Senator DeKoster, House File 473, a bill for an act relating to part-time work in agriculture by minors, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Lavery offered the following amendment filed by him and moved its adoption :

- 1 Amend House File 473, page 1, by adding the following
- 2 new section after line 11:
- 3 Sec. 2. This Act, being deemed of immediate importance,
- 4 shall take effect and be in force from and after its
- 5 publication in The Knoxville Express, a newspaper
- 6 published in Knoxville, Iowa, and in The Record-Herald
- 7 and Indianola Tribune, a newspaper published in Indianola,
- 8 Iowa.

The amendment was adopted.

Senator Tapscott offered the following amendment :

- 1 Amend House File 473, page 1, line 9, by inserting the
- 2 following after the word "labor." *"As used in the sub-*
- 3 *section, 'part-time work' means work of twenty hours or*
- 4 *less per week."*

Senator Tapscott moved the adoption of his amendment and requested a roll call.

On the question "Shall the amendment be adopted?" (H.F. 473) the vote was:

Ayes, 12:

Doderer	Gross	Lavery	Palmer
Gaudineer	Hill	Miller	Robinson
Glenn	Kennedy	Neu	Tapscott

Nays, 35:

Anderson	Bass	Carlson	Curran
Arbuckle	Briles	Coleman	Davis
Balloun	Brownlee	Conklin	DeKoster

Erskine	Lamborn	Potgeter	Smith
Gilley	Messerly	Potter	Stephens
Graham	Milligan	Rabedaux	Van Drie
Griffin	Mowry	Rhodes	Van Gilst
Keith	Nicholson	Shaff	Walsh
Kyhl	Ollenburg	Shawver	

Absent or not voting, 3:

Riley	Schaben	Thordsen
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The amendment lost.

Senator DeKoster moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 473) the vote was:

Ayes, 46:

Anderson	Erskine	Laverty	Rabedaux
Arbuckle	Gaudineer	Messerly	Rhodes
Balloun	Gilley	Miller	Schaben
Bass	Glenn	Milligan	Shaff
Briles	Graham	Mowry	Shawver
Brownlee	Griffin	Neu	Smith
Carlson	Gross	Nicholson	Stephens
Coleman	Hill	Ollenburg	Tapscott
Conklin	Keith	Palmer	Van Drie
Curran	Kennedy	Potgeter	Van Gilst
Davis	Kyhl	Potter	Walsh
DeKoster	Lamborn		

Nays, none.

Absent or not voting, 4:

Doderer	Riley	Robinson	Thordsen
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator DeKoster moved that the vote by which House File 473 passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

SENATE FILE WITHDRAWN

Senator Potgeter asked and received unanimous consent that **Senate File 313** be **withdrawn** from further consideration of the Senate.

CONSIDERATION OF BILLS

Senator Lamborn asked and received unanimous consent to take up out of order House File 384.

House File 384

On motion of Senator Graham, House File 384, a bill for an act to change certain references in the Code from "poultry and hatchery

association" to "poultry association, incorporated", with report of committee recommending passage, was taken up, considered, and report of the committee adopted.

Senator Graham moved that the bill be read a last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 384) the vote was:

Ayes, 40:

Anderson	DeKoster	Lavery	Rabedeaux
Arbuckle	Erskine	Messerly	Rhodes
Bass	Gaudineer	Miller	Schaben
Briles	Gilley	Milligan	Shawver
Brownlee	Glenn	Mowry	Smith
Carlson	Graham	Nicholson	Stephens
Coleman	Gross	Ollenburg	Tapscott
Conklin	Kennedy	Palmer	Van Drie
Curran	Kyhl	Potgeter	Van Gilst
Davis	Lamborn	Potter	Walsh

Nays, none.

Absent or not voting, 10:

Balloun	Hill	Riley	Shaff
Doderer	Keith	Robinson	Thordsen
Griffin	Neu		

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

Senator Lamborn asked and received unanimous consent to take up out of order House File 470.

House File 470

On motion of Senator Shawver, House File 470, a bill for an act relating to sale or transfer of livestock brands, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Shawver moved that the bill be read a last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 470) the vote was:

Ayes, 41:

Anderson	Gilley	Miller	Rhodes
Arbuckle	Glenn	Milligan	Robinson
Balloun	Griffin	Mowry	Schaben
Briles	Gross	Neu	Shawver
Brownlee	Hill	Nicholson	Smith
Carlson	Keith	Ollenburg	Stephens
Coleman	Kyhl	Palmer	Tapscott
Conklin	Lamborn	Potgeter	Van Drie
Curran	Lavery	Potter	Van Gilst
Davis	Messerly	Rabedeaux	Walsh
Gaudineer			

Nays, none.

Absent or not voting, 9:

Bass
DeKoster
Doderer

Erskine
Graham

Kennedy
Riley

Shaff
Thordsen

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

MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has adopted conference committee report and amendments contained therein and re-passed the following bill in which the concurrence of the House was asked:

House File 369, a bill for an act relating to fees for census searches charged by the Iowa department of history and archives.

WILLIAM R. KENDRICK, Chief Clerk

ADOPTION OF CONFERENCE COMMITTEE REPORT

House File 369

Senator Nicholson called up for consideration the following report and moved its adoption:

REPORT OF CONFERENCE COMMITTEE

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to consider the difference between the Senate and the House of Representatives on House File 369, an act relating to fees for census searches charged by the Iowa department of history and archives, respectfully submit the following recommendations:

1. That the Senate amendment to House File 369 be amended as follows:

1. By striking from line 3 the word "If".
2. By striking lines 4 through 8, inclusive, and inserting in lieu thereof the following:

"In addition to the three dollar fee, if the request for a search of census records is for the purpose of determining genealogy, the curator shall require a deposit of ten dollars and shall charge to the person requesting the search the actual cost of performing the search. If the actual cost of performing the search is less than ten dollars, the curator shall refund to the person requesting the search the difference between the actual cost and the ten dollar deposit. If the actual cost of performing the search exceeds ten dollars, the curator shall inform the person requesting the search of the additional amount due, and

shall forward the results of the search upon receipt of the additional amount. All fees collected."

2. That the House of Representatives concur in the Senate amendment.

On the part of the Senate:

EDWARD E. NICHOLSON, Chairman
JAMES A. POTGETER
ROGER J. SHAFF
MINNETTE DODERER

On the part of the House:

EDGAR H. HOLDEN, Chairman
GEORGE N. PIERSON
HERBERT L. CAMPBELL
JAMES H. SCHWARTZ

The motion prevailed and the conference committee report and the amendments and recommendations contained therein were adopted.

Senator Messerly moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 369) the vote was:

Ayes, 42:

Anderson	Gaudineer	Messerly	Rabedeaux
Arbuckle	Gilley	Miller	Robinson
Balloun	Glenn	Milligan	Schaben
Bass	Graham	Mowry	Shawver
Briles	Gross	Neu	Smith
Brownlee	Hill	Nicholson	Stephens
Carlson	Keith	Ollenburg	Tapscott
Coleman	Kennedy	Palmer	Van Drie
Curran	Kyhl	Potgeter	Van Gilst
Doderer	Lamborn	Potter	Walsh
Erskine	Laverty		

Nays, 1:

Conklin

Absent or not voting, 7:

Davis	Griffin	Riley	Thordsen
DeKoster	Rhodes	Shaff	

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

UNFINISHED BUSINESS

Senate File 433

On motion of Senator Messerly, Senate File 433, a bill for an act to provide for annual validation of motor vehicle registration plates, was taken up for further consideration.

Senator Messerly moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 433) the vote was:

Ayes, 39:

Anderson	Bass	Carlson	Davis
Arbuckle	Briles	Coleman	DeKoster
Balloun	Brownlee	Curran	Doderer

Gilley	Laverty	Potgeter	Smith
Glenn	Messerly	Potter	Stephens
Graham	Milligan	Rabedaux	Tapscott
Hill	Mowry	Rhodes	Van Drie
Keith	Neu	Schaben	Van Gilst
Kennedy	Nicholson	Shaff	Walsh
Lamborn	Ollenburg	Shawver	

Nays, 8:

Conklin	Gaudineer	Kyhl	Palmer
Erskine	Gross	Miller	Robinson

Absent or not voting, 3:

Griffin	Riley	Thordsen
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 296

On motion of Senator Stephens, Senate File 296, a bill for an act relating to the establishment of a soybean promotion fund to receive assessments made on the sale of soybeans; to establish an Iowa soybean promotion board; to provide for a referendum among soybean producers to make an appropriation and to provide penalties, was taken up for further consideration.

Senator Potgeter raised a point of order that the bill should be referred to the committee on state government under Rule 37.

The Chair ruled the point not well taken and the bill in order for further consideration.

Senator Potgeter offered the amendment filed by him on April 26 and called for a division of the amendment as follows:

Division 1

- 1 Amend Senate File 296 as follows:
- 2 1. Page 2, by striking in lines 2 and 3 the words "or his
- 3 designee".
- 4 2. Page 3, line 2, by striking the word "beans" and insert-
- 5 ing in lieu thereof the word "soybeans".
- 6 3. Page 4, by adding after the period in line 35 the words
- 7 "Additional candidates may be nominated by a written petition
- 8 of one hundred producers. Procedures governing the time and
- 9 place of filing shall be promulgated and publicized by the
- 10 board."
- 11 4. Page 5, by striking line 6 and inserting in lieu thereof
- 12 the words "designees, and two representatives of first purchaser
- 13 organizations shall serve on the board as ex officio members.
- 14 One each of the two first purchaser representatives shall be
- 15 appointed by, and serve at the pleasure of, the Iowa grain and
- 16 feed association and the farmers grain dealers association of
- 17 Iowa."
- 18 5. Page 6, lines 17, by adding after the word "least" the

19 word "twice".

20 6. Page 6, line 18, by striking the word "five" and
21 inserting in lieu thereof the word "thirty".

22 7. Page 7, line 14, by striking the words "the invoice
23 of sale" and inserting in lieu thereof the words "the purchase
24 invoice".

Division 2

25 8. Page 7, by adding after the period in line 18 the words

Page 2

1 "However, notwithstanding any other provision contained in this
2 chapter, producers may sign a waiver of compliance at the time
3 of sale and no assessment shall be levied on that sale. The
4 secretary shall furnish appropriate forms, upon request, to first
5 purchasers for this purpose. Odd lot purchasers of less than one
6 hundred bushels are exempted from this Act."

Division 3

7 9. Page 8, by striking in lines 6 and 7 the words "one
8 hundred twenty days" and inserting in lieu thereof the words
9 "one year".

Division 4

10 10. Page 8, line 8, by striking the words "one hundred" and
11 inserting in lieu thereof the words "five hundred".

Division 5

12 11. Page 8, line 29, by striking the word "sixty" and
13 inserting in lieu thereof the word "ninety".

Division 6

14 12. Page 8, line 34, by inserting after the word "deducted."
15 the words "The proof of assessment may be in the form of a
16 duplicate or certified copy of the purchase invoice by the first
17 purchaser.".

18 13. Page 9, by striking lines 27, 28, 29, and 30, and in
19 line 31, the words "trol of any person" and inserting in lieu
20 thereof the words "The secretary may examine any records relating
21 to the purchase, sale, storage, processing, handling, or assess-
22 ment of soybeans by any first purchaser."

23 14. Page 10, line 3, by inserting after the word "collected"
24 the words "and expended".

On motion of Senator Potgeter, division 1 of the amendment was adopted.

Senator Potgeter withdrew division 2 of the amendment.

On motion of Senator Lamborn, the Senate recessed until 1:15 p.m.

AFTERNOON SESSION

The Senate reconvened, President Jepsen presiding.

UNFINISHED BUSINESS

Senate File 296

The Senate resumed consideration of Senate File 296, and the amendment by Senator Potgeter.

Senator Potgeter moved the adoption of division 3 of the amendment and requested a roll call.

On the question "Shall division 3 of the Potgeter amendment be adopted?" (S.F. 296) the vote was:

Ayes, 13:

Anderson	Kennedy	Milligan	Rhodes
DeKoster	Kyhl	Palmer	Schaben
Gaudineer	Laverty	Potgeter	Van Drie
Hill			

Nays, 23:

Arbuckle	Gilley	Miller	Robinson
Brownlee	Glenn	Mowry	Shaff
Carlson	Graham	Nicholson	Shawver
Coleman	Gross	Ollenburg	Smith
Curran	Keith	Potter	Stephens
Erskine	Lamborn	Rabedeaux	

Absent or not voting, 14:

Balloun	Davis	Neu	Thordsen
Bass	Doderer	Riley	Van Gilst
Briles	Griffin	Tapscott	Walsh
Conklin	Messerly		

Division 3 of the amendment lost.

Senator Potgeter moved the adoption of division 4 of the amendment.

Division was called for.

Division 4 of the amendment lost.

Senator Potgeter moved the adoption of division 5 of the amendment.

Division was called for.

Division 5 of the amendment lost.

On motion of Senator Potgeter, division 6 of the amendment was adopted.

Senator Potgeter offered the following amendment and moved its adoption:

- 1 Amend Senate File 296 as follows:
- 2 Page 7, by adding after the period in line 18 the

- 3 words "Odd lot purchases of less than one hundred bushels
- 4 are exempted from this Act."

The amendment was adopted.

Senator Potgeter offered the following amendment :

- 1 Amend Senate File 296 as follows:
- 2 1. Page 7, by adding after the period in line 18 the
- 3 words "However, notwithstanding any other provision contained
- 4 in this chapter, producers may sign a waiver of compliance at
- 5 the time of sale and no assessment shall be levied on that sale.
- 6 The secretary shall furnish appropriate forms, upon request,
- 7 to first purchasers for this purpose."

Senator Potgeter moved the adoption of the amendment and requested a roll call.

On the question "Shall the Potgeter amendment be adopted?" (S.F. 296) the vote was :

Rule 24 was invoked.

Ayes, 19:

Anderson	Glenn	Laverty	Rhodes
Bass	Gross	Milligan	Schaben
DeKoster	Hill	Neu	Tapscott
Doderer	Kennedy	Palmer	Van Drie
Gaudineer	Kyhl	Potgeter	

Nays, 25:

Arbuckle	Erskine	Miller	Robinson
Brownlee	Gilley	Mowry	Shaff
Carlson	Graham	Nicholson	Shawver
Coleman	Keith	Ollenburg	Smith
Conklin	Lamborn	Potter	Stephens
Curran	Messerly	Rabedaux	Van Gilst
Davis			

Absent or not voting, 6:

Balloun	Griffin	Thordsen	Walsh
Briles	Riley		

The amendment lost.

Senator Stephens offered the following amendment filed by him on February 26 and moved its adoption :

- 1 Amend Senate File 296 by striking from page 8, line 7, the
- 2 word "twenty" and inserting the word "eighty".

The amendment was adopted.

Senator Schaben offered the following amendment filed by him on April 23 and moved its adoption :

- 1 Amend Senate File 296, page 3, line 12, by inserting
- 2 after the word "petition" the following:
- 3 "A referendum election shall not be valid unless at

4 least forty-four thousand or one-half of the total number
5 of producers eligible to vote therein, whichever is greater,
6 actually casts a valid vote, for or against, the proposition
7 to be decided."

The amendment lost.

Senator Bass offered the following amendment filed by him on March 11:

1 Amend Senate File 296 as follows:
2 1. Page 7, line 6, by inserting after the word "Act"
3 the words ", except as otherwise provided in this Act".
4 2. Page 7, line 18, by inserting after the period
5 the words "The first purchaser shall be entitled to a
6 commission of five percent of the amount of assessments
7 collected, not to exceed, five hundred dollars per year,
8 as compensation for collecting and remitting the assess-
9 ments. The first purchaser shall compute, withhold, and
10 report the amount of his commission at the time of remit-
11 ting the assessments to the board.

Senator Laverty offered the following amendment to the amendment filed by him on April 7:

1 Amend the Bass amendment filed March 11, 1971, to
2 Senate File 296 as follows:
3 Line 6, by striking the word "five" and inserting
4 the word "ten".

President pro tempore Kyhl took the chair at 2:35 p.m.

President Jepsen took the chair at 2:41 p.m.

Senator Laverty moved the adoption of his amendment to the amendment.

Division was called for.

The amendment lost.

Senator Bass moved the adoption of his amendment and called for a division.

The amendment lost.

Senator Ollenburg offered the amendment filed by Senators Ollenburg, Stephens and Coleman on April 21:

1 Amend Senate File 296, page 9, by striking lines 7 through
2 14 and inserting in lieu thereof the following:
3 "Sec. 29. After the costs of elections, referendum, necessary
4 board expenses and administrative costs have been paid, at least
5 seventy-five percent of the remaining funds in the soybeans pro-
6 motion fund shall be remitted to the Iowa soybean association,
7 American soybean association and the American soybean institute for
8 market development activities to include developing and expanding

- 9 new markets for soybeans and soybean products worldwide. The
- 10 funds can only be used for research, promotion, and education in
- 11 cooperation with agencies who are equipped to do this kind of work."

Senator Coleman offered the following amendment to the amendment and moved its adoption:

- 1 Amend the Ollenburg, et al., amendment to Senate File 296,
- 2 dated April 21, 1971, line 6, by adding after the word "to"
- 3 the words "such organizations as".

The amendment to the amendment was adopted.

On motion of Senator Ollenburg, the amendment as amended was adopted.

Senator Potgeter offered the following amendment and moved its adoption:

- 1 Amend Senate File 296, page 2, line 28, by adding the
- 2 following sentence:
- 3 "All first purchasers shall be warehousemen who are
- 4 licensed and bonded under the provisions of Chapter 554,
- 5 Code 1971."

The Chair called for a division.

The amendment lost.

Senator Potgeter offered the following amendment and moved its adoption:

- 1 Amend Senate File 296, page 7, line 6, by striking the
- 2 words "one-half" and inserting in lieu thereof the words
- 3 "one-quarter".

Division was called for.

The amendment lost.

Senator Potgeter offered the following amendment and moved its adoption:

- 1 Amend Senate File 296, page 3, line 12, by inserting
- 2 after the word "petition." the following: "A referendum election
- 3 shall not be valid unless at least fifteen thousand or one-fifth
- 4 of the total number of producers eligible to vote therein,
- 5 whichever is greater, actually cast a valid vote, for or against,
- 6 the proposition to be decided."

Division was called for.

The amendment lost.

Senator Potgeter offered the following amendment and moved its adoption:

- 1 Amend Senate File 296, page 6, lines 3 and 4, by striking
- 2 the words "forty dollars per day and".

Division was called for.

The amendment was adopted.

Senator Hill raised a point of order that with the adoption of the Ollenburg-Stephens-Coleman amendment the bill should be referred to the committee on appropriations, under Rule 37.

The Chair ruled the point not well taken.

Senator Glenn offered the following amendment:

- 1 Amend Senate File 296, page 8, line 33, by inserting
- 2 the following after "ducer.":
- 3 "Every first purchaser of soybeans shall post a
- 4 legible sign in his office or place of transacting
- 5 business to the effect that check-off refunds are available
- 6 upon prompt application."

Senator Glenn moved the adoption of his amendment and requested a roll call.

On the question "Shall the Glenn amendment be adopted?" (S.F. 296) the vote was:

Rule 24 was invoked.

Ayes, 17:

Gaudineer	Hill	Palmer	Schaben
Gilley	Kennedy	Potgeter	Shawver
Glenn	Laverty	Rhodes	Tapscott
Graham	Nicholson	Robinson	Van Gilst
Gross			

Nays, 25:

Arbuckle	DeKoster	Miller	Riley
Balloun	Erskine	Mowry	Shaff
Bass	Keith	Neu	Smith
Brownlee	Kyhl	Ollenburg	Stephens
Coleman	Lamborn	Potter	Van Drie
Curran	Messerly	Rabedeaux	Walsh
Davis			

Voting present, 1:

Milligan

Absent or not voting, 7:

Anderson	Carlson	Doderer	Thordsen
Briles	Conklin	Griffin	

The amendment lost.

Senator Glenn moved that Senate File 296 be re-referred to the committee on agriculture.

Division was called for.

The motion lost.

Senator Potgeter offered the following amendment:

- 1 Amend Senate File 296, page 7, line 18, by adding the
- 2 following:
- 3 "Soybeans grown and produced outside of the borders of
- 4 Iowa are exempt from the provisions of this Act. Producers
- 5 may sign an affidavit to this effect, and no assessment shall
- 6 be levied on that sale. The secretary shall furnish appropriate
- 7 forms, upon request, to first purchasers for this purpose."

Senator Coleman raised a point of order on the amendment for the reason that it was out of order.

The Chair ruled the point not well taken.

Senator Potgeter moved the adoption of his amendment.

Division was called for.

The amendment lost.

President pro tempore Kyhl took the chair at 4:05 p.m.

President Jepsen took the chair at 4:10 p.m.

Senator Potgeter raised a point of order that passage of Senate File 296 would require a two-thirds majority of the Senate under Article III, Section 31, Constitution of Iowa.

The Chair ruled the point not well taken and that passage of Senate File 296 would require only a constitutional majority.

Senator Stephens moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 296) the vote was:

Ayes, 38:

Arbuckle	DeKoster	Laverty	Riley
Balloun	Erskine	Messerly	Robinson
Bass	Gaudineer	Miller	Shaff
Briles	Gilley	Mowry	Shawver
Brownlee	Graham	Nicholson	Smith
Carlson	Gross	Ollenburg	Stephens
Coleman	Keith	Potter	Van Drie
Conklin	Kennedy	Rabedeaux	Van Gilst
Curran	Kyhl	Rhodes	Walsh
Davis	Lamborn		

Nays, 9:

Anderson	Milligan	Palmer	Schaben
Glenn	Neu	Potgeter	Tapscott
Hill			

Absent or not voting, 3:

Doderer	Griffin	Thordsen
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Stephens moved that the vote by which **Senate File 296** passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate File 418

On motion of Senator Gaudineer, Senate File 418, a bill for an act relating to benefits for veterans in state employment, was taken up for further consideration.

Senator Tapscott offered the following amendment filed by him on April 7 and moved its adoption:

- 1 Amend Senate File 418 as follows:
- 2 Page 2, by adding after line 31 the following:
- 3 "Sec. 4. Chapter seventy (70), Code 1971, is
- 4 amended by adding the following new section:
- 5 A person who has been employed by the state for
- 6 a period of more than one year and resigns because he
- 7 has been recalled or has been inducted into the armed
- 8 forces of the United States for active military duty,
- 9 shall upon release from such active duty, be rein-
- 10 stated in the employment position he held at the time
- 11 of being recalled or inducted. The request shall be
- 12 filed with the appropriate office not more than sixty
- 13 days following the release from active duty.

The amendment was adopted.

Senator Gaudineer offered the following amendment filed by him on April 21 and moved its adoption:

- 1 Amend Senate File 418 as follows:
- 2 Page 2, line 11, by inserting after the word
- 3 "service" the words "*except for the purpose of*
- 4 *receiving benefits pursuant to any retirement program*
- 5 *established by law*".

The amendment was adopted.

Senator Gaudineer moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 418) the vote was:

Ayes, 45:

Anderson	Conklin	Gilley	Kyhl
Arbuckle	Curran	Glenn	Lamborn
Balloun	Davis	Graham	Messerly
Bass	DeKoster	Gross	Miller
Briles	Doderer	Hill	Milligan
Brownlee	Erskine	Keith	Mowry
Carlson	Gaudineer	Kennedy	Neu

Nicholson	Rhodes	Shaff	Tapscott
Ollenburg	Riley	Shawver	Van Drie
Palmer	Robinson	Smith	Van Gilst
Potgeter	Schaben	Stephens	Walsh
Potter			

Nays, none.

Absent or not voting, 5:

Coleman	Laverty	Rabedaux	Thordsen
Griffin			

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

House File 37

On motion of Senator Erskine, House File 37, a bill for an act authorizing a public agency to dispose of an interest in property, was taken up for further consideration.

Senator Erskine moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 37) the vote was:

Ayes, 46:

Anderson	Erskine	Messerly	Rhodes
Arbuckle	Gaudineer	Miller	Riley
Bass	Gilley	Milligan	Robinson
Briles	Glenn	Mowry	Shaff
Brownlee	Graham	Neu	Shawver
Carlson	Gross	Nicholson	Smith
Coleman	Hill	Ollenburg	Stephens
Conklin	Keith	Palmer	Tapscott
Curran	Kennedy	Potgeter	Van Drie
Davis	Kyhl	Potter	Van Gilst
DeKoster	Lamborn	Rabedaux	Walsh
Doderer	Laverty		

Nays, 1:

Schaben

Absent or not voting, 3:

Balloun	Griffin	Thordsen
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

MOTION TO RECONSIDER WITHDRAWN

Senator Coleman withdrew the following motion filed by him on April 26, 1971:

MR. PRESIDENT: I move to reconsider the vote by which House File 48 passed the Senate.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which House File 48 passed the Senate.

G. WILLIAM GROSS

UNFINISHED BUSINESS

House File 399

The Senate resumed consideration of House File 399, a bill for an act relating to exemptions from the merit system and providing for work test appointments.

Senator Lavery called up the following motion to reconsider filed by him on April 26, 1971, and moved its adoption:

MR. PRESIDENT: I move to reconsider the vote by which the Mowry, et al., amendment to House File 399, filed April 23, 1971, was adopted by the Senate.

The motion prevailed.

Senator Mowry asked and received unanimous consent to withdraw the Mowry, et al., amendment filed and adopted on April 23, 1971.

Senator Davis offered the following amendment:

- 1 Amend House File 399, page 2, by inserting after line 4
- 2 the following new section and renumbering the remaining sections:
- 3 "Sec. 2. Section nineteen A point three (19A.3), subsection
- 4 three (3), Code 1971, is amended as follows:
- 5 3. Three principal assistants or deputies for each elective
- 6 official and one stenographer or secretary for each elective
- 7 official and each principal assistant or deputy thereof *also*
- 8 *all supervisory employees and their confidential assistants.*

Senator Kennedy offered the following amendment to the amendment:

- 1 Amend the Davis amendment of March 27, 1971, to House
- 2 File 399 by striking in line 8 all after the word
- 3 "employees" and inserting a period.

Senator Kennedy moved the adoption of the amendment to the amendment and requested a roll call.

On the question "Shall the amendment to the amendment be adopted?" (H.F. 399) the vote was:

Ayes, 17:

Coleman
Conklin
Doderer
Gaudineer
Glenn

Gross
Hill
Kennedy
Miller

Milligan
Palmer
Riley
Robinson

Schaben
Tapscott
Van Gilst
Walsh

Nays, 29:

Anderson	DeKoster	Laverty	Potter
Arbuckle	Erskine	Messerly	Rabedeaux
Bass	Gilley	Mowry	Rhodes
Briles	Graham	Neu	Shawver
Brownlee	Keith	Nicholson	Smith
Carlson	Kyhl	Ollenburg	Stephens
Curran	Lamborn	Potgeter	Van Drie
Davis			

Absent or not voting, 4:

Balloun	Griffin	Shaff	Thordsen
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The amendment to the amendment lost.

Senator Davis moved the adoption of his amendment and requested a roll call.

On the question "Shall the Davis amendment be adopted?" (H.F. 399) the vote was:

Ayes, 30:

Anderson	Davis	Laverty	Rabedeaux
Arbuckle	DeKoster	Mowry	Rhodes
Bass	Erskine	Neu	Shawver
Briles	Gilley	Nicholson	Smith
Brownlee	Graham	Ollenburg	Stephens
Carlson	Keith	Potgeter	Van Drie
Conklin	Kyhl	Potter	Walsh
Curran	Lamborn		

Nays, 14:

Coleman	Hill	Palmer	Schaben
Gaudineer	Kennedy	Riley	Tapscott
Glenn	Miller	Robinson	Van Gilst
Gross	Milligan		

Absent or not voting, 6:

Balloun	Griffin	Shaff	Thordsen
Doderer	Messerly		

The amendment was adopted.

Senator Van Drie called up the following motion to reconsider filed by him on April 26:

MR. PRESIDENT: I move to reconsider the vote by which the Doderer amendment to House File 399, filed April 23, 1971, failed to pass the Senate.

MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File 132, a bill for an act relating to the penalties for false use of credits cards and fraudulent use of wire services.

WILLIAM R. KENDRICK, Chief Clerk

INTRODUCTION OF BILL

Senate File 511, by committee on ways and means, a bill for an act relating to state aid for public school districts, school district property taxes, and providing for the imposition of a school district income tax to be administered by the state department of revenue, with adoption of applicable statutes, including penalties.

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

HOUSE MESSAGE CONSIDERED

House File 132, a bill for an act relating to the penalties for false use of credit cards and fraudulent use of wire services.

Read first time and **passed on file**.

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

The Senate resumed session, President Jepsen presiding.

CONSIDERATION OF BILLS

House File 399

The Senate resumed consideration of the Van Drie motion to reconsider the Doderer amendment.

Senator Van Drie moved to reconsider the vote by which the Doderer amendment failed to be adopted by the Senate and requested a roll call.

On the question "Shall the motion to reconsider the Doderer amendment be adopted?" (H.F. 399) the vote was:

Ayes, 14:

Anderson	Glenn	Riley	Tapscott
Briles	Gross	Robinson	Van Drie
Coleman	Miller	Schaben	Van Gilst
Doderer	Palmer		

Nays, 31:

Arbuckle	Erskine	Lamborn	Potter
Bass	Gaudineer	Laverty	Rabedaux
Brownlee	Gilley	Milligan	Rhodes
Carlson	Graham	Mowry	Shawver
Conklin	Hill	Neu	Smith
Curran	Keith	Nicholson	Stephens
Davis	Kennedy	Ollenburg	Walsh
DeKoster	Kyhl	Potgeter	

Absent or not voting, 5:

Balloun	Messerly	Shaff	Thordsen
Griffin			

The motion lost.

Senator Doderer withdrew the amendment filed by her on April 23, 1971, and found on pages 963-964 of the Senate Journal.

Senator Glenn offered the following amendment :

- 1 Amend House File 399, page 2, by inserting after line 23,
- 2 the following new section:
- 3 "Sec. No more than fifty-one (51) percent of the
- 4 employees appointed by any one department under the provisions
- 5 of this Act shall belong to the same political party."

Senator Van Drie raised a point of order on the amendment for the reason that it was not germane to the bill.

The Chair ruled the point well taken and the amendment out of order.

Senator Schaben offered the following amendment :

- 1 Amend House File 399, page 2, by adding the following
- 2 new section after line 23:
- 3 Sec. 3. Section nineteen A point three (19A.3), Code
- 4 1971, subsection 1, is amended as follows:
- 5 1. [The] *All employees of the highway commission, and*
- 6 *the general assembly, employees of the general assembly,*
- 7 *other officers elected by popular vote, and persons appointed*
- 8 *to fill vacancies in elective offices.*

Senator Schaben moved the adoption of his amendment and requested a roll call.

On the question "Shall the Schaben amendment be adopted?" (H.F. 399) the vote was:

Ayes, 14:

Anderson	Doderer	Riley	Shawver
Arbuckle	Gilley	Robinson	Van Drie
Briles	Gross	Schaben	Van Gilst
Coleman	Rabedaux		

Nays, 32:

Bass	Gaudineer	Laverty	Palmer
Brownlee	Glenn	Messerly	Potgeter
Carlson	Graham	Miller	Potter
Conklin	Hill	Milligan	Rhodes
Curran	Keith	Mowry	Smith
Davis	Kennedy	Neu	Stephens
DeKoster	Kyhl	Nicholson	Tapscott
Erskine	Lamborn	Ollenburg	Walsh

Absent or not voting, 4:

Balloun	Griffin	Shaff	Thordsen
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The amendment lost.

Senator Doderer offered the following amendment and moved its adoption:

- 1 Amend House File 399, page 2, by adding the following new section
- 2 after line 23:
- 3 "Sec. All supervisory employees and their
- 4 confidential assistants exempted by this Act shall maintain the
- 5 same pay plan and job classification established for these
- 6 positions by the merit system.

The amendment lost.

On the question "Shall the bill pass?" (H.F. 399) the vote was:

Ayes, 32:

Anderson	Davis	Lamborn	Potter
Arbuckle	DeKoster	Laverty	Rabedeaux
Bass	Erschine	Messerly	Rhodes
Briles	Gilley	Mowry	Shawver
Brownlee	Graham	Neu	Smith
Carlson	Griffin	Nicholson	Stephens
Conklin	Keith	Ollenburg	Van Drie
Curran	Kyhl	Potgeter	Walsh

Nays, 15:

Coleman	Gross	Milligan	Schaben
Doderer	Hill	Palmer	Tapscott
Gaudineer	Kennedy	Riley	Van Gilst
Glenn	Miller	Robinson	

Absent or not voting, 3:

Balloun	Shaff	Thordsen
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Bass moved that the vote by which House File 399 passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

REPORT OF CONFERENCE COMMITTEE

(Senate File 188)

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to consider the difference between the Senate and the House of Representatives on Senate File 188, a bill for an act to define criminal trespass and to prescribe the penalty for such trespass, respectfully submit the following recommendations:

1. That the House of Representatives recede from its amendments.
2. That Senate File 188 as passed by the Senate be amended as follows:
 1. By striking everything after the enacting clause and inserting in lieu thereof the following:

"Section 1. Criminal Trespass. Definitions:

1. The term 'property' shall include any land, dwelling, building, conveyance, vehicle, or other temporary or permanent structure whether publicly or privately owned.

2. The term 'trespass' shall mean one or more of the following acts:

a. Entering upon or in property without legal justification or without the implied or actual permission of the owner, lessee, or person in lawful possession with the intent to commit a public offense or to use, remove therefrom, alter, damage, harass, or place thereon or therein anything animate or inanimate, without the implied or actual permission of the owner, lessee, or person in lawful possession.

b. Entering or remaining upon or in property without legal justification after being notified or requested to abstain from entering or to remove or vacate therefrom by the owner, lessee, or person in lawful possession, or the agent or employee of the owner, lessee, or person in lawful possession, or by any peace officer, magistrate, or public employee whose duty it is to supervise the use or maintenance of the property.

c. Entering upon or in property for the purpose or with the effect of unduly interfering with the lawful use of the property by others.

d. Being upon or in property and using, removing therefrom, altering, damaging, harassing, or placing thereon or therein anything animate or inanimate, without the implied or actual permission of the owner, lessee, or person in lawful possession.

Sec. 2. Any person who shall knowingly trespass upon the property of another is guilty of a public offense and upon conviction shall be punished by a fine not to exceed one hundred dollars or by imprisonment in the county jail for a term not to exceed thirty days.

Sec. 3. Any person committing a trespass as defined in section one (1) of this Act resulting in injury to any person or damage in an amount of more than one hundred dollars to anything, animate or inanimate, located thereon or therein shall be punished by a fine not to exceed three hundred dollars or by imprisonment in the county jail not to exceed six months or by both such fine and imprisonment.

Sec. 4. Sections seven hundred forty-four point three (744.3), and seven hundred forty-six point four (746.4), Code 1971, are repealed.

Sec. 5. This Act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Creston News-Advertiser, a newspaper published in Creston, Iowa, and in the Marshalltown Times-Republican, a newspaper published in Marshalltown, Iowa."

On the part of the Senate:

JOHN L. MOWRY, Chairman
EDWARD E. NICHOLSON
R. DEAN ARBUCKLE
EUGENE M. HILL

On the part of the House:

GEORGE J. KNOKE, Chairman
WILLARD HANSEN
PERRY L. CHRISTENSEN
KEITH H. DUNTON

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on April 26, 1971, the Governor approved and transmitted to the Secretary of State the following bills:

S. F. 78—To establish a program to permit doctors' assistants to work under a doctor's supervision.

S. F. 210—Relating to the conversion of credit union charters.

- S. F. 225—Relating to the definition of a nonresident for the purpose of making service of process.
- S. F. 257—Relating to fish which may be taken with licensed commercial fishing gear.
- S. F. 277—To legalize and validate the procedures wherein the West Marshall Community School District in the Counties of Marshall and Story entered into contract for the sale of certain real estate.
- S. F. 312—Relating to the organization of corporations.
- S. F. 347—Relating to private foundations and charitable trusts.
- H. F. 29—Relating to the payment of subsequent damages to property owners.
- H. F. 551—Relating to registration of motor vehicles.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which House File 14 passed the Senate.

RUDY VAN DRIE

EXPLANATION OF VOTE

I voted against House File 14 on final passage because in my opinion the language is too broad and also ambiguous. The public's vested rights in regard to public recreational and natural areas should be jealously guarded and husbanded; we should be setting precise and meaningful standards to protect these rights.

GEORGE MILLIGAN

AMENDMENTS FILED

- 1 Amend Senate File 205 as follows:
- 2 1. By striking from lines 9, 10 and 11 the words
- 3 *"the assessment shall not be less than two dollars on*
- 4 *any tract, parcel or lot within the district"* and
- 5 inserting in lieu thereof the words *"any assessment on*
- 6 *any tract, parcel or lot within the district which is*
- 7 *computed at less than two dollars shall be fixed at the*
- 8 *sum of two dollars"*.
- 9 2. By adding after line 14 the following new section:
- 10 Sec. 2. Section four hundred fifty-five point fifty-
- 11 nine (455.59), Code 1971, is amended as follows:
- 12 455.59 LEVY FOR DEFICIENCY. If the first assess-
- 13 ment made by the board for the original cost or for re-
- 14 pairs of any improvement is insufficient, the board shall
- 15 make an additional assessment and levy in the same ratio
- 16 as the first for either purpose, payable at the next
- 17 taxpaying period after such indebtedness is incurred
- 18 subject, however, to the provisions of section 455.64.
- 19 *Any assessment made under this section on any tract,*

20 *parcel or lot within the district which is computed at*
21 *less than two dollars shall be fixed at the sum of two*
22 *dollars.*

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1 Sec. 3. Section four hundred fifty-five point one
2 hundred thirty-six (455.136), unnumbered paragraph
3 one, Code 1971, is amended as follows:
4 455.136 PAYMENT. The costs of the repair or im-
5 provements provided for in section 455.135 shall be paid
6 for out of the funds of the levee or drainage
7 district. If the funds on hand are not sufficient to
8 pay such expenses, the board within two years shall levy
9 an assessment sufficient to pay the outstanding indebt-
10 edness and leave the balance which the board determines
11 is desirable as a sinking fund to pay maintenance and
12 repair expenses. *Any assessment made under this section*
13 *on any tract, parcel or lot within the district which is*
14 *computed at less than two dollars shall be fixed at the*
15 *sum of two dollars.*

16 Sec. 4. Section four hundred fifty-five point one
17 hundred forty-six (455.146), Code 1971, is amended as
18 follows:

19 455.146 LEVY UNDER ORIGINAL CLASSIFICATION. If the
20 amount finally charged against a district does not exceed
21 twenty-five percent of the original cost of the improve-
22 ment in said district, the board shall proceed to levy

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1 said amount against all lands, highways, and railway
2 rights of way and property within the district, in
3 accordance with the original classification and appor-
4 tionment. *Any assessment made under this section on*
5 *any tract, parcel or lot within the district which is*
6 *computed at less than two dollars shall be fixed at the*
7 *sum of two dollars.*

8 Sec. 5. Section four hundred fifty-five point one
9 hundred forty-seven (455.147), Code 1971, is amended as
10 follows:

11 455.17 LEVY UNDER RECLASSIFICATION. If the amount
12 finally charged against a district exceeds twenty-five
13 percent of the original cost of the improvement, the
14 board shall order a reclassification as provided for
15 the original classification of a district and upon the
16 final adoption of the new classification and appor-
17 tionment shall proceed to levy said amount upon all lands,
18 highways, and railway rights of way and property within
19 the district, in accordance with said new classification
20 and apportionment. *Any assessment made under this section*
21 *on any tract, parcel or lot within the district which is*
22 *computed at less than two dollars shall be fixed at the*

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1 *sum of two dollars.*

ARTHUR A. NEU

1 Amend Senate File 262 as follows:

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

4 Section 1. This Act shall be known and may be cited
5 as the "Ionizing Radiation Protection Act".

6 Sec. 2. It is declared to be the public policy of
7 this state to encourage the constructive use of ionizing
8 radiation and to prevent unnecessary ionizing radiation
9 exposure.

10 Sec. 3. When used in this Act, unless the context
11 otherwise requires:

12 1. "Agency" means the state department of health.

13 2. "Board" means the radiologic technology board.

14 3. "Ionizing radiation" means X-rays and gamma rays,
15 alpha and beta particles, high speed electrons, neutrons
16 and other nuclear particles.

17 4. "Licensed practitioner" means a person licensed
18 or otherwise authorized by law to practice medicine,
19 dentistry, osteopathy, chiropractic or podiatry.

20 5. "Certified licensed practitioner" means a licensed
21 practitioner who has been certified under the provisions
22 of this Act to supervise the application of ionizing
23 radiation and to apply ionizing radiation to human
24 beings for diagnostic or therapeutic purposes.

25 6. "Supervision" means responsibility for, and

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1 control of, quality, radiation safety, and technical
2 aspects of the applications of ionizing radiation to
3 human beings for diagnostic or therapeutic purposes.

4 7. "Radiologist" means a licensed practitioner who
5 has undertaken a course of training equivalent, in the
6 opinion of the board to that required for admission
7 to the examination of the American board of radiology
8 or the American osteopathic board of radiology.

9 8. "Licensed practitioner general certificate" means
10 a certificate issued in radiologic technology to a prac-
11 titioner who supervises or applies ionizing radiation
12 to any part of the human body.

13 9. "Licensed practitioner limited certificate" means
14 a certificate issued in radiologic technology to a prac-
15 titioner who supervises or applies ionizing radiation
16 to specific areas of the human body.

17 10. "Radiologic technology" means the science and
18 art of applying ionizing radiation to human beings for
19 diagnostic or therapeutic purposes.

20 11. "General technologic certificate" means a
21 certificate issued in either radiologic technology,
22 radiation therapy technology, or nuclear medicine
23 technology to a person other than a licensed practitioner
24 who applies ionizing radiation to any part of the human
25 body while under the supervision of a certified licensed

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1 practitioner.

2 12. "Radiologic technologist" means a person other
3 than a licensed practitioner who applies ionizing radi-
4 ation to human beings for diagnostic or therapeutic
5 purposes while under the supervision of a certified
6 licensed practitioner.

7 13. "Radiation therapy technologist" means a person
8 other than a licensed practitioner who is responsible
9 for the technical application of ionizing radiation
10 to human beings for therapeutic purposes while under
11 the supervision of a certified licensed practitioner.

12 14. "Nuclear medicine technologist" means a person
13 other than a licensed practitioner who is responsible
14 for the technical application of radioactive materials
15 to human beings for diagnostic and therapeutic purposes
16 while under the supervision of a certified licensed
17 practitioner.

18 15. "Limited technologic permit" means a permit
19 issued to a person other than a licensed practitioner
20 who applies ionizing radiation to specific areas of
21 the human body while under the supervision of a certified
22 licensed practitioner.

23 16. "Endorsement" means the approval of the qualifi-
24 cations of an applicant for a certificate or permit
25 on the basis of a certificate or permit issued by another

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1 state or governmental jurisdiction.

2 Sec. 4.

3 1. There is created a radiologic technology board
4 consisting of eleven members who are technically
5 qualified by education, training or experience in
6 radiology, radiologic technology, or a related
7 discipline. The membership of the board shall include:

8 a. Five physicians, at least three of whom are
9 radiologists.

10 b. Three radiologic technologists.

11 c. One licensed practitioner of the healing arts
12 other than medicine or dentistry.

13 d. One person who is technically qualified or
14 knowledgeable by training or experience in one or more
15 fields of science or engineering applicable to radiation
16 safety in the healing arts.

17 e. The commissioner of health, or his designee.

18 2. The governor shall, from a list of qualified
19 persons recommended by the appropriate professional
20 state societies, appoint the members of the board.
21 Any person serving on the board who is a practitioner
22 of a profession or occupation required to be licensed
23 or certified in this state shall be the holder of an
24 appropriate license or certificate issued by the state,
25 and, except in the case of the radiologic technologist

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1 members first appointed to the board, the radiologic
2 technologist members shall be holders of certificates

3 or permits issued under this Act.

4 3. The members of the board shall serve for terms
5 of six years, except that of the members first appointed,
6 three shall serve for terms of two years, three shall
7 serve for terms of four years, and four shall serve
8 for terms of six years. Vacancies on the board shall
9 be filled for the unexpired term in the same manner
10 as original appointments.

11 4. All members of the board shall be legal residents
12 of this state and shall have practiced their respective
13 professions or occupations at least five years
14 immediately preceding their appointment.

15 5. The members of the board shall be reimbursed
16 for their actual and necessary expenses incurred in
17 the performance of their official duties.

18 6. The agency shall provide the professional, tech-
19 nical, secretarial and clerical personnel necessary
20 to assist the board in carrying out its assigned
21 functions.

22 7. A majority of the members of the board shall
23 constitute a quorum for the transaction of business,
24 except for the conduct of hearings as provided in section
25 sixteen of this Act. The board shall meet at least

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1 twice a year, and at other times on the call of the
2 chairman. A written notice of the time, place, and
3 purpose of any special meeting shall be mailed to the
4 members of the board.

5 Sec. 5.

6 1. The commissioner of health shall, after
7 consultation with the board and after notice and public
8 hearing, prescribe regulations and standards as are
9 needed to carry out the provisions of this Act. The
10 regulations and standards shall include:

11 a. Minimum standards of education, training, and
12 experience for licensed practitioners, and procedures
13 for examining applicants for certification.

14 b. Minimum standards of training and experience
15 for persons to be employed in the field of limited
16 radiologic technology, and procedures for examining
17 applicants for such limited technologic permits.

18 c. Regulations identifying the types of applications
19 of ionizing radiation in connection with therapy or
20 diagnosis which may be safely performed by persons with
21 limited preparation, and those minimum standards of
22 education and training to be met by an applicant for
23 a limited technologic permit.

24 2. The board shall propose to the agency the stan-
25 dards or regulations as may be appropriate for carrying

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1 out the purpose of this Act.

2 3. The board, with assistance from the agency as
3 required, may:

- 4 a. Prepare examination questions and conduct oral
- 5 and practical radiologic technologist examinations.
- 6 b. Approve courses of study in radiologic technology
- 7 based upon standards established pursuant to this Act.
- 8 c. Conduct hearings pursuant to section sixteen
- 9 (16) of this Act.
- 10 d. Issue certificates to qualified licensed practi-
- 11 tioners to supervise the application of ionizing
- 12 radiation, or to apply ionizing radiation, or to
- 13 supervise and apply ionizing radiation. The
- 14 certification may be limited to the use of ionizing
- 15 radiation for certain designated procedures or to the
- 16 application of ionizing radiation to specifically
- 17 designated areas of the human body.
- 18 e. Issue general technologic certificates and limited
- 19 technologic permits to qualified persons to be employed
- 20 in the field of radiologic technology.
- 21 f. Issue licensed practitioner general certificates
- 22 and licensed practitioner limited certificates to those
- 23 licensed practitioners who have received professional
- 24 certification as the result of having successfully com-
- 25 pleted and passed a formal course of study and

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- 1 examination in roentgenology, radiologic technology
- 2 and radiation protection approved by the board.
- 3 Sec. 6.
- 4 1. It shall be unlawful for any person to apply
- 5 ionizing radiation to a human being, or supervise the
- 6 application of ionizing radiation to a human being
- 7 unless he has been granted a certificate or a permit,
- 8 or exempted under subsection four (4) of this section.
- 9 2. A licensed practitioner who is certified by an
- 10 examining authority in radiology recognized by the board
- 11 may be granted a certificate to apply or supervise the
- 12 application of ionizing radiation in the diagnosis,
- 13 treatment of disease and injury in human beings.
- 14 3. A licensed practitioner who prior to the effective
- 15 date of this Act applied or supervised the application
- 16 of ionizing radiation possessed by a person or persons
- 17 properly registered or licensed by the agency as a
- 18 possessor of such a source of ionizing radiation shall
- 19 be granted a certificate by the board, to continue such
- 20 operation or supervision.
- 21 4. Certificates or permits shall not be required
- 22 of:
- 23 a. A resident or intern in training who is applying
- 24 radiation in the course of diagnosing or treating
- 25 patients.

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- 1 b. A student enrolled in and attending an approved
- 2 school for radiologic technologists, medicine,
- 3 osteopathy, podiatry, dentistry, or chiropractic, who
- 4 as part of his course of study, applies ionizing

5 radiation to a human being while under the direct
6 supervision of a person licensed or certified to practice
7 one of these professions.

8 c. A person temporarily exempted as provided in
9 this Act.

10 d. A person acting in the course of his employment
11 in a facility operated by an agency of the United States
12 government.

13 Sec. 7.

14 1. A general technologic certificate shall be issued
15 only on application and examination, or endorsement
16 of a certificate issued by another state or jurisdiction
17 as provided in section ten (10) of this Act.

18 2. An application for a general technologic certifi-
19 cate shall be on a form approved by the board and shall
20 include:

21 a. The name and address of the applicant.

22 b. Evidence that the applicant is at least eighteen
23 years of age, a high school graduate or its equivalent,
24 and of good moral character.

25 c. Evidence that the applicant has successfully

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1 completed an approved course of study of at least two
2 years' duration in radiologic technology, or is enrolled
3 in a school six months prior to the effective date of
4 this act, or prior to the first of July, 1966 has
5 successfully completed a course in radiologic technology
6 of less than two years' duration if, at the time of
7 the applicant's graduation, a professional or technical
8 society or organization which the board finds to have
9 had a reliable accrediting program recognized the course
10 as satisfactory.

11 d. Evidence that the applicant is free from any
12 physical, or mental impairment or disease which would
13 interfere with his performance in radiologic technology
14 or constitute a danger to the health and safety of
15 patients.

16 e. Any additional information as the board may
17 require.

18 3. Evidence of instruction, training, and experience
19 in the application of ionizing radiation to the human
20 body received by an applicant while in the uniformed
21 services of the United States may be submitted by the
22 applicant in lieu of all or part of the evidence of
23 educational qualifications required in paragraph c of
24 subsection two (2) of this section, and shall be
25 evaluated by the board to determine whether and to what

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1 extent it meets these requirements.

2 4. Upon the filing with the agency of a completed
3 application accompanied by a fee of twenty-five dollars,
4 and verification of the accuracy and sufficiency of
5 the information contained therein, an applicant shall

6 be entitled to admission to the examination provided
7 in this section.

8 Sec. 8.

9 1. All applicants for a general technologic certifi-
10 cate as a radiologic technologist shall be required
11 to pass an examination including, but not limited to
12 the following subjects: radiation physics, radiological
13 techniques, anatomy and physiology, and radiation protec-
14 tion.

15 2. All applicants for a general technologic certifi-
16 cate as a radiation therapy technologist shall be re-
17 quired to pass an examination including, but not limited
18 to, the following subjects: nursing procedures, mathe-
19 matics, radiation physics, physical concepts of radia-
20 tion therapy, fundamentals of radiobiology, radiation
21 protection, and shielding.

22 3. All applicants for a general technologic certifi-
23 cate as a nuclear medicine technologist shall be required
24 to pass an examination including, but not limited to,
25 the following subjects: mathematics, radiation physics,

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1 interaction of radiation with matter, interaction of
2 radiation with physiological systems, radiation units,
3 radiation protection and shielding instrumentation,
4 clinical laboratory equipment and procedures, records,
5 and administrative procedures.

6 4. All applicants for a limited technologic permit
7 shall be required to pass an examination including,
8 but not limited to, such fundamental requirements in
9 basic radiological health training similar to those
10 required for applicants for a general technologic
11 certificate.

12 5. The board shall hold an examination at least
13 once every six months at the times and places as it
14 may determine, for applicants for certificates or permits
15 issued under the provisions of this Act.

16 6. Examinations shall include a written part but
17 may also include practical and oral parts. Following
18 each examination, the papers and the practical and oral
19 examinations, if any, shall be graded and the standing
20 of each applicant shall be recorded. The board shall
21 either pass or fail each applicant, in accordance with
22 his performance on the examination. The performance
23 shall be judged on the basis of the achievement of a
24 minimum examination score, determined by the board.

25 7. An applicant who fails to pass the examination

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1 may apply for a second examination. A fee of fifteen
2 dollars shall be charged for the second and for any
3 subsequent examination. However, no applicant may take
4 the examination more than twice within any two-year
5 period without special permission from the board.

6 8. The board may accept, in lieu of its own exami-

7 nation, evidence of satisfactory performance in an
8 examination given by an appropriate organization or
9 testing service; provided that the board finds the
10 organization or service to be competent to examine
11 applicants in the field of radiologic technology.

12 Sec. 9. The provisions of this section shall be
13 applicable to training in preparation for the general
14 technologic certificate:

15 1. The radiologic technology board shall approve
16 courses of study in radiologic technology. For the
17 purposes of this Act, no course shall be deemed approved
18 unless the approval has been granted pursuant to this
19 section or, if the course is offered by an institution
20 in another state, the approval is by a public officer
21 or body employing standards of investigation and judgment
22 substantially equal to those employed by the board.

23 2. The agency shall compile and keep current a list
24 of approved courses and shall publish the list and any
25 revisions in convenient form, so that it may be available

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1 to the public.

2 3. As a condition precedent to approval or continuing
3 approval, the agency may inspect and otherwise require
4 relevant information to be furnished by an institution
5 or person offering a course of study in radiologic
6 technology.

7 4. The agency on the advice of the board shall
8 issue, and may from time to time amend and revise
9 regulations relating to the character, content,
10 instructional staff, facilities, equipment and
11 administration of courses of study in radiologic
12 technology. The board shall approve any course of study
13 which meets standards as set forth in regulations
14 pursuant to this Act.

15 5. An approved course of study may be operated by
16 a medical or educational institution, or other public
17 or private agency or institution, and for the purpose
18 of providing the requisite clinical experience shall
19 be affiliated with one or more hospitals that, in the
20 opinion of the board provide satisfactory clinical
21 experience.

22 6. In approving a course of study, the board shall
23 consider any standards which may have been adopted by
24 appropriate professional organizations, and may accept,
25 certifications or accreditation relating to particular

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1 courses of study made by those organizations in lieu
2 of inspections or appraisals made by the agency but
3 only if the board finds that such certifications or
4 accreditations are made on the basis of standards and
5 procedures that afford equivalent protection to the
6 public as are afforded by the standards and procedures
7 employed pursuant to this Act.

8 Sec. 10.

9 1. The board shall issue a certificate or permit
10 to an applicant who has satisfied the conditions and
11 requirements set forth in this Act. The certificate,
12 permit, or endorsement shall be valid for a period of
13 two years from the date of issue, unless sooner suspended
14 or revoked.

15 2. Classification of certificates or permits shall
16 include "licensed practitioner general certificate,"
17 "licensed practitioner limited certificate," "general
18 technologic certificate," and "limited technologic
19 permit." A general certificate shall authorize the
20 holder, subject to conditions as may be contained in
21 law, to apply ionizing radiation to any part of the
22 human body. A limited certificate or permit shall
23 identify the parts of the human body to which it applies
24 or the procedures to which it applies, and the holder
25 shall be authorized only to apply ionizing radiation

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1 to those parts of the human body or to employ only the
2 procedures specified therein. A person who has met
3 the requirements of subsections two (2) and three (3)
4 of section seven (7) of this Act, and is otherwise
5 qualified for certification shall receive a general
6 technologic certificate.

7 3. A certificate or permit may be renewed or reissued
8 upon application to the agency accompanied by a fee
9 of twenty dollars. However, renewal may be denied if
10 the board finds that the applicant has committed any
11 act or omission which would constitute grounds for
12 denial of an original certificate or permit, or
13 suspension or revocation of the certificate or permit.
14 Upon request, an applicant whose application for renewal
15 has been denied shall be entitled to a hearing in the
16 same manner provided in section eleven (11) of this
17 Act, for suspensions and revocations.

18 4. Certificates or permits which have expired may
19 be reissued in the same manner as for renewal, within
20 five years from the date of expiration. A certificate
21 or permit which has been expired for more than five
22 years may be certified or endorsed only in the manner
23 provided for an original certificate, permit, or
24 endorsement.

25 Sec. 11.

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1 1. The board shall suspend or revoke a certificate
2 or permit for any violation of this Act or for a physical
3 or mental condition which would impair ability to perform
4 radiologic technology or otherwise constitute a hazard
5 to the health or safety of patients.

6 2. Before a certificate or permit is suspended,
7 due notice shall be given the holder unless the board
8 finds that immediate suspension of the certificate or

9 permit is required to protect health or safety. If
10 a certificate or permit has been suspended or revoked,
11 or notice of suspension or revocation has been received,
12 the holder of the certificate or permit shall, upon
13 written request, be entitled to a hearing before the
14 board, in the manner provided in section sixteen (16)
15 of this Act.

16 3. In addition to any grounds otherwise provided
17 in this Act, the following shall be grounds for denial,
18 suspension, or revocation of a certificate, permit,
19 or endorsement:

20 a. Conviction, either within or without this state
21 of a crime involving moral turpitude, or a crime carrying
22 a penalty of imprisonment for more than one year.

23 b. Addition to the use of alcohol, narcotics, or
24 other drugs having similar effect.

25 4. If the board is furnished with the recommendation

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1 of either the court which imposed or suspended sentence
2 or the parole or probation authority having a person
3 under surveillance or having discharged him from
4 surveillance, that the person has responded to
5 correctional and rehabilitative processes to a degree
6 which might warrant waiver of the provisions imposed
7 by paragraph a of subsection three (3) of this section,
8 the board can, at its discretion, take no action pursuant
9 to subsection three (3) of this section.

10 Sec. 12.

11 1. Any person who is the holder of a current certifi-
12 cate or permit in radiologic technology issued by another
13 state, jurisdiction, or agency within the United States
14 may, upon presentation of the certificate to the appro-
15 priate board, and payment of a fee of twenty dollars,
16 have his certificate or permit endorsed and a new
17 certificate or permit issued for the practice of
18 radiologic technology in this state, if the agency finds
19 that the standards and procedures for certification
20 in the state or jurisdiction which issued the certificate
21 or permit afford protection to the public equivalent
22 to that afforded by the standards and procedures adopted
23 pursuant to this Act.

24 2. Within two years from the effective date of this
25 Act, the board may issue a general technologic certifi-

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1 cate to any person who is of good moral character and:

2 a. Has been engaged in the practice of radiologic
3 technology for at least two of the ten years immediately
4 preceding application for certification, and who passes
5 an examination given by the board.

6 b. Has been certified by a professional or technical
7 society or organization issuing certificates evidencing
8 qualification to practice radiologic technology, if
9 the board recognizes the society or organization and

10 its certificating procedures as appropriate and
11 sufficient to determine qualifications for radiologic
12 technologists, radiation therapy technologists or nuclear
13 medicine technologists.

14 3. The fee required to accompany an application
15 made pursuant to this section shall be the same as for
16 an application made pursuant to section seven (7) of
17 this Act.

18 Sec. 13. No person shall:

19 1. Engage in fraud or deceit, or make any material
20 misrepresentation or misstatement of fact on or in con-
21 nection with an application for a certificate or permit.

22 2. Aid or abet any violation of this Act.

23 3. Falsely represent himself as a holder of a cer-
24 tificate or permit to practice radiologic technology
25 or as a licensed practitioner of the healing arts.

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1 4. Knowingly employ any person as a radiologic tech-
2 nologist, radiation therapy technologist or nuclear
3 medicine technologist or permit such person to apply
4 ionizing radiation to a human being, unless such person
5 is the holder of a valid certificate or permit issued
6 pursuant to this Act.

7 Sec. 14. There is created in the state treasury
8 an ionizing radiation protection trust fund. All fees
9 collected by the agency under the provisions of this
10 Act paid to the treasurer of state and credited by him
11 to the trust fund. Any monies in the trust fund are
12 appropriated to, and shall be used only by, the agency
13 to pay the expenses and costs incurred in the adminis-
14 tration of this Act.

15 Sec. 15. Any person violating any of the provisions
16 of section thirteen (13) of this Act shall, in addition
17 to any other penalty or remedy provided in this Act,
18 be guilty of a felony and, upon conviction, shall be
19 fined an amount not to exceed five thousand dollars,
20 or be imprisoned in the penitentiary not to exceed two
21 years, or be subject to both such fine and imprisonment.

22 Sec. 16. Hearings for the suspension or revocation
23 of a certificate or permit or to deny its renewal shall
24 be held before the board after due notice of the time
25 and place of the hearing is provided to the affected

Page 21

1 person. After hearing the evidence, the board shall
2 either suspend or revoke the certificate or permit or
3 deny its renewal, or find in favor of the holder of
4 the certificate or permit. The action of the board
5 shall be in the form of a written order and shall include
6 the reasons for the determination.

7 Sec. 17. The final order of the board may be appealed
8 by the person whose certificate or permit is revoked,
9 suspended or its renewal is denied, to the district
10 court of the county in which he resides. The court

11 shall hear the appeal de novo. The court may receive
12 additional testimony and evidence and may affirm, modify,
13 or reverse the order of the board.
14 Sec. 18. The powers, duties, and functions vested
15 in the state department of health under this Act shall
16 not affect in any manner the powers, duties, and
17 functions vested in the department under any other
18 provisions of law.
19 2. Page 1, by striking line 3 and inserting in lieu
20 thereof the words "providing a trust fund therefor".

CHARLES P. MILLER

1 Amend House File 262, page 1, by striking in lines 14 and
2 15 the following: "whenever a sign is in place permitting
3 such turn".

R. DEAN ARBUCKLE

On motion of Senator Lamborn, the Senate adjourned until 8:30
a.m., Wednesday, April 28, 1971.

* * * * *

JOINT MEMORIAL SERVICE

House Chamber

7:30 p.m.

Time has passed, it brings its changes
Fresh with every year
But their memory will be cherished
In the hearts that hold them dear.

Selected by the Honorable Hallie Sargisson
Representative, Woodbury County

Organ Prelude.....Mrs. Dorothy Menefee, wife of
Honorable Maynard Menefee
Representative, Fayette County

Invocation.....Honorable William H. Harbor
Speaker of the House, Mills, Montgomery, Page Counties

Eulogy.....Honorable Richard L. Stephens
Senator, Washington, Montgomery, Page Counties

"For All the Saints".....R. Vaughn Williams
Grinnell High School Choir, Grinnell, Iowa
Marvin E. Kelley, Director

MEMORIALS—SENATE

Reading: Honorable Rudy Van Drie
 Senator, Story, Jasper Counties

“Let Not Your Heart Be Troubled”.....Oley Speaks
 Marla Morrison, Alto
 Robert Snook, Accompanist

MEMORIALS—SENATE

Reading: Honorable Charles Miller
 Senator, Des Moines, Louisa Counties

“The Twenty-third Psalm”.....Russell Brown
 Susan Heffner, Soprano, Drake University
 Mrs. J. Willard Heffner, Accompanist

MEMORIALS—HOUSE

Reading: Honorable C. Raymond Fisher
 Representative, Greene, Guthrie Counties

“With a Voice of Singing”.....Kenneth Jennings
 Grinnell High School Choir

MEMORIALS—HOUSE

Reading: Honorable Vernon A. Ewell
 Representative, Black Hawk County

“The Lord’s Prayer”.....Albert Hay Malotte
 Honorable Dale L. Tieden
 Representative, Allamakee, Clayton Counties
 Mrs. Dorothy Menefee, Accompanist

MEMORIALS—HOUSE

Reading: Honorable Raymond J. Taylor
 Representative, Dubuque County

“Onward, Ye Peoples!”.....Jean Sibelius
 Grinnell High School Choir
 Robert Snook, Accompanist

Benediction.....Honorable Bass Van Gilst
 Senator, Mahaska, Iowa, Keokuk, Monroe Counties

Organ Postlude.....Mrs. Dorothy Menefee

IN MEMORIAM

- Honorable Ed H. Campbell (Ida, Cherokee, Plymouth Counties) 34, 39, 40, 40 Ex., 41, 42, 42 Ex.
Honorable Edward P. Donohue (Chickasaw, Floyd Counties) 46, 46 Ex., 47 48, 49
Honorable Earl Elijah (Cedar, Jackson, Jones, Muscatine Counties) 55, 56, 57, 58, 59, 60
Honorable Linus B. Forsling (Woodbury County) 39, 40, 40 Ex., 41, 42, 42 Ex., 43, 44, 48
Honorable Walter B. Hammer (Palo Alto, Emmet, Pocahontas Counties) 63 (First Session)
Honorable Oscar N. Hultman (Mills, Montgomery Counties) 45, 45 Ex., 46, 46 Ex., 47, 48, 51, 52, 53, 54, 56
Honorable Paul L. Millhone (Page, Fremont Counties) 44, 45, 45 Ex., 46, 46 Ex., 47
Honorable Wilbur C. Molison (Poweshiek, Keokuk Counties) 54, 55, 56, 57
Honorable Robert G. Moore (Harrison, Monona, Crawford Counties) 45, 45 Ex., 46, 46 Ex., 47, 58, 59
Honorable George W. Patterson (Kossuth, Emmet, Palo Alto, Clay, Dickinson Counties) 40, 40 Ex., 41, 42, 42 Ex., 43, 44, 45, 45 Ex., 46
Honorable William H. Scott (Chickasaw, Floyd Counties) 38, 39
Honorable J. O. Shaff (Clinton County) 40, 40 Ex., 41, 42, 42 Ex., 43
Honorable Charles K. Sullivan (Woodbury County) 62, 63, 64 (First Session, Deceased February 13, 1971)
Honorable Lloyd Thurston (Clarke, Warren Counties) 39, 40, 40 Ex.
Honorable Daniel W. Turner (Adams County) 30, 31, 32, 32 Ex. (Governor of Iowa 1931-1932)

* * * * *

- Honorable John Brownlie (Madison County) 53, 54, 55
Honorable Luke L. Caffrey (Howard County) 53
Honorable John W. Carlsen (Clinton County) 56, 57
Honorable John D. Currie (Sac County) 56, 57, 58
Honorable Harold Davidson (Page County) 38
Honorable Riley Dietz (Scott County) 56, 57, 58, 59, 60, 60 Ex.
Honorable John Duffy (Dubuque County) 52, 52 Ex., 53, 56, 57, 58, 59, 60, 60 Ex., 61, 62
Honorable Mel Graham (Audubon County) 52, 53
Honorable Curtis W. Gregory (Dallas County) 48, 49
Honorable Wilber F. Hubbard (Pottawattamie County) 41, 42, 42 Ex., 43
Honorable James E. Jamison (Des Moines County) 35, 36
Honorable John J. Jenkins (Louisa County) 45, 45 Ex., 46, 46 Ex.
Honorable Julius H. Jensen (Kossuth County) 43
Honorable James A. King (Clay County) 40, 40 Ex., 41, 42, 42 Ex., 43
Honorable Dan Prine (Mahaska County) 59, 60, 60 Ex.
Honorable Clarence Rice (Keokuk County) 45, 45 Ex., 46, 46 Ex., 47
Honorable Ove Roe (Allamakee County) 44, 45, 45 Ex., 46, 46 Ex., 47
Honorable C. W. Ross (Grundy County) 47, 48
Honorable Leo I. Sanders (Emmet County) 62, 63
Honorable Ross Stevenson (Howard-Mitchell Counties) 59, 60, 60 Ex., 61
Honorable Melvin R. Story (Black Hawk County) 62
Honorable Fred Voightman (Iowa County) 54, 55, 56

Honorable Charles Weik (Dickinson County) 57, 58
Honorable Harold R. White (Keokuk County) 54
Honorable Fred Wier (Louisa County) 58, 59, 60, 60 Ex.

* * * * *

Candlelighters:

Honorable W. Charlene Conklin, Senator, Black Hawk County
Honorable A. June Franklin, Representative, Polk County
Honorable Lillian McElroy, Representative, Fremont, Page Counties
Honorable Hallie Sargisson, Representative, Woodbury County

Hostesses:

Honorable Elizabeth R. Miller, Representative, Marshall County
Honorable Sonja Egenes, Representative, Story County

* * * * *

Senate Memorial Committee: Honorable Richard L. Stephens, Chairman;
Honorable Rudy Van Drie; Honorable Charles Miller.

House Memorial Committee: Honorable Clair Strand, Chairman; Honorable Lillian McElroy; Honorable Hallie Sargisson.

* * * * *

Organ and Piano Compliments of Stoner Piano Company, Des Moines, Iowa

Flower Arrangements by Olsan's Flowers, Des Moines, Iowa

JOURNAL OF THE SENATE

ONE HUNDRED EIGHTH DAY

SENATE CHAMBER

DES MOINES, IOWA, WEDNESDAY, APRIL 28, 1971

The Senate met in regular session, President Jepsen presiding.

Prayer was offered by Monsignor Arthur J. Breen, pastor of the Holy Family Catholic Church, Mason City, Iowa.

The Senate pledged allegiance to the flag.

The Journal of Tuesday, April 27, 1971, was approved.

PRESENTATION OF VISITORS

The Chair announced that the following visitors were present in the Senate gallery:

Forty-five students from Crawford and Whittier Elementary Schools, Ames, Iowa, accompanied by Mrs. Albright and Miss Bartlett.

Forty-four fifth-grade students from Jewell and Ellsworth, Iowa, accompanied by Mrs. Hanson and Mrs. Pearson.

PETITIONS

The following petitions were presented and placed on file:

By Senator Curran, from seven residents of Cerro Gordo County, employees of Mason City, Iowa, approving a one percent sales tax increase providing one-half of one percent is returned to cities and towns to use at their discretion.

By Senator Curran, from eight residents of Cerro Gordo County, employees of the State Liquor Store, Mason City, Iowa, in favor of House File 121, allowing state employees to meet and confer with the merit employment commission in regard to wages, hours, benefits, etc., and Senate File 84, relating to salary increases for state employees.

CONSIDERATION OF BILLS

Senator Lamborn asked and received unanimous consent to take up out of order Senate File 449.

Senate File 449

On motion of Senator Messerly, Senate File 449, a bill for an act relating to the purchase and use of state-owned automobiles, was taken up and considered.

Senator Messerly moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 449) the vote was:

Ayes, 38:

Anderson	Doderer	Lamborn	Rabedaux
Arbuckle	Erskine	Messerly	Rhodes
Balloun	Gilley	Miller	Riley
Bass	Graham	Mowry	Robinson
Briles	Griffin	Neu	Schaben
Carlson	Gross	Nicholson	Shaff
Coleman	Hill	Ollenburger	Smith
Conklin	Keith	Potgeter	Stephens
Curran	Kennedy	Potter	Van Gilst
Davis	Kyhl		

Nays, 1:

Van Drie

Absent or not voting, 11:

Brownlee	Glenn	Palmer	Thordsen
DeKoster	Laverty	Shawver	Walsh
Gaudineer	Milligan	Tapscott	

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

REPORT OF INVESTIGATING COMMITTEE

Senator Carlson submitted the following report and moved its adoption:

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Silas S. Ewing of Des Moines, Polk County, Iowa, for appointment as a member of the Board of Parole for the State of Iowa under the provisions of Sections 247.1 and 247.2, 1971 Code of Iowa, for the regular six-year term beginning July 1, 1971 and ending June 30, 1977, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

REINHOLD O. CARLSON, Chairman
ARTHUR A. NEU
WAYNE D. KEITH
JOHN E. TAPSCOTT
GEORGE L. SHAWVER

The motion prevailed and the report was adopted.

Senator Carlson moved that the appointment of Silas S. Ewing be confirmed.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 41:

Anderson	Gilley	Messerly	Riley
Arbuckle	Glenn	Miller	Robinson
Balloun	Graham	Mowry	Schaben
Bass	Griffin	Neu	Shaff
Briles	Gross	Nicholson	Shawver
Carlson	Hill	Ollenburg	Smith
Coleman	Keith	Potgeter	Stephens
Conklin	Kennedy	Potter	Van Drie
DeKoster	Kyhl	Rabedeaux	Van Gilst
Doderer	Lamborn	Rhodes	Walsh
Gaudineer			

Nays, none.

Absent or not voting, 9:

Brownlee	Erskine	Milligan	Tapscott
Curran	Laverty	Palmer	Thordsen
Davis			

President Jepsen declared the appointment of Silas S. Ewing as a member of the Board of Parole confirmed for the regular six-year term ending June 30, 1977.

CONSIDERATION OF BILLS

Senator Lamborn asked and received unanimous consent to take up out of order Senate File 468.

Senate File 468

On motion of Senator Mowry, Senate File 468, a bill for an act making additional amendments to the Code of Iowa in conformity to Senate File 1 of the Sixty-fourth General Assembly, updating certain references in the Code of Iowa, and making corrective amendments relating to the imposition of a penalty and other provisions in Senate File 1 of the Sixty-fourth General Assembly, was taken up and considered.

Senator Mowry offered the following amendment filed by Senator Thordsen on April 13 and moved its adoption:

- 1 Amend Senate File 468, page 1, by striking all of the title
- 2 after the word "Act" in line 1 and inserting in lieu thereof
- 3 the following: "relating to the regulation and control of
- 4 certain drugs and providing procedures for enforcement and
- 5 penalties and making additional amendments to the Code in
- 6 conformity with Senate file one (1), Acts of the Sixty-fourth
- 7 General Assembly, First Session."

The amendment was adopted.

Senator Gaudineer offered the following amendment filed April 12 by Senators Gaudineer and Mowry, and called for a division of the amendment into two divisions, lines 2 through 9 to be considered as division 1; line 1 and lines 10 through 19 to be considered as division 2:

- 1 Amend Senate File 468 as follows:
- 2 Page 11, by adding after line 11 the following sec-
- 3 tions:
- 4 "Sec. 22. Senate File one (1), section two hundred
- 5 ten (210), subsection two (2), Acts of the Sixty-fourth
- 6 General Assembly, First Session, is amended by adding
- 7 the following:
- 8 'l. Librium.
- 9 m. Valium.'
- 10 Sec. 23. Senate File one (1), section four hundred
- 11 seven (407), Acts of the Sixty-fourth General Assembly,
- 12 First Session, is amended by adding after unnumbered
- 13 paragraph two (2) the following unnumbered paragraph:
- 14 'Any person who violates this section and where the
- 15 controlled substance is any one other than marijuana is
- 16 guilty of a public offense and upon conviction shall be
- 17 punished by imprisonment in the penitentiary for not to
- 18 exceed five years or by a fine of not to exceed ten
- 19 thousand dollars or by both such imprisonment and fine.' "

Senator Gaudineer withdrew division 1 of the amendment.

On motion of Senator Gaudineer, division 2 of the amendment was adopted.

Senator Mowry moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 468) the vote was:

Ayes, 41:

Arbuckle	Gilley	Laverty	Riley
Balloun	Glenn	Miller	Robinson
Bass	Graham	Mowry	Schaben
Briles	Griffin	Neu	Shaff
Brownlee	Gross	Nicholson	Shawver
Carlson	Hill	Ollenburg	Smith
Coleman	Keith	Potgeter	Stephens
Conklin	Kennedy	Potter	Tapscott
DeKoster	Kyhl	Rabedaux	Van Drie
Doderer	Lamborn	Rhodes	Walsh
Gaudineer			

Nays, none.

Absent or not voting, 9:

Anderson	Erskine	Milligan	Thordsen
Curran	Messerly	Palmer	Van Gilst
Davis			

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

Senator Gaudineer asked and received unanimous consent that **Senate File 468** be immediately messaged to the House, which request was complied with.

HOUSE AMENDMENT CONSIDERED

Senate File 217

Senator Messerly called up for consideration Senate File 217, a bill for an act relating to compensating state employees for the use of their motor vehicles, amended by the House, and moved that the Senate refuse to concur in the following amendment:

1 Amend Senate File 217, as passed by the Senate, by
2 striking all after the enacting clause and inserting in
3 lieu thereof the following:
4 Section 1. Section twenty-one point four (21.4), Code
5 1971, is amended as follows:
6 21.4 PRIVATE USE—RATE FOR STATE BUSINESS. No state
7 officer or employee shall use any state-owned car for his
8 own personal private use, nor shall he be compensated for
9 driving his own motor vehicle except [if such is done on
10 state business and in such case he shall not receive more
11 than ten cents per mile] *a state officer, or an employee may,*
12 *with the approval of the department head, drive his personal*
13 *car on state business up to six thousand miles per year.*
14 *Approval by the state car dispatcher shall be necessary for*
15 *use of a private vehicle driven on state business over six*
16 *thousand miles per year. In all cases of use of a personal*
17 *vehicle on state business, the state officer or employee*
18 *shall not receive more than ten cents per mile. When a*
19 *state officer or employee drives over eleven thousand five*
20 *hundred miles per year he shall either be assigned a state*
21 *car by the state car dispatcher or, if he resides in an area*
22 *where a car pool is established, then he shall use a car from*
23 *that pool except that if the state employee is not employed*
24 *in Polk county, this provision may be waived by approval of*
25 *the state car dispatcher. When a state car has been assigned*

Page 2

1 *to a state officer or employee he shall not collect mileage*
2 *for the use of his personal vehicle unless the state vehicle*
3 *assigned to him is not useable.*
4 *This section shall not apply to elected officers of the*
5 *state, judges of the district court, judges of the supreme*
6 *court, or officials and employees of the state whose mileage*
7 *is paid by other than state agencies.*
8 Sec. 2. This Act, being deemed of immediate importance
9 shall take effect and be in force from and after its
10 publication in The Daily Freeman-Journal, a newspaper
11 published in Webster City, Iowa, and in The Record, a
12 newspaper published in Cedar Falls, Iowa.

The motion prevailed, and the Senate refused to concur in the House amendment.

Senator Messerly moved that the vote by which the Senate refused to concur in the House amendment to Senate File 217 be reconsidered and the motion to reconsider be laid on the table.

Roll call was requested.

On the question "Shall the motion to reconsider be laid on the table?" (S.F. 217) the vote was:

Ayes, 28:

Arbuckle	Graham	Messerly	Rhodes
Balloun	Griffin	Mowry	Riley
Bass	Hill	Nicholson	Shaff
Briles	Keith	Ollenburg	Shawver
Curran	Kyhl	Potgeter	Smith
Davis	Lamborn	Potter	Stephens
Gilley	Lavery	Rabedeaux	Walsh

Nays, 14:

Carlson	Erskine	Miller	Schaben
Coleman	Gaudineer	Neu	Tapscott
DeKoster	Glenn	Robinson	Van Drie
Doderer	Gross		

Absent or not voting, 8:

Anderson	Conklin	Milligan	Thordsen
Brownlee	Kennedy	Palmer	Van Gilst

The motion prevailed.

UNFINISHED BUSINESS

House File 122

On motion of Senator Griffin, House File 122, a bill for an act relating to the number of official county newspapers, was taken up for further consideration.

Senator Potgeter offered the following amendment:

- 1 Amend House File 122, page 2, by adding after the period
- 2 in line 14 the words "*If there are more than two newspapers,*
- 3 *selection shall be determined primarily on geographical disper-*
- 4 *sion of location within the counties.*"

Senator Brownlee raised a point of order on the amendment for the reason that it was not germane to the bill.

The Chair ruled the point not well taken and the amendment in order.

Senator Brownlee moved that further action on House File 122 be

deferred and that the bill retain its place on the calendar under unfinished business.

The motion lost.

Senator Rabedeaux moved that House File 122 be re-referred to the committee on county government.

Roll call was requested.

On the question "Shall the motion to re-refer be adopted?" (H.F. 122) the vote was:

Rule 24 was invoked.

Ayes, 22:

Balloun	Gaudineer	Miller	Schaben
Bass	Glenn	Nicholson	Shawver
Brownlee	Graham	Potter	Smith
Coleman	Gross	Rabedeaux	Tapscott
Curran	Hill	Rhodes	Van Gilst
Doderer	Kennedy		

Nays, 23:

Arbuckle	Erskine	Milligan	Robinson
Briles	Gilley	Mowry	Shaff
Carlson	Griffin	Neu	Stephens
Conklin	Keith	Ollenburg	Van Drie
Davis	Kyhl	Potgeter	Walsh
DeKoster	Lamborn	Riley	

Absent or not voting, 5:

Anderson	Messerly	Palmer	Thordsen
Laverty			

The motion lost.

Senator Potgeter moved the adoption of the amendment.

Roll call was requested.

On the question "Shall the amendment be adopted?" (H.F. 122) the vote was:

Ayes, 6:

Doderer	Potgeter	Smith	Walsh
Kyhl	Schaben		

Nays, 40:

Arbuckle	DeKoster	Lamborn	Rabedeaux
Balloun	Erskine	Laverty	Rhodes
Bass	Gaudineer	Messerly	Riley
Briles	Gilley	Miller	Robinson
Brownlee	Glenn	Milligan	Shaff
Carlson	Graham	Mowry	Shawver
Coleman	Griffin	Neu	Stephens
Conklin	Gross	Nicholson	Tapscott
Curran	Hill	Ollenburg	Van Drie
Davis	Keith	Potter	Van Gilst

Absent or not voting, 4:

Anderson	Kennedy	Palmer	Thordsen
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The amendment lost.

Senator Griffin moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 122) the vote was:

Ayes, 22:

Arbuckle	Graham	Mowry	Potter
Carlson	Griffin	Neu	Riley
Davis	Keith	Nicholson	Shaff
DeKoster	Kyhl	Ollenburg	Stephens
Erskine	Messerly	Potgeter	Van Drie
Gilley	Milligan		

Nays, 24:

Balloun	Doderer	Lamborn	Schaben
Bass	Gaudineer	Laverty	Shawver
Brownlee	Glenn	Miller	Smith
Coleman	Gross	Rabedaux	Tapscott
Conklin	Hill	Rhodes	Van Gilst
Curran	Kennedy	Robinson	Walsh

Absent or not voting, 4:

Anderson	Briles	Palmer	Thordsen
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The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

SENATE FILE WITHDRAWN

Senator Griffin asked and received unanimous consent that **Senate File 310** be **withdrawn** from further consideration of the Senate.

UNFINISHED BUSINESS**Senate File 463**

The Senate resumed consideration of Senate File 463, a bill for an act relating to registration fees for snowmobiles and the disposition of the fees; and the following amendment by Senator Potgeter:

- 1 Amend Senate File 463, page 3, line 11, by adding after
- 2 the word "*county*," the following new sentence "*Fees collected*
- 3 *will be used solely for developing and improving facilities for*
- 4 *snowmobiles and winter sports.*"

Senator Neu took the chair at 10:37 a.m.

Senator Potgeter moved the adoption of his amendment and called for a division.

The amendment lost.

Senator Van Gilst offered the following amendment and moved its adoption:

- 1 Amend Senate File 463, page 2, line 30, by striking
- 2 "*twelve*" and inserting in lieu thereof "*nine*".

The amendment was adopted.

Senator Keith moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 463) the vote was:

Ayes, 27:

Arbuckle	Gilley	Messerly	Riley
Bass	Glenn	Milligan	Shaff
Briles	Graham	Mowry	Smith
Carlson	Hill	Nicholson	Stephens
Davis	Keith	Ollenburg	Tapscott
DeKoster	Kyhl	Potter	Van Gilst
Erskine	Lamborn	Rhodes	

Nays, 19:

Balloun	Doderer	Miller	Schaben
Brownlee	Gaudineer	Neu	Shawver
Coleman	Gross	Potgeter	Van Drie
Conklin	Kennedy	Rabedeaux	Walsh
Curran	Laverty	Robinson	

Absent or not voting, 4:

Anderson	Griffin	Palmer	Thordsen
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILLS

Senate File 505

On motion of Senator Riley, Senate File 505, a bill for an act relating to state income tax deductions, was taken up and considered.

Senator Gaudineer offered the following amendment by Senators Gaudineer and Riley and moved its adoption:

- 1 Amend Senate File 505, page 1, as follows:
- 2 1. Line 11, by inserting after the word "deduction"
- 3 the words, "and nonreimbursable casualty losses".
- 4 2. Line 12, by inserting after the word "deduction"
- 5 the words, "and nonreimbursable casualty losses".

The amendment was adopted.

Senator Riley moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 505) the vote was:

Rule 24 was invoked.

Ayes, 40:

Arbuckle	Doderer	Kyhl	Riley
Balloun	Erskine	Lamborn	Robinson
Bass	Gaudineer	Laverty	Schaben
Briles	Gilley	Miller	Shaff
Brownlee	Glenn	Neu	Shawver
Carlson	Graham	Nicholson	Smith
Coleman	Gross	Potgeter	Stephens
Curran	Hill	Potter	Tapscott
Davis	Keith	Rabedeaux	Van Drie
DeKoster	Kennedy	Rhodes	Van Gilst

Nays, 7:

Conklin	Messerly	Mowry	Walsh
Griffin	Milligan	Ollenburg	

Absent or not voting, 3:

Anderson	Palmer	Thordsen
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

SENATE FILE WITHDRAWN

Senator Curran asked and received unanimous consent that **Senate File 55** be **withdrawn** from further consideration of the Senate.

On motion of Senator Lamborn, the Senate recessed until the fall of the gavel.

AFTERNOON SESSION

The Senate reconvened, President pro tempore Kyhl presiding.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File 215, a bill for an act relating to notice of compensation commission appraisal of damages.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 287, a bill for an act relating to the labeling of seed corn containers.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 632, a bill for an act amending House File 119 of the Sixty-fourth General Assembly, relating to the population of election precincts.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 149, a bill for an act relating to the imposition of a general criminal penalty for violations of the fish and game conservation laws.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 269, a bill for an act to provide that expenditures of funds by the county board of supervisors to replace property acquired by another governmental body need not be submitted to the voters.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 348, a bill for an act relating to nonprofit corporations.

WILLIAM R. KENDRICK, Chief Clerk

HOUSE AMENDMENT TO SENATE FILE 269

- 1 Amend Senate File 269, as passed by the Senate, as
- 2 follows:
- 3 1. Page 1, line 10, by inserting before the word "of"
- 4 the words "*or relocation and replacement*".
- 5 2. Page 1, line 10, by striking the word "or" and
- 6 inserting in lieu thereof the words "[or]".
- 7 3. Page 1, line 11, by striking the words "when the
- 8 probable cost will exceed ten thousand dollars" and
- 9 inserting in lieu thereof the words "[when the probable cost
- 10 will exceed ten thousand dollars]".
- 11 4. Page 1, line 12, by striking the word "building" and
- 12 inserting in lieu thereof the words "*county building or*
- 13 *facility*".
- 14 5. Page 1, line 21, by inserting after the word
- 15 "reconstruction," the words "*relocation and replacement*".
- 16 6. Page 1, line 24, by inserting a comma after the
- 17 word "dollars".
- 18 7. Page 1, line 24, by inserting after the word
- 19 "*relocation*" the words "*and replacement*".

HOUSE MESSAGES CONSIDERED

House File 215, a bill for an act relating to notice of compensation commission appraisal of damages and appeal from the damages award.

Read first time and **passed on file**.

House File 287, a bill for an act relating to the labeling of seed corn containers.

Read first time and **passed on file**.

House File 632, a bill for an act amending House File one hundred nineteen (119) of the Sixty-fourth General Assembly, First Session, relating to the population of election precincts.

Read first time and **passed on file**.

COMMUNICATION FROM THE SECRETARY OF STATE

April 27, 1971

Mr. Carroll A. Lane
Secretary of the Senate
State Capitol Building
Des Moines, Iowa 50319

I hereby certify that Senate File 122 was published in The Record, Cedar Falls, Iowa, April 21, 1971, and in The Cedar Rapids Gazette, Cedar Rapids, Iowa, April 20, 1971.

I further certify that Senate File 129 was published in The Red Oak Express, Red Oak, Iowa, April 12, 1971, and in The Villisca Review, Villisca, Iowa, April 15, 1971.

I further certify that House File 121 was published in The Sioux Center News, Sioux Center, Iowa, April 15, 1971, and in The DeWitt Observer, DeWitt, Iowa, April 5, 1971.

I further certify that House File 505 was published in the Ames Daily Tribune, Ames, Iowa, April 23, 1971, and in the Marshalltown Times-Republican, Marshalltown, Iowa, April 23, 1971.

Respectfully submitted,

MELVIN D. SYNHORST
Secretary of State

ASSIGNMENT OF BILLS TO COMMITTEE

President Jepsen announced the assignment of the following bills to committee:

H. F. 132 Commerce

H. F. 215 Judiciary

H. F. 287 Agriculture

H. F. 632 State government

ANNOUNCEMENT BY THE PRESIDENT OF THE SENATE

President Jepsen announced the appointment of the following Senators to the Departmental Rules Review Committee:

Wayne D. Keith for the regular four-year term expiring April 30, 1975.

James F. Schaben for the regular four-year term expiring April 30, 1975.

REPORTS OF COMMITTEES

Senator Briles submitted the following reports:

MR. PRESIDENT: Your committee on county government, to which was referred **House File 209**, a bill for an act relating to county and city programs for senior citizens, begs leave to report it has had the same under consideration and recommends the same **do pass**.

JAMES E. BRILES, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on county government, to which was referred **House File 503**, a bill for an act relating to levee and drainage districts, begs leave to report it has had the same under consideration and recommends the same **do pass**.

JAMES E. BRILES, Chairman

Ordered passed on file.

Senator Potgeter submitted the following report:

MR. PRESIDENT: Your committee on state government, to which was referred **Senate Joint Resolution 9**, a joint resolution authorizing the executive council to acquire the Hubbell mansion known as Terrace Hill, begs leave to report it has had the same under consideration and recommends the same **do pass**.

JAMES A. POTGETER, Chairman

Ordered passed on file.

AMENDMENTS FILED

- 1 Amend Senate File 392 as follows:
- 2 1. Page 3, after the period in line 35, by adding the
- 3 words "Such rules and regulations shall be made in accordance
- 4 with chapter 17A, Code 1971."
- 5 2. Page 4, line 13, by inserting after the word "certificate"
- 6 the words "or veterinarian inspection certificate".
- 7 3. Page 4, line 14, by inserting after the word "certificate"
- 8 the words "or veterinarian inspection certificate".
- 9 4. Page 4, by striking all after the period in line 29 and
- 10 all of lines 30, 31 and 32 inclusive.
- 11 5. Page 5, by striking line 6 and inserting in lieu thereof
- 12 the words "Not more than two markets shall be involved in the
- 13 movement of swine regardless of origin."
- 14 6. Page 5, line 17, by inserting after the word "certificate"
- 15 the words "or veterinarian inspection certificate".
- 16 7. Page 5, by inserting the following new sections after
- 17 line 21 and renumbering the remaining sections:
- 18 Sec. 3. Section seventeen A point five (17A.5), Code 1971,
- 19 is amended as follows:
- 20 17A.5 SUBMISSION OF PROPOSED RULES. Any agency em-
- 21 by law to make rules shall *not submit any permanent rule as* powered

22 *provided herein until the agency first holds a public hearing*
23 *concerning such rule as provided in section four (4) of this*
24 *Act. Any agency approving a rule following such hearing shall*
25 *submit four copies with authorized signatures of each proposed*

Page 2

1 rule, temporary or permanent, in the style and form prescribed
2 by the Code editor, to the attorney general, and submit a copy
3 of each proposed rule to each member of the departmental rules
4 review committee at least ten days prior to that scheduled
5 meeting of the committee at which consideration is desired
6 and one copy to the Code editor.

7 *Any person appearing at the public hearing or any other*
8 *person having an interest in the proposed rule may submit to*
9 *the members of the committee a concise summary of his reasons*
10 *for supporting or opposing the proposed rule.*

11 Sec. 4. Chapter seventeen A (17A), Code 1971, is amended
12 by adding the following new section:

13 "Any agency holding a public hearing as provided in
14 section seventeen A point five (17A.5) of the Code shall give
15 twenty days notice of said hearing as follows:

16 1. By mailing notice, by ordinary mail, to every person
17 filing a request for notice accompanied by an addressed
18 envelope with prepaid postage. Any person may file such a
19 request to be listed with any agency for notice for the time
20 and place for all hearings on proposed rules, which request
21 shall be accompanied by a remittance of five dollars. Such
22 fee shall be added to the operating fund of the department.
23 The listing shall expire semiannually on January 1 and July 1.

24 2. By mailing notice, by ordinary mail, to every person
25 licensed or regulated by the agency proposing the rule, where

Page 3

1 the agency has reasonable access to the names and addresses
2 of such persons."

3 8. Page 1, by striking in line 1 the words "eradication
4 of hog cholera and the" and all of line 2, and inserting in lieu
5 thereof the following: "control and eradiction of hog cholera
6 and the control and eradiction of other swine diseases."

JAMES A. POTGETER

1 Amend Senate File 442, page 3, line 8, by inserting
2 after the word "body" the following words "referred to
3 in section four hundred fifty-three point one (453.1),
4 Code 1971, except a school corporation covered by sub-
5 section one (1) of this section,".

TOM RILEY

1 Amend Senate File 509, page 3, by striking lines 14 through 18,
2 and inserting in lieu thereof the following:

3 "Sec. 2. This Act, being deemed of immediate importance,
4 shall take effect and be in force from and after its publica-
5 tion in The Daily Gate City, a newspaper published in Keokuk,
6 Iowa, and in Council Bluffs Nonpareil, a newspaper published
7 in Council Bluffs, Iowa."

JAMES W. GRIFFIN, SR.
WILSON L. DAVIS

1 Amend House File 73 as follows:

2 1. Page 40, by striking line 5 and in line 6 the words "living
3 on farms", and inserting in lieu thereof the following:

4 "[five appointive members shall be bona fide farmers living
5 on farms] *Six of the appointive members shall be knowledg-
6 able in farming and soil conservancy practices*".

7 2. Page 40, by striking in line 11, the words "*The league of
8 Iowa Municipalities*" all of lines 12, 13, 14, 15 and in line
9 16 the word "position".

10 3. Page 41, line 12, by inserting after the word "*thereafter.*",
11 the words "*No members shall be appointed to serve more than
12 two complete terms.*".

13 4. Page 41, line 20, by inserting after the word "state" the
14 words "*or any political subdivision*".

15 5. Page 41, line 20, by striking the word "*forty*" and inserting
16 in lieu thereof the word "*thirty*".

JAMES A. POTGETER

On motion of Senator Lamborn, the Senate adjourned until 8:30
a.m., Thursday, April 29, 1971.

JOURNAL OF THE SENATE

ONE HUNDRED NINTH DAY

SENATE CHAMBER

DES MOINES, IOWA, THURSDAY, APRIL 29, 1971

The Senate met in regular session, President pro tempore Kyhl presiding.

Prayer was offered by the Reverend Garfield Wade, Exchange Minister from Sutton Coldfield, England, now serving as pastor of the First Methodist Church, Burlington, Iowa.

The Senate pledged allegiance to the flag.

The Journal of Wednesday, April 28, 1971, was approved.

PRESENTATION OF VISITORS

Senator Stephens rose on a point of personal privilege and presented to the Senate the Honorable Joseph B. Platt, former member of the Senate and House of Representatives from Madison County, now serving as Brigadier General of the Iowa National Guard.

Senator Gaudiner rose on a point of personal privilege and presented to the Senate, the Honorable George E. O'Malley, former member of the Senate and House of Representatives from Polk County, who served as Senate minority leader during the Fifty-fifth, Fifty-sixth, Fifty-seventh and Fifty-eighth General Assemblies, and President pro tempore during the Sixty-first and Sixty-second General Assemblies.

The Chair announced that the following visitors were present in the Senate gallery :

Forty-one students from Holy Rosary School, La Motte, Iowa, accompanied by Sister Linda and Mr. Sherlock.

Twenty-six students from Garwin Community School, Garwin Iowa, accompanied by Mrs. Aldrich.

Forty-five students from Manilla High School, Manilla, Iowa, accompanied by Mrs. Withers and Mr. Holst.

Sixty students from Irving Elementary School, Indianola, Iowa, accompanied by Mrs. O'Hair and Mrs. Lillie.

Twenty-seven students from Oak Park Academy, Nevada, Iowa, accompanied by Mrs. Essig, Mr. Prest and Mr. Mills.

Thirty-six students from Ruthven Consolidated School, Ruthven, Iowa, accompanied by their instructors, Bill Whiting and Charles Burris.

PETITIONS

The following petitions were presented and placed on file :

By Senator Shawver, from twenty-six residents of Bremer County opposing repeal of the Iowa Meat and Poultry Inspection law.

By Senator Conklin, from forty-seven residents of Black Hawk County favoring legislation to acquire Terrace Hill.

By Senator Shawver from forty-three residents of Howard County opposing repeal of the Iowa Meat and Poultry Inspection law.

INTRODUCTION OF BILLS

Senate File 512, by committee on ways and means, a bill for an act to provide property tax relief for persons sixty-five years of age or older or totally disabled.

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

Senate File 513, by committee on ways and means, a bill for an act to increase the rate of the sales and use tax.

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

Senate File 514, by committee on ways and means, a bill for an act to increase the tax on beverages containing alcohol.

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

Senate File 515, by committee on ways and means, a bill for an act to provide for a sales tax credit.

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

Senate File 516, by committee on social services, a bill for an act relating to age discrimination in employment, declaring certain acts to be unlawful and providing a penalty therefor.

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

CONSIDERATION OF BILLS

Senator Lamborn asked and received unanimous consent to take up out of order Senate File 431.

Senate File 431

On motion of Senator Erskine, Senate File 431, a bill for an act relating to hunting restrictions, was taken up and considered.

Senator Balloun offered the following amendment filed by him and moved its adoption:

- 1 Amend Senate File 431, page 2, line 21, by striking the
- 2 period and adding the words "and pheasant which may be from
- 3 September first to the following December first."

Division was called for.

The amendment was adopted.

Senator Erskine moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 431) the vote was:

Ayes, 45:

Anderson	Doderer	Kyhl	Rabedaux
Arbuckle	Erskine	Lamborn	Riley
Balloun	Gaudineer	Laverty	Robinson
Bass	Gilley	Messerly	Schaben
Briles	Glenn	Milligan	Shawver
Brownlee	Graham	Mowry	Smith
Carlson	Griffin	Neu	Stephens
Coleman	Gross	Nicholson	Tapscott
Conklin	Hill	Ollenburg	Van Drie
Curran	Keith	Potgeter	Van Gilst
Davis	Kennedy	Potter	Walsh
DeKoster			

Nays, none.

Absent or not voting, 5:

Miller	Rhodes	Shaff	Thordsen
Palmer			

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

Senator Lamborn asked and received unanimous consent to take up out of order Senate File 473.

Senate File 473

On motion of Senator Coleman, Senate File 473, a bill for an act relating to remedies for the dilution of the distinctiveness of a mark, was taken up for consideration.

Senator Coleman moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 473) the vote was:

Ayes, 41:

Anderson	Doderer	Lamborn	Riley
Arbuckle	Erskine	Messerly	Robinson
Balloun	Gaudineer	Milligan	Schaben
Bass	Gilley	Mowry	Shaff
Briles	Glenn	Neu	Shawver
Brownlee	Griffin	Nicholson	Smith
Carlson	Gross	Ollenburg	Tapscott
Coleman	Hill	Potgeter	Van Drie
Conklin	Keith	Potter	Van Gilst
Curran	Kyhl	Rabedeaux	Walsh
Davis			

Nays, none.

Absent or not voting, 9:

DeKoster	Laverty	Palmer	Stephens
Graham	Miller	Rhodes	Thordsen
Kennedy			

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

Senator Lamborn asked and received unanimous consent to take up out of order House File 382.

House File 382

On motion of Senator Ollenburg, House File 382, a bill for an act relating to labeling of foreign meats, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Ollenburg, moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 382) the vote was:

Ayes, 44:

Anderson	Doderer	Kyhl	Rabedeaux
Arbuckle	Erskine	Lamborn	Riley
Balloun	Gaudineer	Laverty	Robinson
Bass	Gilley	Messerly	Schaben
Briles	Glenn	Milligan	Shawver
Brownlee	Graham	Mowry	Smith
Carlson	Griffin	Neu	Stephens
Coleman	Gross	Nicholson	Tapscott
Conklin	Hill	Ollenburg	Van Drie
Curran	Keith	Potgeter	Van Gilst
Davis	Kennedy	Potter	Walsh

Nays, none.

Absent or not voting, 6:

DeKoster
Miller

Palmer
Rhodes

Shaff

Thordsen

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

MOTION TO RECONSIDER ADOPTED

Senate File 259

Senate Walsh called up the following motion filed by him on April 21, 1971, and moved its adoption.

MR. PRESIDENT: I move to reconsider the vote by which Senate File 259 failed to pass the Senate.

President Jepsen took the chair at 9:50 a.m.

On the question "Shall the motion to reconsider be adopted?" (S.F. 259) the vote was:

Ayes, 29:

Bass
Briles
Carlson
Coleman
Conklin
Curran
DeKoster
Erskine

Gilley
Gross
Hill
Keith
Kennedy
Kyhle
Lamborn

Laverty
Mowry
Neu
Nicholson
Ollenburger
Potter
Schaben

Shaff
Shawver
Stephens
Tapscott
Van Drie
Van Gilst
Walsh

Nays, 16:

Balloun
Brownlee
Doderer
Gaudineer

Glenn
Graham
Griffin
Messerly

Miller
Milligan
Palmer
Potgeter

Rabedaux
Riley
Robinson
Smith

Absent or not voting, 5:

Anderson
Arbuckle

Davis

Rhodes

Thordsen

The motion prevailed.

SENATE FILE DEFERRED

Senator Walsh asked and received unanimous consent that further action on Senate File 259 be deferred and that the bill be placed on the calendar under unfinished business.

Objection was raised.

Senator Walsh moved that further action on **Senate File 259** be deferred and that the bill be placed on the calendar under **unfinished business**.

Division was called for.

The motion prevailed.

MOTION TO RECONSIDER LOST

Senate File 79

Senator Miller called up the following motion filed March 25, 1971, by Senator Messerly:

MR. PRESIDENT: I move to reconsider the vote by which Senate File 79 passed the Senate.

Senator Messerly moved the adoption of his motion to reconsider.

On the question "Shall the motion to reconsider be adopted?" (S.F. 79) the vote was:

Ayes, 17:

Anderson	Gilley	Messerly	Potgeter
Balloun	Hill	Milligan	Potter
Bass	Keith	Mowry	Shawver
Curran	Kyhl	Nicholson	Stephens
Davis			

Nays, 27:

Briles	Glenn	Miller	Schaben
Carlson	Graham	Neu	Smith
Coleman	Griffin	Ollenburg	Tapscott
Conklin	Gross	Palmer	Van Drie
DeKoster	Kennedy	Rabedaux	Van Gilst
Erschine	Lamborn	Riley	Walsh
Gaudineer	Laverty	Robinson	

Absent or not voting, 6:

Arbuckle	Doderer	Shaff	Thordsen
Brownlee	Rhodes		

The motion lost.

COMMUNICATION

The following communication was presented:

OFFICE OF THE GOVERNOR
State Capitol
Des Moines, Iowa 50319

Honorable Roger W. Jepsen
Lieutenant Governor of Iowa
State Capitol
Local

Dear Governor Jepsen:

It is my pleasure to submit to the Senate for their consideration the name of Mrs. Thelma G. Johnson of Charles City, Floyd County, Iowa for appointment as a member of the Commission for the Blind for the State

of Iowa under the provisions of section 93.1, 1971 Code of Iowa, for a regular three-year term beginning July 1, 1971, and ending June 30, 1974.

Sincerely,

ROBERT D. RAY
Governor

ANNOUNCEMENT OF INVESTIGATING COMMITTEE ON GOVERNOR'S APPOINTMENT

President Jepsen, in accordance with section 2.32, Code 1971, announced the appointment of the following Senators to investigate the qualifications of Mrs. Thelma G. Johnson of Charles City, Floyd County, Iowa, for appointment as a member of the Commission for the Blind for the State of Iowa for a regular three-year term ending June 30, 1974:

Senator Shawver, Chairman
Senator Curran
Senator Gilley
Senator Kennedy
Senator Kyhl

SPECIAL GUESTS PRESENTED

President Jepsen presented to the Senate the following recipients of the Governor's Awards for Outstanding ROTC Cadets who appeared at the rear of the Senate Chamber with their parents:

From the University of Iowa—Cadet Colonel James O. Andrew, Jefferson, Iowa; Cadet Colonel Stephen S. Andrews, DeWitt, New York.

From Iowa State University—Cadet Colonel Douglas R. Smith, Ottumwa, Iowa; Cadet Colonel David J. Henry, Waterloo, Iowa; Midshipman LT Commander Gerald L. Hoewing, Keokuk, Iowa.

ADOPTION OF SPECIAL CALENDAR

Senator Lamborn moved that the rules be suspended and that the special revised calendar distributed by him on April 28, 1971, be adopted by the Senate.

On the question "Shall the rules be suspended and the special revised calendar be adopted? the vote was:

Ayes, 36:

Anderson	DeKoster	Lamborn	Rabedaux
Arbuckle	Erskine	Lavery	Riley
Balloun	Gaudineer	Messerly	Shaff
Bass	Gilley	Milligan	Shawver
Briles	Graham	Mowry	Smith
Brownlee	Griffin	Neu	Stephens
Carlson	Gross	Nicholson	Van Drie
Curran	Keith	Ollenburg	Van Gilst
Davis	Kyhl	Potter	Walsh

Nays, 10:

Coleman
Doderer
Glenn

Hill
Kennedy
Miller

Palmer
Potgeter

Robinson
Tapscott

Voting present, 1:

Schaben

Absent or not voting, 3:

Conklin

Rhodes

Thordsen

The motion prevailed.

CONSIDERATION OF BILLS**Senate File 61**

On motion of Senator Lavery, Senate File 61, a bill for an act relating to conservation of soil and water resources of the state, and to control of water pollution, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

SUBSTITUTION

Senator Lavery asked and received unanimous consent that **House File 73** be substituted for **Senate File 61**.

House File 73

On motion of Senator Lavery, House File 73, a bill for an act relating to conservation of soil and water resources of the state, and to control of water pollution, was taken up and considered.

Senator Lavery offered the following amendment filed by him and moved its adoption:

- 1 Amend House File 73, as amended and passed by the
- 2 House, by striking from page 38 lines 21 through 31,
- 3 inclusive, and renumbering the succeeding subsections of
- 4 section 26 accordingly.

The amendment was adopted.

Senator Schaben offered the following amendment by Senators Schaben and Lavery and called for a division of the amendment, section 1 to be considered as division 1, and section 2 as division 2:

Division 1

- 1 Amend House File 73, as amended and passed by the
- 2 House and reprinted, as follows:
- 3 1. Page 46A, by striking from line 33 the word
- 4 "commission" and inserting in lieu thereof the word
- 5 "committee".

Division 2

6 2. Page 47A, by striking lines 16 through 22,
7 inclusive.

On motion of Senator Schaben, division 1 of the amendment was adopted.

Senator Schaben moved the adoption of division 2 of the amendment.

Roll call was requested.

On the question "Shall division 2 of the Schaben-Laverty amendment be adopted?" (H.F. 73) the vote was:

Rule 24 was invoked.

Ayes, 26:

Arbuckle	Gaudineer	Milligan	Schaben
Carlson	Glenn	Neu	Shawver
Curran	Gross	Ollenburg	Tapscott
Davis	Kennedy	Palmer	Van Drie
DeKoster	Lamborn	Riley	Van Gilst
Doderer	Laverty	Robinson	Walsh
Erskine	Miller		

Nays, 21:

Anderson	Conklin	Kyhl	Potter
Balloun	Gilley	Messerly	Rabedaux
Bass	Graham	Mowry	Shaff
Briles	Griffin	Nicholson	Smith
Brownlee	Hill	Potgeter	Stephens
Coleman			

Absent or not voting, 3:

Keith	Rhodes	Thordsen
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Division 2 of the amendment was adopted.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File 9, a bill for an act relating to the Governor's committee on employment of the handicapped.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 145, a bill for an act to provide an excise tax on the sale of turkeys.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 463, a bill for an act relating to emergency succession and location of state and local governments.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 565, a bill for an act to legalize and validate the proceedings of the city councils of the cities of Windsor Heights and Clive.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 625, a bill for an act relating to city and town ordinances.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 658, a bill for an act relating to flashing emergency lights on motor vehicles.

WILLIAM R. KENDRICK, Chief Clerk

INTRODUCTION OF BILL

Senate File 517, by committee on schools, a bill for an act to revise, update, and correct certain sections of the Code of Iowa relating to school districts and school corporations.

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

HOUSE MESSAGES CONSIDERED

House File 9, a bill for an act relating to the governor's committee on employment of the handicapped.

Read first time and **passed on file**.

House File 145, a bill for an act to provide an excise tax on the sale of turkeys and providing a penalty for certain violations of this act.

Read first time and **passed on file**.

House File 463, a bill for an act relating to emergency succession and emergency location of state and local governments.

Read first time and **passed on file**.

House File 565, a bill for an act to legalize and validate the proceedings of the City Council of the City of Windsor Heights and the City Council of the City of Clive, in the County of Polk, State of Iowa, in adopting an Intergovernmental Corporation Boundary Agreement and establishing a portion of their common corporation boundary line and in taking action in reliance thereon.

Read first time and **passed on file**.

House File 658, a bill for an act relating to flashing emergency lights on motor vehicles.

Read first time and **passed on file**.

House File 625, a bill for an act relating to city and town ordinances.

Read first time and **passed on file**.

On motion of Senator Lamborn, the Senate recessed until 1:30 p.m.

AFTERNOON SESSION

The Senate reconvened, President Jepsen presiding.

CONSIDERATION OF BILLS

House File 73

The Senator resumed consideration of House File 73.

Senator Graham offered the following amendment:

- 1 Amend House File 73, as passed, amended and reprinted by
- 2 the House, page 31 by striking all of line 21 after the period
- 3 and all of lines 22 through 28.

Senator Graham moved the adoption of his amendment and called for a division.

The amendment was adopted.

Senator Potgeter withdrew the amendment filed by him on April 28, 1971, and found on page 1035 of the Senate Journal.

Senator Potgeter offered the following amendment and called for a division of the amendment, section 1 to be considered as division 1; section 2 as division 2, and section 3 as division 3:

Division 1

- 1 Amend House File 73, as amended, passed, and reprinted by
- 2 the House, as follows:
- 3 1. Page 40A, by striking in line 12 the words "The league
- 4 of Iowa Municipalities", and lines 13, 14, 15, 16 and in line 17
- 5 the word "position".

Division 2

- 6 2. Page 41, line 12, by inserting after the word "*there-*
- 7 *after.*", the words "*No members shall be appointed to serve more*
- 8 *than two complete terms.*"

Division 3

- 9 3. Page 41, line 20, by inserting after the word "*state,*"
- 10 the words "*or any political subdivision.*"

On motion of Senator Potgeter, division 1 of his amendment was adopted.

On motion of Senator Potgeter, division 2 of his amendment was adopted.

On motion of Senator Potgeter, division 3 of his amendment was adopted.

Senator Graham offered the following amendment:

- 1 Amend House File 73, as passed, amended and reprinted by
- 2 the House, page 51, by striking lines 20 through 28.

Senator Graham moved the adoption of his amendment and called for a division.

The amendment lost.

Senator Potgeter offered the following amendment and moved its adoption:

- 1 Amend House File 73, as amended, passed and reprinted by
- 2 the House, as follows:
- 3 1. Page 46A, line 32, by inserting after the word "practice."
- 4 the words "Mandatory conservation practices performed under the
- 5 requirements of this Act shall not be used by an assessor in
- 6 determining actual and market value of land in accordance with
- 7 section 441.21, Code 1971, for a period of ten years after the
- 8 conservation practices have been completed."

The amendment was adopted.

Senator Brownlee offered the following amendment:

- 1 Amend House File 73, as amended, passed by the House and
- 2 reprinted, as follows:
- 3 1. Page 2, line 9, by striking the words "or by wind".
- 4 2. Page 42A, line 17, by striking the words "or wind".
- 5 3. Page 42A, line 24, by striking the words "wind or".
- 6 4. Page 46A, line 6, by striking the words "or wind".

Senator Brownlee moved the adoption of his amendment and requested a roll call.

On the question "Shall the Brownlee amendment be adopted?" (H.F. 73) the vote was:

Ayes, 23:

Anderson	DeKoster	Milligan	Rabedeaux
Balloun	Gilley	Mowry	Riley
Briles	Glenn	Nicholson	Shawver
Brownlee	Graham	Ollenburg	Smith
Coleman	Hill	Potgeter	Stephens
Conklin	Keith	Potter	

Nays, 20:

Arbuckle	Erskine	Lamborn	Robinson
Bass	Gaudineer	Lavery	Schaben
Carlson	Gross	Miller	Shaff
Curran	Kennedy	Neu	Tapscott
Doderer	Kyhl	Palmer	Van Gilst

Absent or not voting, 7:

Davis	Messerly	Thordsen	Walsh
Griffin	Rhodes	Van Drie	

The amendment was adopted.

Senator Balloun offered the following amendment and moved its adoption:

- 1 Amend House File 73, as passed, amended and reprinted by the
- 2 House, page 46A, line 29, by striking the word "fifty" and inserting
- 3 in lieu thereof the word "seventy-five".

The amendment was adopted.

Senator Coleman offered the following amendment and moved its adoption:

- 1 Amend House File 73, as passed and reprinted, page 41,
- 2 by striking in line 18 the words "The chair-" and all in
- 3 lines 19, 20, 21, 22, 23, 24, 25, and in line 26 the
- 4 words "not exceed [two] *three* hundred fifty days per year."

The amendment was adopted.

Senator Potgeter offered the following amendment and moved its adoption:

- 1 Amend House File 73, as amended, passed and reprinted by
- 2 the House, as follows:
- 3 1. Page 31, by striking lines 17 through 20, and in line 21
- 4 the word "district".
- 5 2. By renumbering the remaining subsections.

The amendment was adopted.

(House File 73 pending.)

PRESENTATION OF VISITORS

President Jepsen welcomed to the Senate Fred Redhead from Black Pool, England, an exchange professor of art at Drake University, who was present in the south gallery, accompanied by Mrs. Redhead.

President Jepsen also welcomed a group of young Japanese business leaders who were on an exchange trip visiting Rotary District No. 597, and were present in the northwest gallery, accompanied by Jim Walmsley of Cedar Falls, Iowa.

MESSAGES FROM THE HOUSE

The following messages were received from the House :

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File 537, a bill for an act relating to the age requirement for marriage.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 668, a bill for an act relating to the definition of flammable liquids.

WILLIAM R. KENDRICK, Chief Clerk

INTRODUCTION OF BILLS

Senate File 518, by committee on county government, a bill for an act relating to the condemnation of property by the county for flood and erosion control projects.

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

Senate File 519, by committee on ways and means, a bill for an act increasing the rates of the personal and corporation income tax, altering the allocation of income tax receipts, and providing that the corporation income tax rates are retroactive to January 1, 1971.

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

HOUSE MESSAGES CONSIDERED

House File 537, a bill for an act relating to the age requirement for marriage.

Read first time and **passed on file**.

House File 668, a bill for an act relating to the definition of flammable liquids.

Read first time and **passed on file**.

CAPITOL PLANNING COMMISSION

President Jepsen announced the appointment of Senator Wilson L. Davis, Keokuk, to the Capitol Planning Commission for the regular four-year term expiring April 30, 1975.

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on April 29, 1971, the Governor approved and transmitted to the Secretary of State the following bills:

- S. F. 120—Relating to the control of vehicles at institutions under the jurisdiction of the State Board of Regents.
- S. F. 417—Relating to judicial redistricting and judicial nominating commissions.
- H. F. 12—Relating to motor vehicle fees collected by county treasurers, and to the amount of such fees retained by the county, and to the filing of instruments pertaining to motor vehicles.
- H. F. 550—Relating to information obtained by the Department of Revenue.

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which House File 122 failed to pass the Senate.

JOHN M. WALSH

MR. PRESIDENT: I move to reconsider the vote by which the Brownlee amendment to House File 73, filed April 29, 1971, was adopted by the Senate.

GEORGE L. SHAWVER

MR. PRESIDENT: I move to reconsider the vote by which the Potgeter amendment to House File 73, filed April 29, 1971, to page 46A, line 32, was adopted by the Senate.

LEE GAUDINEER

BILLS ASSIGNED TO COMMITTEE

President Jepsen announced the assignment of the following bills to committee:

- H. F. 9 Social services
- H. F. 145 Agriculture
- H. F. 463 State government
- H. F. 537 Judiciary
- H. F. 565 Judiciary
- H. F. 625 Judiciary
- H. F. 658 Transportation
- H. F. 668 Social services

REPORTS OF COMMITTEES

Senator Erskine submitted the following report:

MR. PRESIDENT: Your committee on conservation and recreation, to which was referred **Senate File 95**, a bill for an act relating to state land bordering on streams or lakes, begs leave to report it has had the same under consideration and recommends the same **do pass**.

ALDEN J. ERSKINE, Chairman

Ordered passed on file.

Senator Briles submitted the following report:

MR. PRESIDENT: Your committee on county government, to which was referred **House File 605**, a bill for an act relating to regulated use of ground water, begs leave to report it has had the same under consideration and recommends the same **do pass**.

JAMES E. BRILES, Chairman

Ordered passed on file.

Senator DeKoster submitted the following reports:

MR. PRESIDENT: Your committee on judiciary, to which was referred **Senate File 476**, a bill for an act relating to property unlawfully placed on public or private property, begs leave to report it has had the same under consideration and recommends the same **do pass**.

LUCAS J. DEKOSTER, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary, to which was referred **House File 215**, a bill for an act relating to notice of compensation commission appraisal of damages and appeal from the damages award, begs leave to report it has had the same under consideration and recommends the same **do pass**.

LUCAS J. DEKOSTER, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary, to which was referred **House File 420**, a bill for an act relating to reduction of sentence for prisoners held in county jails, begs leave to report it has had the same under consideration and recommends the same **do pass**.

LUCAS J. DEKOSTER, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary, to which was referred **House File 515**, a bill for an act to legalize and validate the proceedings of the board of township trustees of Delaware Township of Polk County, Iowa, in connection with certain elections held to authorize a tax levy for fire protection purposes and the issuance of bonds in anticipation of said tax

and declaring the validity of said elections and that bonds issued pursuant to said proceedings shall be enforceable obligations of said township, begs leave to report it has had the same under consideration and recommends the same **do pass**.

LUCAS J. DEKOSTER, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary, to which was referred **House File 587**, a bill for an act relating to rules of statutory construction, begs leave to report it has had the same under consideration and recommends the same **do pass**.

LUCAS J. DEKOSTER, Chairman

Ordered passed on file.

Senator Conklin submitted the following report:

MR. PRESIDENT: Your committee on schools, to which was referred **House File 66**, a bill for an act relating to the sale of real property owned by a school district, begs leave to report it has had the same under consideration and recommends the same **do pass**.

W. CHARLENE CONKLIN, Chairman

Ordered passed on file.

AMENDMENTS FILED

1 Amend Senate File 184 as follows:

2 Page 7, lines 16 and 17, by striking the words "fitting or
3 selection of" and inserting in lieu thereof the following:
4 "practice of recommending".

R. DEAN ARBUCKLE

1 Amend the committee on state government amendment to
2 Senate File 184, filed April 13, 1971, as follows:

3 Page 1, line 16, by inserting after the word "Act." the
4 following:

5 "The department shall ask for and receive guidance, advice
6 and recommendations, without cost to the state, from a council
7 of three licensed hearing aid dealers named for this purpose
8 by the Iowa Hearing Aid Dealers Association."

R. DEAN ARBUCKLE

1 Amend Senate File 205 as follows:

2 1. Page 1, by adding the following new sections after
3 line 14:

4 Sec. Section four hundred fifty-five point seventy-
5 nine (455.79), Code 1971, is amended as follows:

6 455.79 INTEREST—PLACE OF PAYMENT. Such certificates
7 shall bear interest not to exceed [five] *seven* percent per annum,
8 payable annually, and shall be paid by the taxpayer to the
9 county treasurer, who shall receipt for the same and cause the

10 amount to be credited on the certificate issued therefor.

11 Sec. This Act, being deemed of immediate importance,
12 shall take effect and be in force from and after its publication
13 in the Hardin County Index, a newspaper published in Eldora,
14 Iowa, and in The Daily Freeman-Journal, a newspaper published
15 in Webster City, Iowa.

16 2. Page 1, line 2, by inserting after the word "district"
17 the words "and to interest rates".

JAMES A. POTGETER

1 Amend Senate File 259 as follows:

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

4 Section 1. Section one hundred six point five (106.5),
5 subsection one (1), unnumbered paragraph two (2), Code
6 1971, is amended as follows:

7 The owner of such motorboat shall file an application
8 for registration with the appropriate county recorder on
9 forms provided by the commission. The application shall
10 be completed and signed by the owner of the motorboat and
11 shall be accompanied by a fee of [four] *eight* dollars and a
12 writing fee of fifty cents. Upon receipt of the
13 application in approved form accompanied by the required
14 fees, the county recorder shall enter the same upon the
15 records of his office and shall issue to the applicant a
16 pocket-size registration certificate. The certificate
17 shall be executed in triplicate, one copy to be delivered
18 to the owner, one copy to the commission, and one copy to
19 be retained on file by the county recorder. The registra-
20 tion certificate shall bear thereon the number awarded to
21 such motorboat, the passenger capacity of such vessel and
22 the name and address of the owner. The registration
23 certificate shall be carried either in the motorboat or
24 on the person of the operator of such vessel when in use.

25 Sec. 2. Section one hundred six point five (106.5),

Page 2

1 subsection four (4), unnumbered paragraph one (1), Code
2 1971, is amended as follows:

3 Every registration certificate and number issued
4 hereunder shall become delinquent at midnight April 30,
5 1969, and every two years thereafter unless sooner
6 terminated or discontinued in accordance with the pro-
7 visions of this chapter. After the first day of January
8 in odd-numbered years any unregistered vessels and
9 renewals of registrations may be so registered for the
10 subsequent biennium beginning May 1. After the first day
11 of January in even-numbered years any unregistered
12 vessels may be registered for the remainder of the
13 current biennium and such registration shall be at the
14 rate of [two] *four* dollars and a writing fee of fifty
15 cents. All registrations shall become delinquent as
16 hereinabove stated. Registration certificates and
17 numbers may be renewed upon application of the owner in
18 the same manner as provided for in securing the original

19 registration.

20 2. Amend the title, page 1, line 1, by striking the
21 words "relating to the imposition of an annual registra-
22 tion fee" and inserting in lieu thereof the words "to
23 increase the registration fees".

24 3. Amend the title, page 1, line 2, by striking the
25 words "and sailboats in lieu of personal property taxes

Page 3

1 and providing penalties for violations".

S. J. BROWNLÉE

1 Amend Senate File 387, page 11, by striking lines 13 and 14
2 and inserting the following: "5. Supervisory and non-supervisory
3 employees may be in the same unit if both sides agree."

TOM RILEY

1 Amend Senate File 397, page 6, line 30, by inserting after the
2 word "divisions" the words ", or parts of a division".

RALPH W. POTTER

1 Amend Senate File 466 as follows:

2 1. Page 3, by adding after line 17 the following
3 new sections:

4 "Sec. 3. Section five hundred thirty-five point
5 five (535.5), Code 1971, is amended as follows:
6 535.5 PENALTY FOR USURY. If it shall be ascer-
7 tained in any action brought on any contract that a rate
8 of interest has been contracted for, directly or indirect-
9 ly, in money or in property, greater than is authorized
10 by [this chapter] law, *any judgment entered against the*
11 *party paying the excess interest shall be reduced and ad-*
12 *justed to reflect and impose only the legal rate of inter-*
13 *est authorized by this chapter. Any person who has paid*
14 *a rate of interest greater than is authorized by this*
15 *chapter may recover such amount in an action at law. [the*
16 *same shall work a forfeiture of eight cents on the hun-*
17 *dred by the year upon the amount of the principal remain-*
18 *ing unpaid upon such contract at the time judgment is*
19 *rendered thereon, and the court shall enter final judg-*
20 *ment in favor of the plaintiff and against the defendant*
21 *for the principal sum so remaining unpaid without costs,*
22 *and also against the defendant and in favor of the state,*
23 *for the use of the school fund of the county in which the*
24 *action is brought, for the amount of the forfeiture; and*
25 *in no case where unlawful interest in contracted for*

Page 2

1 shall the plaintiff have judgment for more than the
2 principal sum, whether the unlawful interest be incorpo-
3 rated with the principal or not.]

4 Sec. 4. Chapter five hundred thirty-five (535),
5 Code 1971, is amended by adding the following new sec-
6 tion:

7 "The attorney general is hereby authorized to bring

8 suit against any person, corporation, association, or
9 partnership who is charging a rate of interest greater
10 than is allowed under the laws of the state of Iowa. He
11 is authorized to bring such suit in the name of the state
12 of Iowa and in the name of the persons who, as a class,
13 have paid or are being caused to pay the rate of interest
14 that is greater than the amount allowed under the laws of
15 the state of Iowa.

16 The attorney general is hereby authorized and
17 directed to collect, for such class, all moneys charged
18 and collected as interest in excess of the amounts
19 allowed under the laws of the state of Iowa. When so
20 collected, the attorney general shall remit such moneys
21 to the members of the class represented upon each
22 individual's filing a proof of claim indicating and
23 establishing the amount of excess interest paid by such
24 individual. Individuals within the class shall have one
25 year within which to file proof of claim with the attor-

Page 3

1 ney general. The one-year period shall begin on the date
2 that such individual has been served with a notice to
3 file proof of claim. This notice shall be served by
4 mailing such notice by regular mail to the last known
5 address of such individual as obtained from the records
6 of the defendant in the class action unless the attorney
7 general has actual knowledge of a subsequent address.
8 If such is the case, the subsequent address shall be
9 used. If the individual within the class does not file
10 proof of claim in the one-year period, his share of the
11 excess interest collected shall revert to the general
12 fund of the state.

13 When the attorney general files such class action,
14 he is also hereby authorized to pray for punitive damages
15 against the defendant in the class action. If the court
16 or the jury finds that the defendant willfully violated
17 this Act, punitive damages may be awarded in addition to
18 any civil recovery. Any such punitive damages that are
19 allowed and recovered shall revert to the general fund
20 of the state.' "

21 2. By renumbering the remaining sections according-
22 ly.

LEE H. GAUDINEER, JR.

1 Amend Senate File 478 as follows:
2 1. Page 2, line 28, by striking the figure "5.00" and
3 inserting in lieu thereof the figure "4.00".
4 2. Page 2, line 34, by striking the figure "8.00" and
5 inserting in lieu thereof the figure "7.00".
6 3. Page 3, line 3, by striking the figures "[20.00] 25.00"
7 and inserting the figure "20.00".
8 4. Page 3, by striking lines 24, 25 and 26 and inserting
9 in lieu thereof the following:
10 "1. The owner of a farm unit; or

- 11 2. One member of the family of the farm owner; or”.

JAMES A. POTGETER

1 Amend Senate File 500 by inserting on page 6 after
 2 line 17 the following new section and renumbering
 3 the remaining sections:
 4 “Section four hundred fifty point ninety-seven
 5 (450.97), Code 1971, is amended as follows:
 6 450.97 JOINT OWNERS OF BANK ACCOUNTS—DUTY TO
 7 NOTIFY DEPARTMENT OF REVENUE. [No] *Except as otherwise*
 8 *provided in this section, no* person, bank, credit
 9 union, or savings and loan association shall permit
 10 the withdrawal of funds from a joint account by a
 11 surviving joint owner without first notifying the
 12 department of revenue of the balance in such account
 13 at the date of decedent’s death and the name, *re-*
 14 *lationship*, and address of the surviving joint owner.
 15 Such notification may be accomplished by mailing the
 16 required information *by ordinary mail* to the department
 17 of revenue and withdrawal or payment of such funds
 18 may be made immediately thereafter [as long as such
 19 mailing is accomplished by ordinary mail no later
 20 than the date of withdrawal or earlier if knowledge
 21 of the decedent’s death is known by the depository]
 22 *to the executor, administrator, surviving spouse,*
 23 *or children of the decedent. No withdrawal or payment*
 24 *of funds shall be made to other persons unless secured*
 25 *by bond for any taxes that may be due, by release*

Page 2

1 *by the department of revenue, or by a receipt or*
 2 *certified copy of a receipt issued by the department*
 3 *of revenue and filed with the clerk of the district*
 4 *court showing payment of inheritance taxes or that*
 5 *none are due, or that the estate or joint owners are*
 6 *otherwise relieved of inheritance taxes. A person,*
 7 *bank, credit union, or savings and loan association*
 8 *shall only be liable for any inheritance tax due by*
 9 *the surviving joint owner for [willful] failure to*
 10 *report to the department of revenue as herein*
 11 *provided.”*

LUCAS J. DeKOSTER

- 1 Amend the Potgeter amendment, filed April 29, to House
 2 File 73, page 46A, line 32, as follows:
 3 1. Line 4, by striking the words “Mandatory conservation”
 4 and inserting in lieu thereof the word “Conservation”.
 5 2. Line 6, by adding after the word “of” the word “farm”.

LUCAS J. DeKOSTER

- 1 Amend House File 527 as follows:
 2 1. Page 1, line 8, by striking the word “*twenty-five*”
 3 and inserting in lieu thereof the word “*twenty*”.
 4 2. Page 1, line 9, by striking the word “*ten*” and

- 5 inserting in lieu thereof the word "*five*".
6 3. Page 1, line 13, by striking the word "*fifteen*" and
7 inserting in lieu thereof the word "*ten*".
8 4. Page 1, line 14, by striking the word "*twenty-five*"
9 and inserting in lieu thereof the word "*twenty*".
10 5. Page 1, line 15, by striking the word "*twenty-five*"
11 and inserting in lieu thereof the word "*twenty*".

JAMES A. POTGETER

On motion of Senator Lamborn, the Senate adjourned until 8:30 a.m., Friday, April 30, 1971.

JOURNAL OF THE SENATE

ONE HUNDRED TENTH DAY

SENATE CHAMBER

DES MOINES, IOWA, FRIDAY, APRIL 30, 1971

The Senate met in regular session, President pro tempore Kyhl presiding.

Prayer was offered by the Reverend Lester Moore, pastor of the Methodist Church, Corning, Iowa.

The Senate pledged allegiance to the flag.

The Journal of Thursday, April 29, 1971, was approved.

PRESENTATION OF VISITORS

The Chair announced that the following visitors were present in the Senate gallery :

Thirty-five students from North Harrison R-111 School, Eagleville, Missouri, accompanied by their principal, Harold Foster.

Twenty-eight students from Irving Junior High School, Des Moines, Iowa, accompanied by Mrs. Hall, Mrs. Martin, Mr. Smith and Gerald Fitzgerald.

Thirty-five students from Wall Lake Community School, Wall Lake, Iowa, accompanied by their instructor, Lynn Villhauer.

Seventy-five students from McKinley Elementary School, Muscatine, Iowa, accompanied by their instructors, Miss Daufeldt, Mrs. Duggleby and Mr. Huber.

Seventy-five students from Mallard Junior High School, Mallard, Iowa, accompanied by their instructors, Mrs. Hanson and Mr. Gerht.

Eleven students from Iowa City Community School District, Iowa City, Iowa, accompanied by their instructor, Mrs. Pudgil.

Thirty-five students from Cincinnati Elementary School, Cincinnati, Iowa, accompanied by their instructor, Mrs. Cortesio.

Thirty students from Lytton Community School, Lytton, Iowa, accompanied by their instructor, Mrs. Stensrud.

Eleven students from Zion Lutheran School, Denison, Iowa, accompanied by their instructor, Ron Meier.

Fifty-six students from Sawyer Elementary School, Ames, Iowa, accompanied by Mrs. Bunting and Mrs. Spomer.

Forty-one students from Burt Junior High School, Burt, Iowa, accompanied by their instructor, Mrs. Brace.

Twenty-six students from Grand Valley Community School, Grand River, Iowa, accompanied by their instructor, Mrs. Elliott.

Thirty-nine students from Cumberland-Massena Community School, Massena, Iowa, accompanied by their instructors, Mrs. Casteel, Mrs. Edwards and Earl Riehn.

PETITION

The following petition was presented and placed on file :

By Senator Thordsen, from twenty-nine residents of Scott County favoring an appropriation for Renal Dialysis Centers in the State of Iowa.

CONSIDERATION OF BILLS

Senator Lamborn asked and received unanimous consent to take up out of order Senate File 119.

Senate File 119

On motion of Senator Gaudineer, Senate File 119, a bill for an act relating to the salary of municipal court judges, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Gaudineer offered the following amendment filed by the committee on cities and towns and moved its adoption :

- 1 Amend Senate File 119 as follows:
- 2 Amend Senate File 119, line 7, by striking the word
- 3 "*ninety*" and inserting the word "*eighty-five*".

The amendment was adopted.

Senator Riley withdrew the amendment filed by Senators Riley and Gaudineer on February 4, 1971, and found on page 205 of the Senate Journal.

Senator Gaudineer moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 119) the vote was :

Rule 24 was invoked.

Ayes, 29:

Brownlee	Gross	Mowry	Robinson
Carlson	Kennedy	Neu	Schaben
Coleman	Kyhl	Ollenburg	Shaff
Conklin	Lamborn	Palmer	Thordsen
DeKoster	Lavery	Potter	Van Drie
Doderer	Miller	Rhodes	Van Gilst
Gaudineer	Milligan	Riley	Walsh
Griffin			

Nays, 18:

Anderson	Erskine	Keith	Rabedeaux
Arbuckle	Gilley	Messerly	Shawver
Balloun	Glenn	Nicholson	Smith
Bass	Graham	Potgeter	Stephens
Curran	Hill		

Absent or not voting, 3:

Briles	Davis	Tapscott
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Gaudineer asked unanimous consent that **Senate File 119** be immediately messaged to the House.

Objection was raised.

Senator Lamborn asked and received unanimous consent to take up out of order Senate File 474.

Senate File 474

On motion of Senator Gaudineer, Senate File 474, a bill for an act relating to disabled and retired policemen and firemen and disabled elected and appointed officials, was taken up and considered.

Senator Gaudineer offered the amendment filed by Senators Thordsen, Riley, et al., on April 21, 1971, and found on pages 926-927, of the Senate Journal, and moved its adoption.

The amendment was adopted.

Senator Gaudineer offered the following amendment and moved its adoption:

- 1 Amend Senate File 474, page 2, lines 3 and 4, by
- 2 striking the words and figures, "chapters ninety-seven A
- 3 (97A) and" and by inserting in lieu thereof the word
- 4 "chapter".

The amendment was adopted.

Senator Gaudineer moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 474) the vote was:

Ayes, 47:

Anderson	Erskine	Miller	Robinson
Arbuckle	Gaudineer	Milligan	Schaben
Balloun	Gilley	Mowry	Shaff
Bass	Glenn	Neu	Shawver
Briles	Graham	Nicholson	Smith
Brownlee	Griffin	Ollenburg	Stephens
Carlson	Gross	Palmer	Tapscott
Coleman	Hill	Potgeter	Thordsen
Conklin	Kennedy	Potter	Van Drie
Curran	Kyhl	Rabedeaux	Van Gilst
DeKoster	Lamborn	Rhodes	Walsh
Doderer	Messerly	Riley	

Nays, none.

Absent or not voting, 3:

Davis	Keith	Laverty
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The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

ADOPTION OF CONFERENCE COMMITTEE REPORT

Senate File 188

Senator Mowry asked and received unanimous consent to take up the following report and moved its adoption:

REPORT OF CONFERENCE COMMITTEE (Senate File 188)

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to consider the difference between the Senate and the House of Representatives on Senate File 188, a bill for an act to define criminal trespass and to prescribe the penalty for such trespass, respectfully submit the following recommendations:

1. That the House of Representatives recede from its amendments.
2. That Senate File 188 as passed by the Senate be amended as follows:
 1. By striking everything after the enacting clause and inserting in lieu thereof the following:

"Section 1. Criminal Trespass. Definitions:

1. The term 'property' shall include any land, dwelling, building, conveyance, vehicle, or other temporary or permanent structure whether publicly or privately owned.

2. The term 'trespass' shall mean one or more of the following acts:

- a. Entering upon or in property without legal justification or without the implied or actual permission of the owner, lessee, or person in lawful possession with the intent to commit a public offense or to use, remove therefrom, alter, damage, harass, or place thereon or therein anything animate

or inanimate, without the implied or actual permission of the owner, lessee, or person in lawful possession.

b. Entering or remaining upon or in property without legal justification after being notified or requested to abstain from entering or to remove or vacate therefrom by the owner, lessee, or person in lawful possession, or the agent or employee of the owner, lessee, or person in lawful possession, or by any peace officer, magistrate, or public employee whose duty it is to supervise the use or maintenance of the property.

c. Entering upon or in property for the purpose or with the effect of unduly interfering with the lawful use of the property by others.

d. Being upon or in property and using, removing therefrom, altering, damaging, harassing, or placing thereon or therein anything animate or inanimate, without the implied or actual permission of the owner, lessee, or person in lawful possession.

Sec. 2. Any person who shall knowingly trespass upon the property of another is guilty of a public offense and upon conviction shall be punished by a fine not to exceed one hundred dollars or by imprisonment in the county jail for a term not to exceed thirty days.

Sec. 3. Any person committing a trespass as defined in section one (1) of this Act resulting in injury to any person or damage in an amount of more than one hundred dollars to anything, animate or inanimate, located thereon or therein shall be punished by a fine not to exceed three hundred dollars or by imprisonment in the county jail not to exceed six months or by both such fine and imprisonment.

Sec. 4. Sections seven hundred forty-four point three (744.3), and seven hundred forty-six point four (746.4), Code 1971, are repealed.

Sec. 5. This Act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Creston News-Advertiser, a newspaper published in Creston, Iowa, and in the Marshalltown Times-Republican, a newspaper published in Marshalltown, Iowa."

On the part of the Senate:

JOHN L. MOWRY, Chairman
EDWARD E. NICHOLSON
R. DEAN ARBUCKLE
EUGENE M. HILL

On the part of the House:

GEORGE J. KNOKE, Chairman
WILLARD HANSEN
PERRY L. CHRISTENSEN
KEITH H. DUNTON

President Jepsen took the chair at 10:10 a.m.

Roll call was requested.

On the question "Shall the conference committee report be adopted (S.F. 188) the vote was:

Rule 24 was invoked.

Ayes, 32:

Anderson
Arbuckle
Balloun
Bass
Briles
Brownlee
Carlson
Conklin

Curran
Erskine
Gilley
Graham
Griffin
Hill
Keith
Kyhl

Lamborn
Lavery
Milligan
Mowry
Nicholson
Ollenburg
Potgeter
Potter

Rabedeaux
Rhodes
Shawver
Smith
Stephens
Thordsen
Van Drie
Walsh

Nays, 15:

Coleman	Glenn	Neu	Schaben
DeKoster	Gross	Palmer	Tapscott
Doderer	Kennedy	Riley	Van Gilst
Gaudineer	Miller	Robinson	

Absent or not voting, 3:

Davis	Messerly	Shaff
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The motion prevailed and the conference committee report and the recommendations and amendments contained therein were adopted.

Senator Mowry moved that the bill be read the last time now, with motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 188) the vote was:

Rule 24 was invoked.

Ayes, 32:

Anderson	Erschine	Laverty	Rabedeaux
Arbuckle	Gilley	Messerly	Rhodes
Balloun	Graham	Milligan	Shawver
Bass	Griffin	Mowry	Smith
Briles	Hill	Nicholson	Stephens
Carlson	Keith	Ollenburg	Thordsen
Conklin	Kyhl	Potgeter	Van Drie
Curran	Lamborn	Potter	Walsh

Nays, 15:

Coleman	Glenn	Neu	Schaben
DeKoster	Gross	Palmer	Tapscott
Doderer	Kennedy	Riley	Van Gilst
Gaudineer	Miller	Robinson	

Absent or not voting, 3:

Brownlee	Davis	Shaff
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

HOUSE AMENDMENT CONSIDERED**Senate File 269**

Senator Miller called up for consideration Senate File 269, a bill for an act to provide that expenditures of funds by the county board of supervisors to replace property acquired by another governmental body need not be submitted to the voters, amended by the House, and moved that the Senate concur in the following amendment:

- 1 Amend Senate File 269, as passed by the Senate, as
- 2 follows:
- 3 1. Page 1, line 10, by inserting before the word "of"
- 4 the words "*or relocation and replacement*".
- 5 2. Page 1, line 10, by striking the word "or" and

- 6 inserting in lieu thereof the words "[or]".
 7 3. Page 1, line 11, by striking the words "when the
 8 probable cost will exceed ten thousand dollars" and
 9 inserting in lieu thereof the words "[when the probable cost
 10 will exceed ten thousand dollars]".
 11 4. Page 1, line 12, by striking the word "building" and
 12 inserting in lieu thereof the words "*county building or*
 13 *facility*".
 14 5. Page 1, line 21, by inserting after the word
 15 "reconstruction," the words "*relocation and replacement*".
 16 6. Page 1, line 24, by inserting a comma after the
 17 word "dollars".
 18 7. Page 1, line 24, by inserting after the word
 19 "*relocation*" the words "*and replacement*".

The motion prevailed and the Senate concurred in the House amendment.

Senator Miller moved that the bill as amended by the House and concurred in by the Senate be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 269) the vote was:

Ayes, 49:

Anderson	Gaudineer	Messerly	Riley
Arbuckle	Gilley	Miller	Robinson
Balloun	Glenn	Milligan	Schaben
Bass	Graham	Mowry	Shaff
Briles	Griffin	Neu	Shawver
Brownlee	Gross	Nicholson	Smith
Carlson	Hill	Ollenburg	Stephens
Coleman	Keith	Palmer	Tapscott
Conklin	Kennedy	Potgeter	Thordsen
Curran	Kyhl	Potter	Van Drie
DeKoster	Lamborn	Rabedaux	Van Gilst
Doderer	Laverty	Rhodes	Walsh
Erskine			

Nays, none.

Absent or not voting, 1:

Davis

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

UNFINISHED BUSINESS

House File 73

The Senate resumed consideration of House File 73, a bill for an act relating to conservation of soil and water resources of the state, and to control of water pollution.

Senator Gaudineer called up the following motion filed by him on April 29, 1971, moved its adoption, and called for a division:

MR. PRESIDENT: I move to reconsider the vote by which the Potgeter amendment to House File 73, filed April 29, 1971, to page 46A, line 32, was adopted by the Senate.

The motion prevailed, and the following Potgeter amendment was taken up for reconsideration:

- 1 Amend House File 73, as amended, passed and reprinted by
- 2 the House, as follows:
- 3 1. Page 46A, line 32, by inserting after the word "practice."
- 4 the words "Mandatory conservation practices performed under the
- 5 requirements of this Act shall not be used by an assessor in
- 6 determining actual or market value of land in accordance with
- 7 section 441.21, Code 1971, for a period of ten years after the
- 8 conservation practices have been completed."

Senator DeKoster offered the following amendment to the amendment and moved its adoption:

- 1 Amend the Potgeter amendment, filed April 29, to House
- 2 File 73, page 46A, line 32, as follows:
- 3 1. Line 4, by striking the words "Mandatory conservation"
- 4 and inserting in lieu thereof the word "Conservation"
- 5 2. Line 6, by adding after the word "of" the word "farm".

The amendment to the amendment was adopted.

Senator Potgeter moved the adoption of the amendment as amended.

Division was called for.

The amendment as amended was adopted.

Senator Erskine moved to reconsider the vote by which the Coleman amendment to House File 73, filed April 29, was adopted by the Senate and called for a division.

The motion prevailed and the following Coleman amendment was taken up for reconsideration:

- 1 Amend House File 73, as passed and reprinted, page 41,
- 2 by striking in line 18 the words "The chair-" and all in
- 3 lines 19, 20, 21, 22, 23, 24, 25, and in line 26 the
- 4 words "not exceed [two] *three* hundred fifty days per year."

Senator Coleman moved the adoption of his amendment and requested a roll call.

On the question 'Shall the Coleman amendment be adopted?' (H.F. 73) the vote was:

Ayes, 20:

Anderson	Coleman	Miller	Potter
Balloun	DeKoster	Milligan	Rabedeaux
Bass	Gilley	Mowry	Shaff
Brownlee	Graham	Ollenburg	Stephens
Carlson	Hill	Palmer	Van Drie

Nays, 26:

Briles	Gross	Nicholson	Shawver
Curran	Keith	Potgeter	Smith
Doderer	Kennedy	Rhodes	Tapscott
Erskine	Kyhl	Riley	Thordsen
Gaudineer	Lamborn	Robinson	Van Gilst
Glenn	Laverty	Schaben	Walsh
Griffin	Neu		

Absent or not voting, 4:

Arbuckle	Conklin	Davis	Messerly
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The amendment lost.

Senator Ollenburg offered the following amendment and moved its adoption:

- 1 Amend House File 73, as amended, passed by the House
- 2 and reprinted, by inserting on page 37A, after the
- 3 period in line 17, the following new sentence:
- 4 "The remedy for any soil erosion which constitutes a
- 5 nuisance under this section shall be limited to
- 6 requiring that the owner or occupant of the land on which
- 7 the erosion is occurring take such measures as are
- 8 necessary to comply with the regulations of the soil
- 9 conservation district in which the land is located, and
- 10 the fine and jail sentence provided by section six
- 11 hundred fifty-seven point three (657.3) of the Code shall
- 12 not apply in any action arising under this section."

The amendment was adopted.

Senator Shawver called up the following motion filed by him on April 29, 1971, and moved its adoption:

MR. PRESIDENT: I move to reconsider the vote by which the Brownlee amendment to House File 73, filed April 29, 1971, was adopted by the Senate.

Roll call was requested.

On the question "Shall the motion to reconsider be adopted?" (H.F. 73) the vote was:

Ayes, 31:

Arbuckle	Glenn	Neu	Shawver
Bass	Griffin	Nicholson	Smith
Briles	Gross	Potgeter	Tapscott
Carlson	Kennedy	Potter	Thordsen
DeKoster	Kyhl	Rhodes	Van Drie
Doderer	Lamborn	Riley	Van Gilst
Erskine	Laverty	Schaben	Walsh
Gaudineer	Messerly	Shaff	

Nays, 13:

Anderson	Conklin	Hill	Ollenburg
Balloun	Gilley	Miller	Palmer
Brownlee	Graham	Milligan	Stephens
Coleman			

Absent or not voting, 6:

Curran	Keith	Rabedaux	Robinson
Davis	Mowry		

The motion prevailed, and the following Brownlee amendment was taken up for reconsideration:

- 1 Amend House File 73, as amended, passed by the House and
- 2 reprinted, as follows:
- 3 1. Page 2, line 9, by striking the words "or by wind".
- 4 2. Page 42A, line 17, by striking the words "or wind".
- 5 3. Page 42A, line 24, by striking the words "wind or".
- 6 4. Page 46A, line 6, by striking the words "or wind".

Senator Brownlee offered the following amendment to the amendment by Senators Brownlee and Coleman:

- 1 Amend the Brownlee amendment to House File 73, as
- 2 amended, passed by the House and reprinted, filed
- 3 April 29, by striking lines 3 through 6 inclusive, and
- 4 inserting in lieu thereof the following:
- 5 1. Page 44, by inserting after line 29 the
- 6 following new paragraph:
- 7 "c. That any owner or operator of agricultural
- 8 land refrain from fall plowing of land on which he
- 9 intends to raise a crop during the next succeeding
- 10 growing season.

President pro tempore Kyhl took the chair at 12:28 p.m.

Senator Brownlee moved the adoption of the amendment to the amendment.

The Chair called for a division.

The amendment to the amendment lost.

Senator Schaben offered the following amendment to the amendment by Senators Laverty and Schaben and moved its adoption:

- 1 Amend the Brownlee amendment to House File 73, as
- 2 amended, passed by the House and reprinted, filed
- 3 April 29, by striking lines 3 through 6, inclusive, and
- 4 inserting in lieu thereof the following:
- 5 1. Page 44, by inserting after line 29 the follow-
- 6 ing new paragraph:
- 7 "c. That any owner or operator of agricultural land
- 8 refrain from fall plowing of land on which he intends
- 9 to raise a crop during the next succeeding growing
- 10 season, however on those lands which are prone to
- 11 excessive wind erosion the commissioners may require
- 12 that reasonable temporary measures be taken to

- 13 minimize the likelihood of wind erosion so long as
 14 such measures do not unduly increase the cost of
 15 operation of the farm on which the land is located."

The amendment to the amendment was adopted.

On motion of Senator Brownlee, his amendment as amended was adopted.

Senator Van Drie offered the following amendment and moved its adoption:

- 1 Amend House File 73, as amended, passed, and reprinted
 2 by the House, as follows:
 3 1. Page 41, by striking in lines 22, 23 and 24 the words
 4 "The committee shall determine the number of days for which
 5 any committee member may draw per diem compensation, but the"
 6 and inserting the words "[The committee shall determine the number
 7 of days for which any committee member may draw per diem
 8 compensation, but the] *The*".
 9 2. Page 41, line 25, by striking the words "the entire" and
 10 inserting the words "[the entire]".
 11 3. Page 41, line 25, by inserting after the word "committee",
 12 the word "*meetings*".
 13 4. Page 41, line 26, by striking the words "*three* hundred",
 14 and inserting the word "[hundred]".

The amendment lost.

Senator Laverty moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 73) the vote was:

Ayes, 41:

Arbuckle	Griffin	Mowry	Schaben
Balloun	Gross	Neu	Shaff
Bass	Keith	Nicholson	Shawver
Briles	Kennedy	Ollenburg	Smith
Brownlee	Kyhl	Palmer	Stephens
Carlson	Lamborn	Potgeter	Tapscott
Conklin	Laverty	Potter	Thordsen
DeKoster	Messerly	Rabedeaux	Van Drie
Doderer	Miller	Rhodes	Van Gilst
Gaudineer	Milligan	Robinson	Walsh
Glenn			

Nays, 5:

Anderson	Gilley	Graham	Hill
Coleman			

Absent or not voting, 4:

Curran	Davis	Erskine	Riley
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

SENATE FILE WITHDRAWN

Senator Lavery asked and received unanimous consent that **Senate File 61** be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Lavery asked and received unanimous consent that **House File 73** be **immediately messaged** to the House, which request was complied with.

MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House insists on its amendments to Senate File 217, a bill for an act relating to compensating state employees for the use of their motor vehicles, and requests a conference committee.

Conferees on the part of the House are: the Representative from Muscatine, Mr. Drake, chairman; the Representative from Woodbury, Mr. Kelly; the Representative from Polk, Mr. Alt, and the Representative from Black Hawk, Mr. Uban.

WILLIAM R. KENDRICK, Chief Clerk

CONFERENCE COMMITTEE APPOINTED

The Chair announced the appointment of the following conference committee on Senate File 217, on the part of the Senate: Senators Messerly, chairman; Briles, Hill and Nicholson.

INTRODUCTION OF BILLS

Senate File 520, by committee on judiciary, a bill for an act relating to the Iowa Tort Claims Act.

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

Senate File 521, by committee on ways and means, a bill for an act to provide aid to cities and towns from sales tax receipts.

Read first time and referred to committee on **appropriations** (under Rule 37).

Senate File 522, by committee on ways and means, a bill for an act to appropriate general state aid funds from the general fund of the state to the department of public instruction and providing a formula for distribution of the general state aid.

Read first time and referred to committee on **appropriations** (under Rule 37).

SENATE RESOLUTION 3

By Kennedy

Be It Resolved by The Senate: That the week of May, 17, 1971, be declared "Iowa High School Senior Voter Registration Week," and that each city clerk, working in cooperation with school officials, in the twenty-nine Iowa cities which require voter registration be encouraged to establish branch Registration Offices located within the high schools, or in suitable facilities as near high school as is reasonable, in order to expedite the registration of Iowa's high school seniors who are at least eighteen years of age.

Be It Further Resolved by The Senate: That copies of this resolution be transmitted to the executive offices of the League of Iowa Municipalities in Des Moines, Iowa and to the city clerks of the following Iowa cities: Ames, Bettendorf, Boone, Burlington, Cedar Falls, Cedar Rapids, Charles City, Clinton, Council Bluffs, Davenport, Des Moines, Dubuque, Fort Dodge, Fort Madison, Iowa City, Keokuk, Marion, Marshalltown, Mason City, Muscatine, Newton, Oelwein, Oskaloosa, Ottumwa, Sioux City, Spencer, Urbandale, Waterloo and West Des Moines.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 188 passed the Senate.

JOHN M. WALSH

INTERSTATE COOPERATION COMMISSION

President Jepsen announced the appointment of the following Senators to the Interstate Cooperation Commission for the regular two-year term expiring April 30, 1973:

Vernon H. Kyhl, Parkersburg
James F. Schaben, Dunlap
John M. Walsh, Dubuque
James A. Potgeter, Steamboat Rock
James W. Griffin, Sr., Council Bluffs

ASSIGNMENT OF BILLS TO COMMITTEE

The President announced the assignment of the following bills to committee:

S. F. 512 Appropriations (Rule 37)

S. F. 515 Appropriations (Rule 37)

AMENDMENTS FILED

- 1 Amend Senate File 85 as follows:
- 2 1. By striking everything after the enacting
- 3 clause and inserting in lieu thereof the following:
- 4 Section 1. All of the functions, duties and
- 5 responsibilities of the Iowa natural resources council

6 created pursuant to section four hundred fifty-five
7 A point three (455A.3) of the Code, the Iowa water
8 pollution control commission created pursuant to
9 section four hundred fifty-five B point three (455B.3)
10 of the Code, the Iowa air pollution control commis-
11 sion created pursuant to section one hundred thirty-
12 six B point three (136B.3) of the Code, the chemical
13 technology review board created pursuant to section
14 two hundred six A point one (206A.1) of the Code,
15 and the functions, duties and responsibilities of
16 the commissioner of public health relating to sanitary
17 disposal projects under chapter four hundred six (406)
18 of the Code, are transferred and assigned to the Iowa
19 natural and environmental resources council, and such
20 chapters shall be administered and enforced as therein
21 provided.
22 Sec. 2. Section four hundred fifty-five A point
23 one (455A.1), unnumbered paragraph one (1), Code 1971,
24 is amended as follows:
25 As used in this chapter, "council" means "Iowa

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1 *Natural and Environmental Resources Council*";
2 Sec. 3. Section four hundred fifty-five A point
3 two (455A.2), unnumbered paragraph one (1), Code 1971,
4 is amended as follows:
5 It is hereby recognized that the protection of
6 life and property from floods, the prevention of
7 damage to lands therefrom and the orderly development,
8 wise use, protection and conservation of the water
9 resources of the state by the considered and proper
10 use thereof, is of paramount importance to the welfare
11 and prosperity of the people of the state, and, to
12 realize these objectives it is hereby declared to
13 be the policy of the state to correlate and vest the
14 powers of the state in a single agency, the Iowa
15 *natural and environmental resources council*, with
16 the duty and authority to establish and enforce an
17 appropriate comprehensive state-wide program for the
18 control, utilization, and protection of the surface
19 and ground-water resources of the state. It is hereby
20 declared that the general welfare of the people of
21 the state of Iowa requires that the water resources
22 of the state be put to beneficial use to the fullest
23 extent of which they are capable, and that the waste
24 or unreasonable use, or unreasonable methods of use,
25 of water be prevented, and that the conservation of

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1 such water be exercised with the view to the reasonable
2 and beneficial use thereof in the interest of the
3 people, and that the public and private funds for
4 the promotion and expansion of the beneficial use
5 of water resources shall be invested to the end that
6 the best interests and welfare of the people are

7 served.

8 Sec. 4. Section four hundred fifty-five A point
9 three (455A.3), Code 1971, is amended as follows:

10 455A.3 CREATION. There is hereby created and
11 established an Iowa natural and *environmental* resources
12 council. The council is established as an agency
13 of the state government to promote the policies set
14 forth in this chapter and shall represent the state
15 of Iowa in all matters within the scope of this
16 chapter.

17 Sec. 5. Section four hundred fifty-five A point
18 thirty-four (455A.34), Code 1971, is amended as
19 follows:

20 455A.34 ADDITIONAL POWERS—LICENSING OF DAMS.

21 After April 17, 1949, the term "council", as used
22 in chapter 469, shall be construed to refer to the
23 Iowa natural and *environmental* resources council
24 unless specifically otherwise provided.

25 Sec. 6. Chapter four hundred fifty-five A (455A),

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1 Code 1971, is amended by adding the following new
2 section:

3 "The membership of the initial Iowa natural and
4 environmental resource council shall consist of the
5 following:

6 1. The three members of the Iowa natural resources
7 council, whose terms are to expire on July 1, 1975.

8 The governor shall designate that one member's term
9 shall expire on July 1, 1973, the other member's term
10 shall expire on July 1, 1975, and the remaining
11 member's term shall expire on July 1, 1977.

12 2. Two of the members of the Iowa water pollution
13 control commission whose terms do not expire on July
14 1, 1971, and who are not holding public office. The
15 governor shall select the two members with the approval
16 of two-thirds of the members of the senate. He shall
17 designate that one member's term shall expire on July
18 1, 1973, and the other member's term shall expire on
19 July 1, 1975.

20 3. The two members of the chemical technological
21 review board appointed by the governor, whose terms
22 are to expire on June 30, 1974. The governor shall
23 designate that one member's term shall expire on July
24 1, 1975, and the other member's term shall expire on
25 July 1, 1977.

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1 4. Two of the appointed members of the Iowa air
2 pollution control commission whose terms do not expire
3 on July 30, 1971. The governor shall select the two
4 members with the approval of two-thirds of the members
5 of the senate. He shall designate that one member's
6 term shall expire on July 1, 1973, and the other
7 member's term shall expire on July 1, 1977."

8 Sec. 7. The terms of members of the Iowa natural
9 resources council, the Iowa water pollution control
10 commission, the Iowa air pollution control commission,
11 and the chemical technology review board, who are
12 not selected for membership or appointed to the Iowa
13 natural and environmental resources council under
14 this Act, shall expire on the effective date of this
15 Act.

16 Sec. 8. The personnel, equipment, leased or
17 assigned office space and facilities, the budget
18 balances remaining on the effective date of this Act,
19 of the Iowa natural resources council, the Iowa air
20 pollution control commission, the Iowa water pollution
21 control, the chemical technology review board, the
22 state department of health relating to air or water
23 pollution control programs and sanitary disposal
24 projects, and the state department of agriculture
25 relating to chemical technology review board, are

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1 transferred and assigned to the Iowa natural and
2 environmental resources council.

3 Sec. 9. Section one hundred thirty-six B point
4 two (136B.2), subsection five (5), Code 1971, is
5 amended as follows:

6 5. "Commissioner" means the [commissioner of public
7 health] *director of the Iowa natural and environmental*
8 *resources council.*

9 Sec. 10. Section one hundred thirty-six B point
10 two (136B.2), subsection six (6), Code 1971, is amended
11 as follows:

12 6. "Commission", "*Iowa air pollution control*
13 *commission*" or "*department*" means the [air pollution
14 control commission created by this chapter] *Iowa natural*
15 *and environmental resources council.*

16 Sec. 11. Section one hundred thirty-six B point
17 three (136B.3), Code 1971, is amended by striking
18 the section and inserting in lieu thereof the
19 following:

20 136B.3 GENERAL PROVISIONS. The Iowa natural and
21 environmental resources council shall perform the
22 duties and functions assigned to it in this chapter
23 and may appoint a technical secretary who shall be
24 a technically qualified engineer.

25 Sec. 12. Section two hundred six A point one

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1 (206A.1), Code 1971, is amended by striking the sec-
2 tion and inserting in lieu thereof the following:

3 206A.1 GENERAL PROVISIONS. The Iowa natural and
4 environmental resources council shall perform the
5 duties and functions assigned to it in this chapter.
6 As used in this chapter, "chemical technology review
7 board" or "board" means the Iowa natural and
8 environmental resources council.

9 Sec. 13. Section four hundred six point four
10 (406.4), Code 1971, is amended as follows:

11 The [commissioner of public health] *director of the*
12 *Iowa natural and environmental resources council* shall
13 administer the provisions of this chapter[, and the
14 provisions of chapter 135 shall be applicable to this
15 chapter].

16 Local boards of health shall co-operate in the
17 enforcement of this chapter and the [commissioner of
18 public health] *director of the Iowa natural and*
19 *environmental resources council* may seek their aid
20 and delegate duties of the [state department of health]
21 *Iowa natural and environmental resources council under*
22 *this chapter* to local boards of health [in the manner
23 provided in chapter 137.]

24 Sec. 14. Sections four hundred six point five
25 (406.5), four hundred six point six (406.6), four

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1 hundred six point seven (406.7), four hundred six
2 point nine (406.9), and four hundred six point ten
3 (406.10), Code 1971, are amended by striking from
4 the sections the words "commissioner of public health"
5 and inserting in lieu thereof the words "director
6 of the Iowa natural and environmental resources
7 council".

8 Sec. 15. Section four hundred fifty-five B point
9 two (455B.2), subsection ten (10), Code 1971, is
10 amended as follows:

11 10. "Commission" means the Iowa [water pollution
12 control commission] *natural and environmental resources*
13 *council*.

14 Sec. 16. Section four hundred fifty-five B point
15 two (455B.2), Code 1971, is amended by adding the
16 following new subsection:

17 "Director" means the director of the Iowa natural
18 and environmental resources council or his designee.

19 Sec. 17. Section four hundred fifty-five B point
20 nine (455B.9), subsections one (1), three (3), five
21 (5), and six (6), Code 1971, are amended as follows:

22 1. The commission [through the state department
23 of health] shall have general supervision over admin-
24 istration and enforcement of all laws relating to
25 the pollution of any water of the state, except as

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1 provided in section 135.11.

2 3. The commission may cause the [state department
3 of health] *director* to conduct investigations upon
4 the written petition of:

- 5 a. The governing body of any city or town.
- 6 b. The local board of health.
- 7 c. The supervisors of any county.
- 8 d. Twenty-five residents of the state.
- 9 e. Any state agency or agencies.

10 5. To require plans and specifications for disposal
11 systems or any part thereof to be submitted to the
12 [state department of health] *director* for approval or
13 disapproval.

14 6. To direct the [state department of health]
15 *director* to issue, revoke, modify, or deny permits,
16 under such conditions as it may prescribe for the
17 prevention or abatement of pollution, for the discharge
18 of sewage, industrial waste or other wastes or for
19 the installation or operation of disposal systems
20 or parts thereof.

21 Sec. 18. Section four hundred fifty-five B point
22 ten (455B.10), Code 1971, is amended as follows:

23 455B.10 INVESTIGATIONS. The [state department
24 of health] *director* shall conduct such investigations
25 as may be necessary to carry out the provisions of

Page 10

1 this chapter.

2 Sec. 19. Section four hundred fifty-five B point
3 eleven (455B.11), Code 1971, is amended as follows:

4 455B.11 ORDERS. The [state department of health]
5 *director* in accordance with the direction and policies
6 of the commission may issue, modify, or revoke such
7 orders as may be required for the prevention or dis-
8 continuance of the discharge of sewage, industrial
9 waste or other wastes in any waters of the state re-
10 sulting in pollution in excess of the applicable
11 quality standard established by the commission.

12 Sec. 20. Section four hundred fifty-five B point
13 fourteen (455B.14), Code 1971, is amended as follows:

14 455B.14 PERMISSION TO ENTER LANDS OR WATERS.

15 The commission[, its agents,] and *its* employees [of the
16 state department of health] may enter upon any lands
17 or waters in the state and bordering on the state,
18 for the purpose of making any investigation,
19 examination, survey, or study concerning the quality
20 or pollution of such waters.

21 Sec. 21. Section four hundred fifty-five B point
22 fifteen (455B.15), Code 1971, is amended as follows:

23 455B.15 HEARINGS. When the commission or [state
24 department of health] *the director* conducts any hear-
25 ing or investigation, any member of the commission

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1 or any employee or agent authorized in writing by
2 the commission [or employee of the state department
3 of health] may administer oaths, examine witnesses
4 and issue, in the name of the commission, subpoenas
5 requiring the attendance and testimony of witnesses
6 and the production of evidence relevant to any matter
7 involved in such hearing or investigation. Witnesses
8 shall receive the same fees and mileage as in civil
9 actions.

10 Sec. 22. Section four hundred fifty-five B point

11 seventeen (455B.17), subsections two (2) and three
12 (3), Code 1971, are amended as follows:

13 2. Notwithstanding the provisions of subsection
14 1 the commission or [state department of health] *the*
15 *director*, when it has first been determined that an
16 emergency exists respecting any matter affecting or
17 likely to affect the public health, may make a
18 temporary order without notice and without hearing.
19 A copy of such temporary order shall be served as
20 provided in subsection 1. Any such temporary order
21 entered by the commission or the [state department
22 of health] *director*, shall be binding and effective
23 immediately until such order is reviewed by a hearing
24 or is modified or reversed by the court.

25 3. After such hearing the commission may, if it

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1 finds the alleged offender is guilty of the charges,
2 enter an order directing such person to desist in
3 the practice found to be the cause of such pollution,
4 taking into account the use to which the water is
5 being or may be put or the commission upon the rec-
6 ommendation of the [state department of health] *director*
7 may order a change in the method of discharging sewage,
8 industrial wastes and other wastes into the water
9 so that the same will not result in pollution and
10 the method shall be in compliance with the effluent
11 or water quality standards adopted by the commission.

12 Sec. 23. Section four hundred fifty-five B point
13 twenty-five (455B.25), Code 1971, is amended as fol-
14 lows:

15 455B.25 UNLAWFUL ACTS.

16 1. It shall be unlawful to carry on any of the
17 following activities without first securing a written
18 permit from the [state department of health] *director*
19 as may be required by the commission for the disposal
20 of all sewage, industrial waste, or other wastes which
21 are or may be discharged into the waters of the state.

22 a. The construction, installation or modification
23 of any disposal system or part thereof or any extension
24 or addition thereto.

25 b. The construction or use of any new outlet for

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1 the discharge of any sewage or wastes directly into
2 the waters of the state. However, no permit shall
3 be required for any new disposal system or extension
4 or addition to any existing disposal system that
5 receives only domestic or sanitary sewage from a
6 building, housing or occupied by fifteen persons or
7 less.

8 2. Plans and specifications for any waste disposal
9 system covered by subsection 1 of this section shall
10 be submitted to the commission before a written permit
11 may be issued and the construction of any such waste

12 disposal system shall be in accordance with plans
13 and specifications as approved by the [state department
14 of public health] *director*. If it is necessary or
15 desirable to make material changes in such plans or
16 specifications, revised plans or specifications to-
17 gether with reasons for the proposed changes must
18 be submitted to the commission for a supplemental
19 written permit.

20 Any person convicted of violating this section
21 shall be fined in a sum not to exceed one thousand
22 dollars.

23 Sec. 24. Section four hundred fifty-five B point
24 twenty-seven (455B.27), Code 1971, is amended as
25 follows:

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1 455B.27 ASSISTANCE BY GOVERNMENTAL AGENCIES.

2 The commission and the [state department of health]
3 *director* may request and receive from any department,
4 division, board, bureau, commission, public body,
5 or agency of the state, or of any political subdivision
6 thereof, or from any organization, incorporated or
7 unincorporated, which has for its object the control
8 or use of any of the water resources of the state,
9 such assistance and data as will enable the commission
10 or department to properly carry out its activities
11 and effectuate its purposes under the provisions of
12 this chapter. The commission or [department] *the di-*
13 *rector* shall reimburse such agencies for special
14 expense resulting from expenditures not normally a
15 part of the operating expenses of any such agency.

16 Sec. 25. Section four hundred fifty-five C point
17 one (455C.1), subsection two (2), Code 1971, is amended
18 as follows:

19 2. "Commission" or "*Iowa water pollution control*
20 *commission*" means the *Iowa natural and environmental*
21 *resources council* [water pollution control commisison].

22 Sec. 26. Section four hundred fifty-five B point
23 four (455B.4), four hundred fifty-five B point five
24 (455B.5), four hundred fifty-five B point six (455B.6),
25 four hundred fifty-five B point seven (455B.7), and

Page 15

1 four hundred fifty-five B point eight (455B.8), Code
2 1971, are repealed.

3 Sec. 27. Section one hundred thirty-six B point
4 two (136B.2), Code 1971, is amended by striking
5 subsection seven (7).

6 Sec. 28. Section four hundred fifty-five B point
7 nine (455B.9), subsection four (4), Code 1971, is
8 amended by striking unnumbered paragraph two (2).

9 2. Page 1 line 1, by striking the words
10 "department of environmental quality," and inserting
11 in lieu thereof the words "natural and environmental
12 resources council, and".

- 13 3. Page 1, lines 2 and 3, by striking the words
14 ", and providing penalties for violations thereof"
15 and inserting in lieu thereof a period.

LEE H. GAUDINEER, JR.
JAMES A. POTGETER

- 1 Amend Senate File 397, page 120, by inserting after line 3,
2 the following:
3 "In cities having more than one hundred fifty thousand popula-
4 tion the utility board shall each month prepare in pamphlet form the
5 statement herein required for the preceding month, and furnish
6 copies to the state library, the city library, the daily newspapers
7 of the city, the city clerk, and to persons who apply at the office
8 of the secretary, and the pamphlet shall constitute publication as
9 required."

REINHOLD O. CARLSON

- 1 Amend the Curran, Keith and Walsh amendment to
2 House File 48, filed March 4, 1971, and appearing on
3 pages 432 and 433 of the Senate Journal, page 2, by
4 inserting after line 10 the following new section and
5 renumbering the remaining sections accordingly:
6 "Section three hundred twenty-one E point six
7 (321E.6), Code 1971, is amended as follows:
8 321E.6 VARIATIONS IN ROAD WIDTH AND TRAFFIC. A
9 movement of an indivisible load over a highway or high-
10 ways having sections carrying varying volumes of traffic
11 and having varying surface widths shall have its permis-
12 sible total distance computed on the basis of the
13 lowest volume of traffic or the greatest highway width,
14 whichever produces the greatest distance by the foregoing
15 schedule. However, no movement over a section or
16 sections carrying a given shorter permissible maximum
17 shall be greater than that shorter maximum and, in
18 computing the distance which would be traveled on a
19 section or sections having a certain width and traffic
20 volume, distances which would be traveled on sections
21 carrying shorter permissible move distances shall be
22 included. *In no event shall an indivisible load subject*
23 *to the provisions of this chapter move over a road or*
24 *highway of less than twenty-four feet in width."*

MINNETTE DODERER
G. WILLIAM GROSS
JAMES A. POTGETER

- 1 Amend House File 522 as follows:
2 1. Page 4, line 7, by adding after the figure "(3)" the words
3 and figures ", section eight (8), section nine (9), and section ten
4 (10)".
5 2. Page 4, by adding the new subsection after line 11:
6 "4. Commercial dealers having a federal firearms license
7 shall be exempt from the requirement or the commerical
8 license requirement of this Act for importation,
distribution, sale, transportation, storage and

9 possession of smokeless powder propellents or black
10 sporting powder propellents provided that such dealer
11 must conform and comply to rules, regulations, or
12 ordinances of federal, state, city or town authorities
13 having jurisdiction of such powder."

14 3. Page 7, line 30, by adding after the word "by" the words
15 "the regular military or naval forces of the United States, the duly
16 organized militia of this state.

17 4. Page 8, line 8, by striking the word "five" and inserting
18 the word "ten".

19 5. Page 8, by striking lines 10 through 18 inclusive and in-
20 serting in lieu thereof the following:

21 "1. Smokeless powder is intended for handloading or re-
22 loading of ammunition for small arms with bores
23 equivalent to ten gauge or less.

24 2. Black sporting powder is intended for handloading or
25 reloading ammunition for small arms with bores

Page 2

1 equivalent to ten gauges or less, loading black
2 ammunition, loading cap and ball revolvers, loading
3 muzzle loading arms, or loading muzzle loading cannon."

4 3. All such powder is for private use and not for commercial
5 resale, and in the case of black sporting powder or
6 smokeless powder the sharing with or disposition to
7 another person is permitted if otherwise lawful."

HAROLD A. THORDSEN

On motion of Senator Lamborn, the Senate adjourned until 9:00
a.m., Monday, May 3, 1971.

JOURNAL OF THE SENATE

ONE HUNDRED THIRTEENTH DAY

SENATE CHAMBER
DES MOINES, IOWA, MONDAY, MAY 3, 1971

The Senate met in regular session, President Jepsen presiding.

Prayer was offered by the Reverend H. A. Wilke, pastor of the First Lutheran Church, Northwood, Iowa.

The Senate pledged allegiance to the flag.

The Journal of Friday, April 30, 1971, was approved.

LEAVE OF ABSENCE

Senator Lamborn asked and received unanimous consent that President pro tempore Kyhl be granted a leave of absence because of serious illness. Senator Kyhl was stricken on Friday, April 30, and admitted to the intensive care unit of the Allen Memorial Hospital, Waterloo, Iowa.

PRESENTATION OF VISITORS

The Chair announced that the following visitors were present in the Senate gallery:

Forty students from Grant Elementary School, Albia, Iowa, accompanied by their instructor, Mrs. Visser.

Thirty-six students from Wahlert High School, Dubuque, Iowa, accompanied by their instructor, Mr. Herbst.

Sixty students from St. Johns Junior High School, Waterloo, Iowa, accompanied by their instructor, Sister Mary Martensen.

Thirty students from St. Joseph's Grade School, Des Moines, Iowa, accompanied by Mrs. Anderson.

Forty students from Maxwell Community School, Maxwell, Iowa, accompanied by Mrs. Poock.

PETITIONS

The following petitions were presented and placed on file:

By Senator Kyhl, from thirty-two residents of Floyd County opposing repeal of the Iowa Meat and Poultry Inspection law.

By Senator DeKoster, from three hundred twenty-nine students of Western Iowa Tech (Merged Area XII), Sioux City, Iowa, favoring Senate Files 374 and 444, authorizing merged areas to acquire and operate student centers financed with revenue bonds, and to adopt, collect, and expend student fees.

CONSIDERATION OF BILLS

Senator Lamborn asked and received unanimous consent to take up out of order Senate File 308.

Senate File 308

On motion of Senator Griffin, Senate File 308, a bill for an act relating to delegates to political party caucuses and conventions, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Griffin moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 308) the vote was:

Ayes, 40:

Balloun	Gaudineer	Miller	Robinson
Bass	Gilley	Milligan	Schaben
Briles	Glenn	Mowry	Shawver
Carlson	Graham	Neu	Smith
Conklin	Griffin	Nicholson	Stephens
Curran	Gross	Ollenburg	Tapscott
Davis	Keith	Potgeter	Thordsen
DeKoster	Kennedy	Potter	Van Drie
Doderer	Lamborn	Rabedeaux	Van Gilst
Erskine	Messery	Rhodes	Walsh

Nays, none.

Absent or not voting, 10:

Anderson	Coleman	Laverty	Riley
Arbuckle	Hill	Palmer	Shaff
Brownlee	Kyhl		

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

Senator Griffin asked and received unanimous consent that Senate File 308 be immediately messaged to the House, which request was complied with.

Senator Lamborn asked and received unanimous consent to take up out of order Senate File 325.

Senate File 325

On motion of Senator Mowry, Senate File 325, a bill for an act relating to escheat of unclaimed postal savings system accounts, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Mowry moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 325) the vote was:

Ayes, 41:

Balloun	Gaudineer	Miller	Robinson
Bass	Gilley	Milligan	Schaben
Briles	Glenn	Mowry	Shawver
Brownlee	Graham	Neu	Smith
Carlson	Griffin	Nicholson	Stephens
Conklin	Gross	Ollenburg	Tapscott
Curran	Hill	Potgeter	Thordsen
Davis	Kennedy	Potter	Van Drie
DeKoster	Lamborn	Rabedeaux	Van Gilst
Doderer	Messerly	Rhodes	Walsh
Erskine			

Nays, none.

Absent or not voting, 9:

Anderson	Keith	Laverty	Riley
Arbuckle	Kyhl	Palmer	Shaff
Coleman			

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

Senator Lamborn asked and received unanimous consent to take up out of order Senate File 426.

Senate File 426

On motion of Senator Milligan, Senate File 426, a bill for an act to legalize and validate the proceedings of the Board of Directors of the Des Moines Independent Community School District, in the County of Polk, State of Iowa, confirming and authorizing the sale of certain property, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Milligan moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 426) the vote was:

Ayes, 42:

Anderson	Erskine	Messerly	Robinson
Balloun	Gaudineer	Miller	Schaben
Bass	Gilley	Milligan	Shawver
Briles	Glenn	Mowry	Smith
Brownlee	Graham	Neu	Stephens
Carlson	Griffin	Nicholson	Tapscott
Conklin	Gross	Ollenburg	Thordsen
Curran	Hill	Potter	Van Drie
Davis	Keith	Rabedaux	Van Gilst
DeKoster	Kennedy	Rhodes	Walsh
Doderer	Lamborn		

Nays, none.

Absent or not voting, 8:

Arbuckle	Kyhl	Palmer	Riley
Coleman	Laverty	Potgeter	Shaff

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

Senator Lamborn asked and received unanimous consent to take up out of order Senate File 461.

Senate File 461

On motion of Senator Neu, Senate File 461, a bill for an act relating to supreme court officers and employees and their duties, including court administration, as directed by the supreme court, was taken up and considered.

Senator Neu moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 461) the vote was:

Ayes, 43:

Anderson	Doderer	Messerly	Robinson
Arbuckle	Gaudineer	Miller	Schaben
Balloun	Gilley	Milligan	Shawver
Bass	Glenn	Mowry	Smith
Briles	Graham	Neu	Stephens
Brownlee	Griffin	Nicholson	Tapscott
Carlson	Gross	Ollenburg	Thordsen
Conklin	Hill	Potgeter	Van Drie
Curran	Keith	Potter	Van Gilst
Davis	Kennedy	Rabedaux	Walsh
DeKoster	Lamborn	Rhodes	

Nays, none.

Absent or not voting, 7:

Coleman	Kyhl	Palmer	Shaff
Erskine	Laverty	Riley	

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

Senator Lamborn asked and received unanimous consent to take up out of order Senate File 480.

Senate File 480

On motion of Senator Bass, Senate File 480, a bill for an act prohibiting the sale, offer for sale, and distribution of teasel or seeds, making teasel a noxious weed, and providing a penalty, was taken up and considered.

Senator Bass moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 480) the vote was:

Ayes, 43:

Anderson	Erskine	Miller	Robinson
Arbuckle	Gaudineer	Milligan	Schaben
Balloun	Gilley	Mowry	Shawver
Bass	Glenn	Neu	Smith
Briles	Graham	Nicholson	Stephens
Brownlee	Griffin	Ollenburg	Tapscott
Carlson	Gross	Potgeter	Thordsen
Conklin	Keith	Potter	Van Drie
Curran	Kennedy	Rabedaux	Van Gilst
Davis	Lamborn	Rhodes	Walsh
DeKoster	Messerly	Riley	

Nays, 1:

Doderer

Absent or not voting, 6:

Coleman	Kyhl	Palmer	Shaff
Hill	Laverty		

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

Senator Lamborn asked and received unanimous consent to take up out of order Senate File 92.

Senate File 92

On motion of Senator Mowry, Senate File 92, a bill for an act relating to dog license fees and disposition of dogs by counties, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Mowry moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 92) the vote was:

Ayes, 36:

Anderson	Davis	Lamborn	Rhodes
Arbuckle	DeKoster	Messerly	Riley
Balloun	Doderer	Milligan	Shawver
Bass	Erskine	Mowry	Smith
Briles	Gilley	Neu	Stephens
Brownlee	Graham	Nicholson	Thordsen
Carlson	Griffin	Ollenburg	Van Drie
Conklin	Keith	Potter	Van Gilst
Curran	Kennedy	Rabedaux	Walsh

Nays, 7:

Glenn	Miller	Robinson	Tapscott
Gross	Potgeter	Schaben	

Absent or not voting, 7:

Coleman	Hill	Laverty	Shaff
Gaudineer	Kyhl	Palmer	

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

Senator Lamborn asked and received unanimous consent to take up out of order Senate File 355.

Senate File 355

On motion of Senator Tapscott, Senate File 355, a bill for an act relating to the tax levy for county hospitals in counties having a population of two hundred twenty-five thousand or more, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Tapscott moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 355) the vote was:

Ayes, 35:

Anderson	Erskine	Lamborn	Riley
Balloun	Gaudineer	Milligan	Robinson
Briles	Gilley	Neu	Shawver
Brownlee	Glenn	Nicholson	Smith
Carlson	Graham	Ollenburg	Tapscott
Conklin	Griffin	Palmer	Thordsen
Curran	Gross	Potgeter	Van Gilst
Davis	Hill	Potter	Walsh
DeKoster	Kennedy	Rhodes	

Nays, 6:

Arbuckle	Messerly	Rabedaux	Van Drie
Bass	Mowry		

Voting present, 1:

Stephens

Absent or not voting, 8:

Coleman
Doderer

Keith
Kyhl

Laverty
Miller

Schaben
Shaff

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

Senator Lamborn asked and received unanimous consent to take up out of order Senate File 262.

Senate File 262

On motion of Senator Walsh, Senate File 262, a bill for an act establishing a radiation control program, providing penalties for violation of provisions of this act, and making an appropriation therefor, with reports of committees recommending amendment and passage, was taken up, considered, and the reports of the committees adopted.

Senator Anderson offered the following amendment by the committee on appropriations and moved its adoption:

- 1 Amend Senate File 262 as follows:
- 2 Page 8, by striking all of line 20 and inserting
- 3 in lieu thereof the following:
- 4 "five thousand dollars (\$5,000.00)".

The amendment was adopted.

Senator Keith offered the following amendment by the committee on environmental preservation:

- 1 Amend Senate File 262 as follows:
- 2 1. Page 2, by striking line 35.
- 3 2. Page 3, by striking lines 1 through 3, inclusive,
- 4 and inserting in lieu thereof the following:
- 5 "shall consist of the director of the state hygienics
- 6 laboratory and the state geologist, four individuals with
- 7 recognized scientific training and experience in the field
- 8 of radiation appointed by the governor from a list sub-
- 9 mitted by the commissioner, and three individuals from the
- 10 general public appointed by the governor. The employee
- 11 of the department".
- 12 3. Page 8, by striking lines 18 through 22, inclusive.

Senator Doderer offered the following amendment to the amendment and moved its adoption:

- 1 Amend the committee on environmental preservation
- 2 amendment, filed March 26, 1971 to Senate File 262,
- 3 line 5, by striking the word "hygienics" and inserting
- 4 the word "bacteriological".

The amendment to the amendment was adopted.

Senator Walsh called for a division of the committee amendment, sections 1 and 2 to be considered as division 1, section 3 as division 2.

On motion of Senator Keith, division 1 of the amendment as amended was adopted.

Senator Keith asked and received unanimous consent to withdraw division 2 of the amendment.

Senator Walsh offered the following amendment filed by him on April 1, 1971, and moved its adoption:

- 1 Amend Senate File 262, page 8, by adding the following new
- 2 section after line 22:
- 3 Sec. 18. This Act, being deemed of immediate importance,
- 4 shall take effect and be in force from and after its publication
- 5 in The Telegraph-Herald, a newspaper published in Dubuque, Iowa,
- 6 and in The Cedar Rapids Gazette, a newspaper published in Cedar
- 7 Rapids, Iowa.

The Chair called for a division.

The amendment lost.

Senator Miller offered the amendment filed by him on April 27, 1971, and found on pages 1007-1017, inclusive, of the Senate Journal, and moved its adoption.

The amendment lost.

Senator Walsh moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 262) the vote was:

Ayes, 42:

Anderson	Doderer	Milligan	Robinson
Arbuckle	Erskine	Neu	Schaben
Balloun	Gaudineer	Nicholson	Shawver
Bass	Gilley	Ollenburg	Smith
Briles	Glenn	Palmer	Stephens
Brownlee	Graham	Potgeter	Tapscott
Carlson	Griffin	Potter	Thordsen
Conklin	Hill	Rabedaux	Van Drie
Curran	Keith	Rhodes	Van Gilst
Davis	Kennedy	Riley	Walsh
DeKoster	Lamborn		

Nays, none.

Voting present, 1:

Miller

Absent or not voting, 7:

Coleman	Kyhl	Messerly	Shaff
Gross	Laverty	Mowry	

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

Senator Walsh asked and received unanimous consent that Senate File 262 be immediately messaged to the House, which request was complied with.

Senator Lamborn asked and received unanimous consent to take up out of order Senate File 323.

Senate File 323

On motion of Senator Davis, Senate File 323, a bill for an act relating to negotiation proceedings of public agencies, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Davis offered the following amendment filed by Senators Davis and Doderer and moved its adoption:

- 1 Amend Senate File 323 as follows:
- 2 1. By adding in line 8 after the word "*any*" the word "*labor*".
- 3 2. By adding in line 9 after the word "*arbitrators*" the
- 4 words "*in connection with labor negotiations*".

The amendment was adopted.

Senator Davis moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 323) the vote was:

Ayes, 38:

Anderson	Doderer	Milligan	Rhodes
Arbuckle	Gaudineer	Mowry	Riley
Balloun	Glenn	Neu	Robinson
Briles	Graham	Nicholson	Schaben
Brownlee	Griffin	Ollenburg	Shawver
Carlson	Gross	Palmer	Tapscott
Conklin	Keith	Potgeter	Thordsen
Curran	Lamborn	Potter	Van Drie
Davis	Messerly	Rabedeaux	Van Gilst
DeKoster	Miller		

Nays, 4:

Bass	Erskine	Gilley	Hill
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Voting present, 1:
Stephens

Absent or not voting, 7:

Coleman	Kyhl	Shaff	Walsh
Kennedy	Laverty	Smith	

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

Senator Davis asked and received unanimous consent that Senate File 323 be immediately messaged to the House, which request was complied with.

Senate File 392

On motion of Senator Stephens, Senate File 392, a bill for an act relating to the eradication of hog cholera and the control and eradication of swine diseases, was taken up and considered.

Senator Stephens offered the following amendment filed by him on March 22, 1971, and moved its adoption:

- 1 Amend Senate File 392 as follows:
- 2 1. Page 4, line 33, by striking the words "into
- 3 Iowa from any other state".
- 4 2. Page 4, line 35, by striking the word "sixty"
- 5 and inserting in lieu thereof the word "thirty".
- 6 3. Page 5, by striking all after the period in
- 7 line 4 and all of line 5.

Senator Brownlee took the chair at 11:03 a.m.

The amendment was adopted.

President Jepsen took the chair at 11:13 a.m.

Senator Potgeter offered the following amendment filed by him on April 28, 1971:

- 1 Amend Senate File 392 as follows:
- 2 1. Page 3, after the period in line 35, by adding the
- 3 words "Such rules and regulations shall be made in accordance
- 4 with chapter 17A, Code 1971."
- 5 2. Page 4, line 13, by inserting after the word "certificate"
- 6 the words "or veterinarian inspection certificate".
- 7 3. Page 4, line 14, by inserting after the word "certificate"
- 8 the words "or veterinarian inspection certificate".
- 9 4. Page 4, by striking all after the period in line 29 and
- 10 all of lines 30, 31 and 32 inclusive.
- 11 5. Page 5, by striking line 6 and inserting in lieu thereof
- 12 the words "Not more than two markets shall be involved in the
- 13 movement of swine regardless of origin."
- 14 6. Page 5, line 17, by inserting after the word "certificate"
- 15 the words "or veterinarian inspection certificate".
- 16 7. Page 5, by inserting the following new sections after
- 17 line 21 and renumbering the remaining sections:
- 18 Sec. 3. Section seventeen A point five (17A.5), Code 1971,
- 19 is amended as follows:
- 20 17A.5 SUBMISSION OF PROPOSED RULES. Any agency em-
powered

21 by law to make rules shall *not submit any permanent rule as*
22 *provided herein until the agency first holds a public hearing*
23 *concerning such rule as provided in section four (4) of this*
24 *Act. Any agency approving a rule following such hearing shall*
25 submit four copies with authorized signatures of each proposed

Page 2

1 rule, temporary or permanent, in the style and form prescribed
2 by the Code editor, to the attorney general, and submit a copy
3 of each proposed rule to each member of the departmental rules
4 review committee at least ten days prior to that scheduled
5 meeting of the committee at which consideration is desired
6 and one copy to the Code editor.

7 *Any person appearing at the public hearing or any other*
8 *person having an interest in the proposed rule may submit to*
9 *the members of the committee a concise summary of his reasons*
10 *for supporting or opposing the proposed rule.*

11 Sec. 4. Chapter seventeen A (17A), Code 1971, is amended
12 by adding the following new section:

13 "Any agency holding a public hearing as provided in
14 section seventeen A point five (17A.5) of the Code shall give
15 twenty days notice of said hearing as follows:

16 1. By mailing notice, by ordinary mail, to every person
17 filing a request for notice accompanied by an addressed
18 envelope with prepaid postage. Any person may file such a
19 request to be listed with any agency for notice for the time
20 and place for all hearings on proposed rules, which request
21 shall be accompanied by a remittance of five dollars. Such
22 fee shall be added to the operating fund of the department.
23 The listing shall expire semiannually on January 1 and July 1.

24 2. By mailing notice, by ordinary mail, to every person
25 licensed or regulated by the agency proposing the rule, where

Page 3

1 the agency has reasonable access to the names and addresses
2 of such persons."

3 8. Page 1, by striking in line 1 the words "eradication
4 of hog cholera and the" and all of line 2, and inserting in lieu
5 thereof the following: "control and eradication of hog cholera
6 and the control and eradication of other swine diseases."

Senator Potgeter called for a division of his amendment as follows:

Division 1—Page 1, lines 1, 2, 3 and 4.

Division 2—Page 1, lines 9 and 10.

Page 3, lines 3, 4, 5 and 6.

Division 3—Page 1, lines 5, 6, 7, 8, 14 and 15.

Division 4—Page 1, lines 11, 12 and 13.

Division 5—Page 1, lines 16 through 25.

All of page 2.

Page 3, lines 1 and 2.

Senator Potgeter withdrew division 5 of the amendment.

On motion of Senator Potgeter, division 1 of the amendment was adopted.

Senator Potgeter moved the adoption of division 2 of the amendment and called for a division.

Division 2 of the amendment lost.

On motion of Senator Potgeter, division 3 of the amendment was adopted.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Rhodes, from the joint committee on enrolled bills, submitted the following report and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and find correctly enrolled: Senate Files 149, 183 and 190; House Files 24, 26, 278, 283, 429 and 470.

JOHN C. RHODES
Chairman, Senate Committee
ELIZABETH R. MILLER
Chairman, House Committee

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate the following bills: Senate Files 149, 183 and 190; House Files 24, 26, 278, 283, 429 and 470.

BILLS SENT TO THE GOVERNOR

Senator Rhodes, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 3rd day of May, 1971, sent to the Governor for his approval: Senate Files 149, 183 and 190.

JOHN C. RHODES, Chairman

Passed on file.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has adopted the following joint resolution in which the concurrence

of the Senate is asked:

House Joint Resolution 16, authorizing the executive council to acquire the Hubbell mansion known as Terrace Hill.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 675, a bill for an act relating to the payment of court costs.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 155, a bill for an act relating to findings of the commission of hospitalization.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 256, a bill for an act authorizing cities and towns to acquire land by lease for park purposes.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 389, a bill for an act relating to the place of payment of public bonds.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 426, a bill for an act to legalize proceedings of the Des Moines Independent Community School District, authorizing the sale of certain property.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 469, a bill for an act to legalize proceedings of town council of Bussey, Iowa, authorizing issuance of water revenue bonds, and to increase maximum rates.

WILLIAM R. KENDRICK, Chief Clerk

HOUSE MESSAGES CONSIDERED

House Joint Resolution 16, a joint resolution authorizing the executive council to acquire the Hubbell mansion known as Terrace Hill.

Read first time and **passed on file**.

House File 675, a bill for an act relating to the payment of court costs.

Read first time and **passed on file**.

On motion of Senator Lamborn, the Senate recessed until 1:15 p.m.

AFTERNOON SESSION

The Senate reconvened, President Jepsen presiding.

CONSIDERATION OF BILLS

Senate File 392

The Senate resumed consideration of Senate File 392 and division 4 of the Potgeter amendment.

Senator Potgeter asked and received unanimous consent to withdraw division 4 of the amendment.

Senator Anderson withdrew the following amendment filed by him on March 24, 1971:

- 1 Amend Senate File 392 as follows:
- 2 1. Page 4, by striking all of lines 1 through 8 and
- 3 inserting in lieu thereof the following:
- 4 "4. Every seller, dealer and market operator shall keep
- 5 a record of origin of swine moved by or".
- 6 2. Page 4, by striking in lines 15 and 16 the words
- 7 "individual identification,".
- 8 3. Page 4, by striking all of lines 21 and 22 and
- 9 inserting in lieu thereof the word "certification."
- 10 4. Page 4, by striking all of lines 23 through 26.

Senator Anderson withdrew the following amendment filed by him on March 30, 1971:

- 1 Amend Senate File 392, page 4, line 1, by inserting after
- 2 the word "moved" the word "interstate".

Senator Mowry offered the following amendment by Senators Mowry and Potgeter and moved its adoption:

- 1 Amend Senate File 392, page 3, line 35, by adding the
- 2 following after the period:
- 3 "Any rule or regulation, the violation of which is made the basis
- 4 for revocation, except temporary emergency rules, shall first
- 5 have been approved after public hearing as provided in section
- 6 seventeen A point sixteen (17A.16) of the Code after giving twenty
- 7 days' notice of such hearing as follows:
- 8 By mailing notice, by ordinary mail, to every person
- 9 filing a request for notice accompanied by an addressed envelope
- 10 with prepaid postage. Any person may file such a request to be
- 11 listed with any agency for notice for the time and place for all
- 12 hearings on proposed rules, which request shall be accompanied
- 13 by a remittance of five dollars. Such fee shall be added to the
- 14 operating fund of the department. The listing shall expire
- 15 semiannually on January 1 and July 1."

The amendment was adopted.

Senator Anderson offered the following amendment filed by him on March 30, 1971:

- 1 Amend Senate File 392, page 4, by striking all of lines
- 2 19 through 22 and inserting in lieu thereof the following:
- 3 "All native swine sold as feeders or for slaughter or

- 4 to move direct from farm to farm and swine sold at Iowa
- 5 auction markets are exempt from identification requirements.

Senator Anderson moved the adoption of his amendment and requested a roll call.

On the question "Shall the Anderson amendment be adopted?" (S.F. 392) the vote was:

Rule 24 was invoked.

Ayes, 21:

Anderson	Erskine	Miller	Riley
Balloun	Gaudineer	Neu	Robinson
Briles	Glenn	Palmer	Tapscott
Carlson	Gross	Potgeter	Van Drie
Davis	Kennedy	Rhodes	Walsh
Doderer			

Nays, 24:

Bass	Graham	Mowry	Shaff
Brownlee	Hill	Nicholson	Shawver
Conklin	Keith	Ollenburg	Smith
Curran	Lamborn	Potter	Stephens
DeKoster	Messerly	Rabedeaux	Thordsen
Gilley	Milligan	Schaben	Van Gilst

Absent or not voting, 5:

Arbuckle	Griffin	Kyhl	Laverty
Coleman			

The amendment lost.

Senator Potgeter offered the following amendment by Senators Potgeter, Stephens and Hill and moved its adoption:

- 1 Amend Senate File 392, page 5, by striking line 6 and
- 2 inserting in lieu thereof the words "There can only be one
- 3 transfer by a dealer, involving not more than two markets,
- 4 prior to quarantine."

The amendment was adopted.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which the Anderson amendment filed March 30 to Senate File 392 failed to be adopted.

JAMES F. SCHABEN

(Senate File 392 pending.)

SENATE CONCURRENT RESOLUTION 38

By Lamborn

Be It Resolved by the Senate, the House Concurring: That when adjournment is had on Friday, May 28, 1971, it be to reconvene on Monday, January 10, 1972, at 10:00 a.m.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 323 passed the Senate.

MINNETTE DODERER

REPORTS OF COMMITTEES

Senator Stephens submitted the following reports:

MR. PRESIDENT: Your committee on agriculture, to which was referred **House File 287**, a bill for an act relating to the labeling of seed corn containers, begs leave to report it has had the same under consideration and recommends the same **do pass**.

RICHARD L. STEPHENS, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on agriculture, to which was referred **House File 391**, a bill for an act relating to the bonding of operators of slaughterhouses buying cattle, hogs, or sheep, and the bonding of agents, dealers, or brokers of such operators, and providing a penalty, begs leave to report it has had the same under consideration and recommends the same **be amended as follows; and when so amended the bill do pass**:

- 1 Amend House File 391, page 6, by adding after line 4 the
- 2 following new subsection:
- 3 "3. In lieu of a bond or deposit, the applicant may file
- 4 an annual sworn financial statement certified by a certified
- 5 public accountant showing all assets and liabilities and
- 6 supporting data as the department may require. The statement
- 7 shall show the applicant's current net worth to be not less
- 8 than five times the amount of the bond or deposit otherwise
- 9 required by this section. If upon examination of any
- 10 financial statement the department considers that the applicant
- 11 has furnished insufficient proof of financial responsibility,
- 12 a written order may be issued directing the applicant to
- 13 provide the bond or deposit required by this section.
- 14 Failure to comply with an order shall be cause for revocation
- 15 or suspension of license."

RICHARD L. STEPHENS, Chairman

Ordered passed on file.

Senator Conklin submitted the following report:

MR. PRESIDENT: Your committee on schools, to which was referred **House File 317**, a bill for an act relating to the supervision of local budget preparation, begs leave to report it has had the same under consideration and recommends the same **do pass**.

W. CHARLENE CONKLIN, Chairman

Ordered passed on file.

AMENDMENTS FILED

- 1 Amend Senate File 184, page 12, by adding the
- 2 following new section after line 2:
- 3 Sec. 18. The provisions of the Act shall become
- 4 effective January 1, 1972.

EDWARD E. NICHOLSON
CHARLES P. MILLER
HAROLD A. THORSEN
JOHN M. WALSH

- 1 Amend Senate File 259 as follows:
- 2 1. Page 5, line 2, by inserting after the word
- 3 "fund" the words "if the owner of the motorboat or
- 4 sailboat resides outside the corporate limits of a city
- 5 or town, or to the general fund of the city or town if
- 6 the owner of the motorboat or sailboat resides within the
- 7 corporate limits of a city or town."
- 8 2. Page 5, by striking lines 3 and 4 and inserting
- 9 in lieu thereof the following:
- 10 "If the owner of a motorboat or sailboat is a
- 11 nonresident, the county treasurer shall allocate those
- 12 funds to the general fund of the county if the motorboat
- 13 or sailboat is stored or principally used outside the
- 14 corporate limits of a city or town, or to the general
- 15 fund of the city or town if the motorboat or sailboat is
- 16 stored or principally used within the corporate limits
- 17 of a city or town."

ALDEN J. ERSKINE

- 1 Amend Senate File 356, page 2, line 27, by striking the
- 2 word "not".

J. WESLEY GRAHAM

- 1 Amend Senate File 397 as follows:
- 2 1. Page 15, line 24, by inserting after the word "duties"
- 3 the words ", if an appropriation is made by the General Assembly
- 4 for such purposes".
- 5 2. Page 48, line 21, by inserting after the word "duties"
- 6 the words ", if an appropriation is made by the General Assembly
- 7 for such purposes".

RALPH W. POTTER

- 1 Amend Senate File 397 as follows:
- 2 1. Page 106, by striking lines 15 through 35, and all of
- 3 pages 107 through 116, inclusive, and on page 117, lines 1 through
- 4 28, inclusive.

RALPH W. POTTER

- 1 Amend Senate File 397 as follows:
- 2 1. Page 121, line 32, strike the words "library
- 3 board of trustees or a city".
- 4 2. Page 122, line 1, strike the words "the boards"
- 5 and insert in lieu thereof the words "a board".
- 6 3. Page 122, line 5, strike the words "library or".

- 7 4. Page 122, lines 6 and 7, strike the words
8 "library or".
9 5. Page 122, line 13, strike the words "library or".

G. WILLIAM GROSS

- 1 Amend Senate File 470 by striking all after the
2 period in line 12, and by striking lines 13 through
3 19, inclusive.

MINNETTE DODERER

- 1 Amend Senate File 512, page 2, line 16, by inserting after
2 the word "thousand" the words "five hundred".

HAROLD A. THORDSEN
TOM RILEY

- 1 Amend Senate File 517 as follows:
2 1. Page 4, by inserting after line 34 the following
3 new sections:
4 a. "Section two hundred seventy-five point twelve
5 (275.12), subsection two (2), Code 1971, is amended by
6 adding the following paragraph:
7 'e. Election of not more than one-half of the total
8 number of school directors at large from the entire
9 district and the remaining directors from designated
10 director districts into which the entire school district
11 shall be divided. In such case, all at large directors
12 shall be elected by the electors of the entire school
13 district and the remaining directors shall be residents
14 of, and be elected by the electors of, their
15 respective director districts.'"
16 b. "Section two hundred seventy-five point thirty-
17 six (275.36), Code 1971, is amended as follows:
18 275.36 SUBMISSION OF CHANGE TO ELECTORS. If a
19 petition for a change in the number of directors or in
20 the method of election of school directors, describing
21 the boundaries of the proposed director districts, if
22 any, signed by [at least one-third of] the voters residing
23 within the school district [and accompanied by affidavit
24 as required by section 275.13] in number equal to at least
25 the total number of those voting at the last election of

Page 2

- 1 school officials, be filed with the school board of a
2 school district, [not earlier than six months and not
3 later than two months before a regular or special school
4 election, the school board shall submit such proposition
5 to the voters at such election] or if such petition has
6 been previously filed with the school board but such
7 proposition has not been submitted to the voters of such
8 school district before the effective date of this Act,
9 the board shall call an election, fixing the time and
10 place at which the proposition shall be submitted to the
11 voters of the school district, which election shall be
12 held not less than forty-five days before the next
13 regular school election, unless the petition is filed

14 *less than seventy-five days prior to the next regular*
15 *election, in which event the election on the proposition*
16 *shall be held not less than forty-five days before the*
17 *first regular election following the next regular*
18 *election."*

19 c. "Section two hundred seventy-five point thirty-
20 seven (275.37), Code 1971, is amended by striking the
21 section and inserting in lieu thereof the following:

22 275.37 ELECTION OF DIRECTORS IF CHANGE APPROVED. If
23 a change in the method of the election of school directors
24 or a reduction in the number of school directors is
25 approved at an election by the voters of a school district,

Page 3

1 all directors of the district shall be elected at the
2 next regular school election. If a change in the number
3 of school directors, which increases the number of
4 directors, is approved at an election by the voters of
5 a school district, the additional directors shall be
6 elected at the next regular school election."

7 d. "Section two hundred seventy-seven point twenty-
8 seven (277.27), Code 1971, is amended as follows:

9 277.27 QUALIFICATION. A school officer or member of
10 the board shall, at the time of election or appointment,
11 be a qualified voter of the corporation or subdistrict.
12 *Notwithstanding any contrary provision of the Code, no*
13 *member of the board of directors of any school district,*
14 *or his or her spouse, shall receive compensation di-*
15 *rectly from the school board."*

16 2. By renumbering the sections to conform to this
17 amendment.

JOHN L. MOWRY

1 Amend the Thordsen, et al., amendment, filed April 21, 1971, to
2 House File 216, line 8, by striking the word "construction" and
3 inserting the word "construct".

HAROLD A. THORDSEN
ALDEN J. ERSKINE

1 Amend House 522 as follows:

2 1. Page 2, line 31, by striking the words "state fire
3 marshal" and inserting in lieu thereof the words "commissioner
4 of public safety".

5 2. Page 2, line 33, by striking the words "state fire
6 marshal" and inserting in lieu thereof the words "commissioner
7 of public safety".

8 3. Page 3, lines 9 and 10, by striking the words "state
9 fire marshal" and inserting in lieu thereof the words "commis-
10 sioner of public safety".

11 4. Page 3, line 15, by striking the words "state fire
12 marshal" and inserting in lieu thereof the words "commissioner
13 of public safety".

14 5. Page 3, line 23, by striking the words "state fire
15 marshal" and inserting in lieu thereof the words "commissioner
16 of public safety".

- 17 6. Page 3, line 29, by striking the words "state fire
18 marshal" and inserting in lieu thereof the words "commissioner
19 of public safety".
20 7. Page 3, line 30, by striking the words "state fire
21 marshal" and inserting in lieu thereof the words "commissioner
22 of public safety".
23 8. Page 4, line 30, by striking the words "state fire
24 marshal" and inserting in lieu thereof the words "commissioner
25 of public safety".

Page 2

- 1 9. Page 5, line 8, by striking the words "state fire
2 marshal" and inserting in lieu thereof the words "commissioner
3 of public safety".
4 10. Page 5, line 27, by striking the words "state fire
5 marshal" and inserting in lieu thereof the words "commissioner
6 of public safety".
7 11. Page 5, line 27, by striking the words "fire marshal's"
8 and inserting in lieu thereof the word "commissioner's".
9 12. Page 6, line 4, by striking the words "state fire
10 marshal" and inserting in lieu thereof the words "commissioner
11 of public safety".
12 13. Page 6, lines 10 and 11, by striking the words "state
13 fire marshal" and inserting in lieu thereof the words "commissioner
14 of public safety".
15 14. Page 6, line 33, by striking the words "state fire
16 marshal" and inserting in lieu thereof the words "commissioner
17 of public safety".
18 15. Page 7, line 17, by striking the words "state fire
19 marshal and to the division of" and all of lines 18 and 19 and
20 inserting in lieu thereof the words "commissioner of public
21 safety".
22 16. Page 7, lines 26 and 27, by striking the words "state
23 fire marshal" and inserting in lieu thereof the words "commis-
24 sioner of public safety".
25 17. Page 8, lines 24 and 25, by striking the words "state

Page 3

- 1 fire marshal" and inserting in lieu thereof the words "commis-
2 sioner of public safety".
3 18. Page 8, lines 25 and 26, by striking the words "fire
4 marshal" and inserting in lieu thereof the word "commissioner".
5 19. Page 9, line 11, by striking the words "state fire
6 marshal" and inserting in lieu thereof the words "commissioner
7 of public safety".

JAMES A. POTGETER

- 1 Amend House File 522 as follows:

- 2 1. Page 3, lines 31, by striking the word "sixty" and
3 inserting in lieu thereof the word "ten".
4 2. Page 3, line 33, by striking all after the word "first"
5 and all of lines 34 and 35 and inserting in lieu thereof a
6 period.
7 3. Page 4, by striking all of lines 1, 2 and 3.

JAMES A. POTGETER

- 1 Amend House File 522, page 5, by striking all after the
- 2 period in line 14 and all of lines 15 and 16.

JAMES A. POTGETER

- 1 Amend House File 522 as follows:
- 2 1. Page 5, line 28, by striking all after the word "court"
- 3 and inserting in lieu thereof a period, and by striking all of
- 4 lines 29 through 32, inclusive.
- 5 2. Page 6, line 1, by striking all after the word "sought"
- 6 and all of lines 2 and 3 and inserting in lieu thereof the words
- 7 " , and to the district court."

JAMES A. POTGETER

- 1 Amend House File 522 as follows:
- 2 1. Page 9, by striking lines 16 through 26, inclusive.
- 3 2. Page 1, line 4, by striking all after the word
- 4 "regulations" and all of lines 5 and 6 and inserting in lieu
- 5 thereof a period.

JAMES A. POTGETER

On motion of Senator Lamborn, the Senate adjourned until 8:30 a.m., Tuesday, May 4, 1971.

JOURNAL OF THE SENATE

ONE HUNDRED FOURTEENTH DAY

SENATE CHAMBER

DES MOINES, IOWA, TUESDAY, MAY 4, 1971

The Senate met in regular session, Senator Brownlee presiding.

Prayer was offered by the Reverend Allan Wirtz, pastor of the Presbyterian Church, Estherville, Iowa.

The Senate pledged allegiance to the flag.

The Journal of Monday, May 3, 1971, was approved.

PRESENTATION OF VISITORS

Senator Briles rose on a point of personal privilege and presented to the Senate the Honorable Kathlyn M. Kirketeg, former member of the Senate from Taylor County.

The Chair announced that the following visitors were present in the Senate gallery:

Thirty-three students from West Central Community School District, Maynard, Iowa, accompanied by their instructors, Mr. Sampson and Mr. Miller.

One hundred thirty students from Beckman High School, Dyersville, Iowa, accompanied by their principal, Brother Michael Palmer.

Thirty-five students from Harmony Community School, Farmington, Iowa, accompanied by their instructor, Mr. Walton.

A group of students from Lynn County, accompanied by Mrs. Dawson, Mrs. Geiger, Mrs. Frank, Mrs. Wilford, Mrs. Walthan and Mrs. Smith.

PETITION

The following petition was presented and placed on file:

By Senator Stephens, from seventy-three residents of Henry County favoring Senate File 128, exempting coin-operated laundries from the service tax.

CONSIDERATION OF BILLS

Senator Lamborn asked and received unanimous consent to take up out of order Senate File 138.

Senate File 138

On motion of Senator Miller, Senate File 138, a bill for an act to establish a chiropractic examining board fund and to increase the fee for renewal of a license to practice chiropractic, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Mowry offered the following amendment by the committee on commerce and moved its adoption:

- 1 Amend Senate File 138 as follows:
- 2 1. Page 2, line 10, by inserting after the word
- 3 "practice" the words "*chiropractic or*".
- 4 2. Page 2, by adding the following new section after
- 5 line 18:
- 6 "Sec. 2. Section one hundred forty-seven point
- 7 eighty (147.80), subsection two (2), Code 1971, is
- 8 amended by adding the following new section:
- 9 'For a license to practice chiropractic issued by
- 10 endorsement or under a reciprocal agreement, one hundred
- 11 dollars.' "
- 12 3. Page 2, line 17, by striking the word
- 13 "*chiropractic*".
- 14 4. Page 2, line 32, by striking the words "*calendar*
- 15 *year*" and inserting in lieu thereof the word "*biennium*".
- 16 5. By renumbering the last section.

The amendment was adopted.

Senator Miller moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 138) the vote was:

Ayes, 37:

Anderson	DeKoster	Messerly	Rhodes
Arbuckle	Erskine	Miller	Riley
Balloun	Glenn	Mowry	Robinson
Bass	Graham	Neu	Smith
Briles	Griffin	Nicholson	Stephens
Brownlee	Gross	Ollenburger	Tapscott
Carlson	Keith	Potgeter	Thordsen
Coleman	Kennedy	Potter	Van Drie
Conklin	Lamborn	Rabedeaux	Van Gilst
Curran			

Nays, none.

Voting present, 3:

Gilley	Hill	Milligan
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Absent or not voting, 10:

Davis	Kyhl	Schaben	Shawver
Doderer	Laverty	Shaff	Walsh
Gaudineer	Palmer		

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

Senator Lamborn asked and received unanimous consent to take up out of order Senate File 199.

Senate File 199

On motion of Senator Miller, Senate File 199, a bill for an act relating to prohibited advertising practices by chiropractors and providing a penalty therefor, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Miller offered the following amendment recommended by the committee on commerce and moved its adoption:

Amend Senate File 199, line 8, by striking the word "improper,".

Senator Potgeter asked unanimous consent that further action on Senate File 199 be deferred and that the bill be placed on the calendar under unfinished business.

Objection was raised.

Senator Potgeter moved that further action on Senate File 199 be deferred and that the bill be placed on the calendar under unfinished business.

Division was called for.

The motion lost.

Senator Miller moved the adoption of his amendment.

Roll call was requested.

On the question "Shall the amendment be adopted?" (S.F. 199) the vote was:

Ayes, 39:

Arbuckle	Ersine	Milligan	Robinson
Briles	Gaudineer	Mowry	Schaben
Brownlee	Glenn	Neu	Shawver
Carlson	Graham	Nicholson	Smith
Coleman	Griffin	Ollenburg	Stephens
Conklin	Gross	Palmer	Tapscott
Curran	Kennedy	Potter	Thorsen
Davis	Lamborn	Rabedeaux	Van Drie
DeKoster	Laverty	Rhodes	Van Gilst
Doderer	Miller	Riley	

Nays, 5:

Anderson	Bass	Hill	Potgeter
Balloun			

Voting present, 1:

Gilley

Absent or not voting, 5:

Keith	Messerly	Shaff	Walsh
Kyhl			

The amendment was adopted.

Senator Miller moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 199) the vote was:

Ayes, 43:

Anderson	DeKoster	Laverty	Rhodes
Arbuckle	Doderer	Miller	Riley
Balloun	Erskine	Milligan	Robinson
Bass	Gaudineer	Mowry	Schaben
Briles	Glenn	Neu	Smith
Brownlee	Graham	Nicholson	Stephens
Carlson	Griffin	Ollenburg	Tapscott
Coleman	Gross	Palmer	Thordsen
Conklin	Keith	Potgeter	Van Drie
Curran	Kennedy	Potter	Van Gilst
Davis	Lamborn	Rabedaux	

Nays, none.

Voting present, 2:

Gilley	Hill
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Absent or not voting, 5:

Kyhl	Shaff	Shawver	Walsh
Messerly			

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

UNFINISHED BUSINESS

Senate File 392

The Senate resumed consideration of Senate File 392, a bill for an act relating to the eradication of hog cholera and the control and eradication of the swine diseases.

Senator Schaben called up the following motion filed by him on May 3:

MR. PRESIDENT: I move to reconsider the vote by which the Anderson amendment filed March 30 to Senate File 392 failed to be adopted.

President Jepsen took the chair at 9:40 a.m.

Senator Schaben moved the adoption of his motion to reconsider and requested a roll call.

On the question "Shall the motion to reconsider the Anderson amendment be adopted?" (S.F. 392) the vote was:

Ayes, 15:

Anderson	Gross	Neu	Robinson
Balloun	Kennedy	Palmer	Schaben
Briles	Laverty	Potgeter	Walsh
Coleman	Miller	Rhodes	

Nays, 32:

Arbuckle	Doderer	Lamborn	Riley
Bass	Gaudineer	Messserly	Shaff
Brownlee	Gilley	Milligan	Shawver
Carlson	Glenn	Mowry	Smith
Conklin	Graham	Nicholson	Stephens
Curran	Griffin	Ollenburg	Tapscott
Davis	Hill	Potter	Van Drie
DeKoster	Keith	Rabedeaux	Van Gilst

Absent or not voting, 3:

Erskine	Kyhl	Thordsen
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The motion to reconsider lost.

Senator Stephens moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

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

Ayes, 39:

Arbuckle	Gilley	Milligan	Riley
Bass	Glenn	Mowry	Robinson
Brownlee	Graham	Neu	Shaff
Carlson	Griffin	Nicholson	Smith
Conklin	Hill	Ollenburg	Stephens
Curran	Keith	Palmer	Tapscott
Davis	Lamborn	Potgeter	Van Drie
DeKoster	Laverty	Potter	Van Gilst
Doderer	Messerly	Rabedeaux	Walsh
Gaudineer	Miller	Rhodes	

Nays, 7:

Anderson	Briles	Gross	Schaben
Balloun	Coleman	Kennedy	

Absent or not voting, 4:

Erskine	Kyhl	Shawver	Thordsen
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Stephens moved that the vote by which Senate File 392 passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

CONSIDERATION OF BILLS

Senator Lamborn asked and received unanimous consent to take up out of order House File 522.

House File 522

On motion of Senator Graham, House File 522, a bill for an act relating to the regulation of the manufacture, sale, transportation, storage, possession, and use of explosive materials; providing penalties for violations of those regulations; and requiring prompt reporting of knowledge or discovery of explosive devices, and providing a penalty for failure to so report, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Thordsen offered the following amendment filed by him on April 30, 1971, and moved its adoption:

1 Amend House File 522 as follows:

2 1. Page 4, line 7, by adding after the figure "(3)" the words
3 and figures " , section eight (8), section nine (9), and section ten (10)".

4 2. Page 4, by adding the new subsection after line 11:

5 "4. Commercial dealers having a federal firearms license
6 shall be exempt from the requirement or the commercial
7 license requirement of this Act for importation,
8 distribution, sale, transportation, storage and
9 possession of smokeless powder propellents or black
10 sporting powder propellents provided that such dealer
11 must conform and comply to rules, regulations, or
12 ordinances of federal, state, city or town authorities
13 having jurisdiction of such powder."

14 3. Page 7, line 30, by adding after the word "by" the words
15 "the regular military or naval forces of the United States, the duly
16 organized militia of this state."

17 4. Page 8, line 8, by striking the word "five" and inserting
18 the word "ten".

19 5. Page 8, by striking lines 10 through 18, inclusive, and in-
20 serting in lieu thereof the following:

21 "1. Smokeless powder is intended for handloading or re-
22 loading of ammunition for small arms with bores
23 equivalent to ten gauge or less.

24 2. Black sporting powder is intended for handloading or
25 reloading ammunition for small arms with bores.

Page 2

1 equivalent to ten gauges or less, loading black
2 ammunition, loading cap and ball revolvers, loading
3 muzzle loading arms, or loading muzzle loading cannon.

4 3. All such powder is for private use and not for commercial
5 resale, and in the case of black sporting powder or
6 smokeless powder the sharing with or disposition to
7 another person is permitted if otherwise lawful."

The amendment was adopted.

Senator Potgeter offered the following amendment and moved its adoption:

- 1 Amend House File 522 as follows:
- 2 1. Page 2, line 31, by striking the words "state fire
- 3 marshal" and inserting in lieu thereof the words "commissioner
- 4 of public safety".
- 5 2. Page 2, line 33, by striking the words "state fire
- 6 marshal" and inserting in lieu thereof the words "commissioner
- 7 of public safety".
- 8 3. Page 3, lines 9 and 10, by striking the words "state
- 9 fire marshal" and inserting in lieu thereof the words "commis-
- 10 sioner of public safety".
- 11 4. Page 3, line 15, by striking the words "state fire
- 12 marshal" and inserting in lieu thereof the words "commissioner
- 13 of public safety".
- 14 5. Page 3, lines 23, by striking the words "state fire
- 15 marshal" and inserting in lieu thereof the words "commissioner
- 16 of public safety".
- 17 6. Page 3, line 29, by striking the words "state fire
- 18 marshal" and inserting in lieu thereof the words "commissioner
- 19 of public safety".
- 20 7. Page 3, line 30, by striking the words "state fire
- 21 marshal" and inserting in lieu thereof the words "commissioner
- 22 of public safety".
- 23 8. Page 4, line 30, by striking the words "state fire
- 24 marshal" and inserting in lieu thereof the word "commissioner
- 25 of public safety".

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- 1 9. Page 5, line 8, by striking the words "state fire
- 2 marshal" and inserting in lieu thereof the words "commissioner
- 3 of public safety".
- 4 10. Page 5, line 27, by striking the words "state fire
- 5 marshal" and inserting in lieu thereof the words "commissioner
- 6 of public safety".
- 7 11. Page 5, lines 27, by striking the words "fire marshal's"
- 8 and inserting in lieu thereof the word "commissioner's".
- 9 12. Page 6, line 4, by striking the words "state fire
- 10 marshal" and inserting in lieu thereof the words "commissioner
- 11 of public safety".
- 12 13. Page 6, lines 10 and 11, by striking the words "state
- 13 fire marshal" and inserting in lieu thereof the words "commissioner
- 14 of public safety".
- 15 14. Page 6, line 33, by striking the words "state fire
- 16 marshal" and inserting in lieu thereof the word "commissioner
- 17 of public safety".
- 18 15. Page 7, line 17, by striking the words "state fire
- 19 marshal and to the division of" and all of lines 18 and 19 and
- 20 inserting in lieu thereof the words "commissioner of public
- 21 safety".
- 22 16. Page 7, lines 26 and 27, by striking the words "state
- 23 fire marshal" and inserting in lieu thereof the words "commis-
- 24 sioner of public safety".
- 25 17. Page 8, lines 24 and 25, by striking the words "state

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- 1 fire marshal" and inserting in lieu thereof the words "commis-
- 2 sioner of public safety".
- 3 18. Page 8, lines 25 and 26, by striking the words "fire
- 4 marshal" and inserting in lieu thereof the word "commissioner".
- 5 19. Page 9, line 11, by striking the words "state fire
- 6 marshal" and inserting in lieu thereof the words "commissioner
- 7 of public safety".

The amendment was adopted.

Senator Potgeter offered the following amendment filed by him and moved its adoption:

- 1 Amend House File 522 as follows:
- 2 1. Page 3, line 31, by striking the word "sixty" and
- 3 inserting in lieu thereof the word "ten".
- 4 2. Page 3, line 33, by striking all after the word "first"
- 5 and all of lines 34 and 35 and inserting in lieu thereof a
- 6 period.
- 7 3. Page 4, by striking all of lines 1, 2 and 3.

Division was called for.

The amendment lost.

Senator Potgeter offered the following amendment and moved its adoption:

- 1 Amend House File 522, page 5, by striking all after the
- 2 period in line 14 and all of lines 15 and 16.

Division was called for.

The amendment lost.

Senator Potgeter offered the following amendment:

Division 1

- 1 Amend House File 522 as follows:
- 2 1. Page 5, line 28, by striking all after the word "court"
- 3 and inserting in lieu thereof a period, and by striking all of
- 4 lines 29 through 32, inclusive.

Division 2

- 5 2. Page 6, line 1, by striking all after the word "sought"
- 6 and all of lines 2 and 3 and inserting in lieu thereof the words
- 7 " , and to the district court."

Senator Arbuckle called for a division of the amendment, section 1 to be considered as division 1, and section 2, as division 2.

Senator Potgeter moved the adoption of division 1 of the amendment.

Division was called for.

Division 1 of the amendment was adopted.

Senator DeKoster asked and received unanimous consent that division 2 of the amendment be deferred temporarily for the preparation of an amendment.

(House File 522 pending.)

On motion of Senator Lamborn, the Senate recessed until 1:15 p.m.

AFTERNOON SESSION

The Senate reconvened, President Jepsen presiding.

SENATE CONCURRENT RESOLUTION 39

By Committee on Schools

Whereas, the General Assembly desires to offer an equal educational opportunity to all residents of our state; and

Whereas, the citizens of Iowa have displayed considerable concern over the increasing cost of operating our secondary and elementary schools, county schools, and joint county and merged county school systems; and

Whereas, the county school systems and the joint county school systems and merged county school systems in many instances are having difficulty justifying their budgets, and it appears that the programs of these systems are in many cases a duplication of programs provided by elementary and secondary school systems; and

Whereas, school districts in Iowa are located in areas where enrollment is decreasing and are continuing to face salary disparity, high per pupil costs, limited vocational programs, lack of student exposure to work-study situations, multiple assignment for teachers, and limited course offering; and

Whereas, many areas in Iowa are experiencing population shifts, *Now Therefore*,

Be It Resolved by the Senate, the House Concurring, That a study committee be established to review, study, and obtain as much information as possible concerning the present organization of the various school districts and county school systems and joint county school systems, and also the financing of these districts and systems; and

Be It Further Resolved, That the study committee shall study, investigate, and make suggestions and recommendations concerning a reduction in the present elementary and secondary school systems and the creation of a new or modified organizational structure such as county-like administrative units, except where populations or geographic conditions would otherwise dictate, and that consideration may be given to abolishing, modifying, or replacing the county, joint county, and merged school systems. The number of schools where children attend should, if possible, remain the same in any recommendations to be made by the committee in order that students within their respective school districts will receive a quality education in an efficient manner; and

Be It Further Resolved, That the membership of the study committee shall include two members of the Senate, appointed by the President of the Senate; two members of the House of Representatives, appointed by the Speaker of the House; five Iowa citizens interested in education but not actively engaged as a member or employee of the educational system, to be appointed by the Governor of the State of Iowa; and six members, one each

representing the State Board of Public Instruction, the Iowa State Education Association, the State School Board Association, the Iowa School Administrators Association, the American Federation of Teachers, and the Governor's educational advisory committee, such persons to be selected by the organizations they represent and the names thereof to be forwarded to the legislative council; these six members to serve as advisory members; and

Be It Further Resolved, That the study committee make periodic reports to the legislative council and shall submit a final report, including necessary bill drafts to implement its recommendations, to the legislative council. Copies of the report approved by the legislative council shall be submitted by the opening day of the Sixty-fifth General Assembly.

SENATE CONCURRENT RESOLUTION 40

By Arbuckle

Whereas, the Governor's Economy Committee Report recommends that the Iowa Highway Commission undertake to accomplish, with its own staff, a greater share of the design work required to develop the desired highway system for the State of Iowa, and

Whereas, the lack of trained technical and professional personnel, caused by physical limitations, unrealistic job classifications and low competitive salary structure, necessitates that the Iowa Highway Commission spend 2.43 times more than the "in-house" rate of performing the same work, and

Whereas, the aforesaid report documents a savings to the State of Iowa, in only one department of the Highway Commission, of \$300,000 annually if the Iowa Highway Commission could perform 90 percent of its design responsibility,

Now Therefore, Be It Resolved, that it is the sense of the members of the Sixty-fourth General Assembly that the Iowa Highway Commission be encouraged to augment its "in-house" capability in order to realize the aforesaid immediate and direct savings to the State of Iowa.

Be It Further Resolved, that copies of this concurrent resolution be transmitted to the Iowa State Highway Commission, the Executive Council, and the Merit Employment Department.

BILL ASSIGNED TO COMMITTEE

President Jepsen announced the assignment of the following bill to committee:

H. F. 675 Judiciary

REPORTS OF COMMITTEES

Senator Messerly submitted the following reports:

MR. PRESIDENT: Your committee on appropriations, to which was referred **Senate File 110**, a bill for an act relating to the judicial retirement system, begs leave to report it has had the same under consideration and recommends the same **do pass**.

FRANCIS L. MESSERLY, Chairman

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on appropriations, to which was referred **Senate File 134**, a bill for an act relating to free distribution of the Code of Iowa to members of Iowa's congressional delegation, begs leave to report it has had the same under consideration and recommends the same **do pass**.

FRANCIS L. MESSERLY, Chairman

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on appropriations, to which was referred **Senate File 512**, a bill for an act to provide property tax relief for persons sixty-five years of age or older or totally disabled, begs leave to report it has had the same under consideration and recommends the same **do pass**.

FRANCIS L. MESSERLY, Chairman

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on appropriations, to which was referred **Senate File 521**, a bill for an act to provide aid to cities and towns from sales tax receipts, begs leave to report it has had the same under consideration and recommends the same **do pass**.

FRANCIS L. MESSERLY, Chairman

Ordered passed on file.

Senator Mowry submitted the following report :

MR. PRESIDENT: Your committee on commerce, to which was referred **House File 132**, a bill for an act relating to the penalties for false use of credit cards and fraudulent use of wire services, begs leave to report it has had the same under consideration to recommends the same **do pass**.

JOHN L. MOWRY, Chairman

Ordered passed on file.

Senator Potgeter submitted the following reports :

MR. PRESIDENT: Your committee on state government, to which was referred **House Concurrent Resolution 22**, a concurrent resolution authorizing that the legislative council is authorized to create a study committee, as provided by law, to conduct interim comprehensive study of the penal and correctional system in Iowa, begs leave to report it has had the same under consideration and recommends the same **do pass**.

JAMES A. POTGETER, Chairman

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on state government, to which was referred **House File 600**, a bill for an act relating to the minimum age for appointment of commissioned and warrant officers in the national guard, begs leave to report it has had the same under consideration and recommends the same **do pass**.

JAMES A. POTGETER, Chairman

Ordered passed on file.

AMENDMENTS FILED

1 Amend Senate File 397 as follows:

2 1. Page 8, by adding after line 4 the following new section:

3 "A city may grant to any person a franchise to erect, maintain,
4 and operate plants and systems for electric light, heating and power,
5 heating, telephone, telegraph, cable television, district telegraph
6 and alarm, motor bus, trolley bus, street railway or other public
7 transit, waterworks, or gasworks within the city for a term of not
8 more than twenty-five years. The franchise may be granted, amended,
9 renewed, or extended only by an ordinance, but no exclusive franchise
10 shall be granted, amended, extended or renewed.

11 "No such ordinance shall become effective unless a majority of the
12 qualified electors voting thereon vote in favor thereof. The proposal
13 may be submitted by the council on its own motion to the voters at any
14 city election. Upon receipt of a valid petition as defined in Section
15 four (4) of this Act, requesting that a proposal be submitted to the
16 voters, the council shall submit the proposal at the next regular city
17 election or at a special election called for that purpose prior to
18 the next regular city election. If a majority of those voting approve
19 the proposal the city may proceed as proposed.

20 "Notice of the election shall be given by publication once each
21 week for four consecutive weeks in a newspaper of general circulation
22 in the city. The election shall be held on a day not less than five
23 nor more than twenty days after the last publication of notice.

24 "The person asking for the granting, amending, or extension of a
25 franchise shall pay the costs incurred in holding the election, including

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1 the notice thereof. No franchise shall be finally effective until an
2 acceptance in writing has been filed with the council and payment
3 of the costs have been made.

4 "The franchise ordinance may regulate the conditions required
5 and the manner of use of the streets and public grounds of the city;
6 and it may, for the purpose of providing electrical, gas, heating
7 or water service, confer the power to appropriate and condemn private
8 property upon the person so franchised."

9 2. By renumbering the sections and internal references where
10 applicable to conform with this amendment.

RALPH W. POTTER

1 Amend Senate File 397 as follows:

2 1. Page 8, line 28, by inserting after the word "city", the words
3 "having a population of five thousand or over".

4 2. Page 10, line 28, by striking the words ", and the commission's"
5 and inserting a period.

6 3. Page 10, by striking lines 29 and 30.

7 4. Page 81, lines 17 and 18 by striking the words "except for that
8 part for which railways are liable" and insert in lieu thereof the follow-
9 ing: "except for paving that portion of a street lying between railroad
10 tracks and one foot outside thereof".

11 5. Page 82, line 4, by adding the following new sentence after the
12 period: "Such connections shall not be installed to service railroad

- 13 right-of-way without written agreement with the railway company
owning or
14 leasing said right-of-way.”
15 6. Page 89, by striking lines 30 through 35, and page 90, by strik-
16 ing lines 1 through 11 inclusive.

JOHN M. WALSH

- 1 Amend Senate File 397 as follows:
2 1. Page 15, line 21, by inserting after the word “reap-
3 pointment” the words “, but no member shall serve more than two
4 complete six year terms”.
5 2. Page 15, line 23, by striking the word “forty” and
6 inserting in lieu thereof the word “thirty”.
7 3. Page 17, by striking lines 21 and 22 and inserting in
8 lieu thereof the words “his actual and necessary expenses spent
9 in performance of committee duties”.
10 4. Page 18, line 23, by striking the word “may” and
11 inserting in lieu thereof the word “shall”.

JAMES A. POTGETER

- 1 Amend Senate File 397 as follows:
2 1. Page 47, insert after line 11 the following new
3 section:
4 Sec. 91. After approval by the voters, a local sales
5 and use tax at a rate of one percent may be imposed by a
6 city on the gross receipts from the sale or use of tangi-
7 ble personal property or services subject to the state
8 sales and use tax.
9 Upon its own motion, or upon receipt of a valid
10 petition as defined in section four (4) of this Act re-
11 questing that an election be held, the city council shall
12 submit to the voters of the city, at a special election
13 called for that purpose, the question of imposing a local
14 sales and use tax. If a majority of those voting favors
15 the imposition of the tax, the council shall impose the
16 tax by ordinance, and shall continue to impose the tax
17 for a minimum of four years. After the four-year
18 period, the tax may be discontinued by the council
19 or by petition and election in the same manner as it
20 was imposed.
21 If a majority of those voting does not favor the
22 imposition of a local sales and use tax, the council shall
23 not submit the question of imposition of the same within
24 one year following the election.
25 The special election may not be held within thirty

Page 2

- 1 days of a general election. Prior to the special
2 election, the city council shall publish notice of the
3 election as provided in section three (3) of this Act,
4 except that the notice shall be published twice.
5 A local sales and use tax shall be imposed on the
6 same basis as the state sales and use tax and may not be
7 imposed on the sale or use of any tangible personal
8 property or services not taxed by the state. A local
9 sales and use tax is applicable only within the territori-

10 al limits of the city imposing it and shall be collected
11 by all persons required to collect state sales and use
12 taxes. The amount of the sale, for purposes of determin-
13 ing the amount of the local sales and use tax, does not
14 include the amount of the state sales and use tax. No
15 sales and use tax permit, other than the state sales and
16 use tax permits, may be required. A local sales and use
17 tax may be imposed either January first or July first
18 following a favorable election.

19 The director of revenue shall administer the pro-
20 visions of a local sales and use tax as nearly as possi-
21 ble in conjunction with the administration of state tax
22 laws. He shall provide appropriate forms, or provide on
23 the regular state tax forms, for reporting local sales
24 and use tax liability.

25 An ordinance imposing a local sales and use tax shall

Page 3

1 adopt by reference the applicable provisions of the
2 appropriate sections of chapters four hundred twenty-two
3 (422) and four hundred twenty-three (423) of the Code,
4 and all powers of the director to administer the state
5 sales and use tax law are applicable to his administra-
6 tion of a local sales and use tax ordinance. Local
7 officials shall confer with the director of revenue and
8 obtain his assistance in drafting the ordinance imposing
9 a local sales and use tax. A certified copy of the
10 ordinance shall be filed with the director as soon as
11 possible after passage.

12 The director, in consultation with local officials,
13 shall collect and account for a local sales and use tax.
14 The director shall retain for the use of the department
15 one percent of all local sales and use tax receipts, to
16 cover administrative expense, and shall credit remaining
17 local sales and use tax receipts to a local sales and
18 use tax fund hereby established in the office of the
19 treasurer of state.

20 The treasurer of state shall remit quarterly to the
21 cities which have imposed a local sales and use tax their
22 share of the balance in the local sales and use tax fund.
23 Local sales and use tax moneys received by a city may be
24 expended for any lawful city purpose.

25 2. Renumber sections and correct internal refer-

Page 4

1 ences as necessary in accordance with this amendment.

R. DEAN ARBUCKLE

1 Amend Senate File 397 as follows:

2 1. Page 48, line 12, by inserting after the word "reap-
3 pointment" the words " , but no member shall be appointed to
4 more than three terms".

5 2. Page 48, line 20, by striking the word "forty" and
6 inserting in lieu thereof the word "thirty".

JAMES A. POTGETER

- 1 Amend Senate File 397, page 76, by striking lines
- 2 8 through 10 inclusive.

LEE H. GAUDINEER, JR.

- 1 Amend Senate File 397 as follows:
- 2 1. Page 78, by striking lines 18 and 19 and inserting in
- 3 lieu thereof the words "pay assessments from funds appropriated
- 4 by the state legislature."
- 5 2. Page 78, line 27, by inserting after the word "owned"
- 6 the words "with funds appropriated by the state legislature".

JAMES A. POTGETER

- 1 Amend Senate File 397, page 79, after line 6, by in-
- 2 serting the following new subsection:
- 3 "The assessments authorized under subsections one (1)
- 4 and two (2) of this section, are not valid if the assess-
- 5 ment is in excess of twenty thousand dollars, unless pay-
- 6 ment of the assessment is provided for by a capital
- 7 appropriation by the general assembly."
- 8 Renumber sections and correct internal references
- 9 as required by this amendment.

LEE H. GAUDINEER, JR.

- 1 Amend Senate File 397 as follows:
- 2 1. Page 81, line 34, by inserting after the word "council"
- 3 the words ", except that the assessment for lots of more than
- 4 ten acres used for agricultural or horticultural purposes shall
- 5 not exceed ten percent of the value of the lot".
- 6 2. Page 82, line 4, by inserting after the word "apply"
- 7 the words "except for lots of more than ten acres used for
- 8 agricultural or horticultural purposes".

JAMES A. POTGETER

- 1 Amend Senate File 397, page 88, line 27, by inserting
- 2 after the word "correction" the words "if the ownership of the
- 3 property has not changed".

JAMES A. POTGETER

- 1 Amend Senate File 397, page 95, by adding after line 11 the
- 2 following new subsection:
- 3 "3. If a city enters into an agreement with one or more
- 4 cities or persons, as defined in this Act, for joint or cooperative
- 5 action in planning, owning, constructing, or operating physical
- 6 facilities located within the state of Iowa to be used in connection
- 7 with a city utility, the provisions of sections one hundred fifty-
- 8 nine (159) through one hundred seventy-three (173), inclusive, of
- 9 this Act shall apply and be available, and the provisions of sections
- 10 one hundred seventy-five (175) through one hundred eighty (180),
- 11 inclusive of this Act shall not be mandatory, provided, however,
- 12 that the provisions of sections 159 through 173 shall not apply
- 13 or be available if a separate entity is created under chapter 28 E
- 14 for such purposes.

RALPH W. POTTER

- 1 Amend the Potter amendment to page 95 of Senate File 397, filed
- May 4,

- 2 1971, line 14, by inserting after the word "purposes." the
3 following:
4 "Any such agreement shall not be effective until a franchise
5 therefor is granted by a vote of the qualified electors as provided
6 in section 13 of this Act."

LEE H. GAUDINEER, JR.

- 1 Amend the Potter amendment to Senate File 397, filed April
2 23, 1971, and appearing on page 963 of the Senate Journal, by
3 striking lines 3, 4, and 5 and inserting in lieu thereof "A city
4 may not acquire by condemnation any existing gasworks or electric
5 light and power plants and systems or incomplete parts thereof for
6 the purpose of operation of the same as a city utility unless and
7 until the contract or franchise of the owner thereof has expired
8 or been surrendered."

ALDEN J. ERSKINE

- 1 Amend Senate File 470 as follows:
2 Line 13, by adding after the word "comptroller"
3 the words "or his designees".

MINNETTE DODERER

- 1 Amend Senate File 519, page 2, by striking lines 1
2 through 25, inclusive, and inserting in lieu thereof the
3 following:
4 "Section 1. Section four hundred twenty-two point
5 five (422.5), Code 1971, is amended by striking subsec-
6 tions four (4) through seven (7), inclusive, and inserting
7 in lieu thereof the following:
8 4. On the fourth thousand dollars of taxable income,
9 or any part thereof, three and one-quarter percent.
10 5. On the fifth, sixth, and seventh thousand dollars
11 of taxable income, or any part thereof, four and six-
12 tenths percent.
13 6. On the eighth and ninth thousand dollars of tax-
14 able income, or any part thereof, six percent.
15 7. On all taxable income over nine thousand dollars
16 and not exceeding twenty-five thousand dollars, seven
17 percent.
18 8. On all taxable income over twenty-five thousand
19 dollars and not exceeding fifty thousand dollars, eight
20 percent.
21 9. On all taxable income over fifty thousand dollars,
22 nine percent."

ROGER J. SHAFF

- 1 Amend House File 522, page 3, by striking in lines 17 and 18
2 the words "fire marshal's" and inserting in lieu thereof the word
3 "commissioner's".

JAMES A. POTGETER

- 1 Amend House File 522, page 3, line 31, by striking the word
2 "sixty" and inserting in lieu thereof the word "twenty".

JOHN M. WALSH

- 1 Amend House File 522, page 5, line 28, by inserting
2 after the word "court." the words "Such appeal shall be
3 heard as a trial de novo."

JAMES A. POTGETER
LUCAS J. DeKOSTER
LEE H. GAUDINEER, JR.

- 1 Amend House File 522 as follows:

- 2 1. Page 6, line 26, by inserting after the period
3 the following:

4 "The prescribed procedure and method of inventory
5 shall, in any event, provide for the taking of at least
6 a weekly inventory of stored explosive materials."

- 7 2. Page 6, line 30, insert after the period the
8 following:

9 "The storage and security standards for a licensee
10 shall, in any event, include, at least, the following:

11 a. The explosive storage facility shall be a solidly
12 built structure with a floor which is secured to the
13 ground. It shall contain no windows.

14 b. The outer wall covering shall be constructed in
15 such a manner and of such material that entry cannot be
16 accomplished by prying apart or separating portions of
17 the outer wall covering.

18 c. The doors to the facility shall be fastened to
19 the facility by hinges and hasps that cannot be readily
20 removed or broken by the use of a pry bar or like tool.
21 The hinges and hasps shall be attached to the doors by
22 welding, riveting or bolting, with the nuts on the in-
23 side of the door. The rivets or bolts shall be installed
24 in such a manner that the hinges and hasps cannot be
25 removed when the doors are closed or locked.

Page 2

1 d. Each door shall be equipped with two mortise
2 locks; or with two padlocks fastened in separate hasps
3 and staples; or with a combination of mortise lock and
4 a padlock; or with a mortise lock that requires two keys
5 to open; or a three-point lock. All padlocks shall be
6 fine-tumbler proof. All padlocks shall be protected
7 with one-quarter inch steel caps constructed so as to
8 prevent sawing or lever action on the locks or hasps."

9 "The storage and security standards for a permittee
10 shall, in any event, include, at least the requirements
11 that explosives be placed in a container that cannot be
12 readily opened or dismantled by the use of a pry bar or
13 like tool; any lid or top thereto be secured to such
14 container in like manner; such lid or top, when closed,
15 be secured by a mortise lock or padlock that cannot be
16 readily removed or broken by the use of a pry bar or
17 like tool; and be securely anchored to the ground in
18 some manner."

- 19 3. Page 7, by inserting after line 1 the words:

20 "6. Conduct such inspections of licensees and
21 permittees as may be necessary to enforce the provisions

22 of this Act."

23 4. Page 7, by inserting the following new section
24 after line 8:

25 "The licensee's or permittee's explosive storage

Page 3

1 facility shall be inspected at least once every six
2 months by either the sheriff of the county where the
3 facility is located or by the local police authority if
4 the facility is located within a city of over ten thou-
5 sand population. The facility may be examined at other
6 times by the sheriff if he considers it necessary.

7 If the sheriff or local police authority find the
8 facility to be improperly secured, the licensee or per-
9 mittee shall immediately correct the improper security
10 and, if not so corrected, the sheriff or local police
11 authority shall immediately confiscate the stored explo-
12 sives. If the explosives are confiscated by the local
13 police authority, they shall be delivered to the sheriff.
14 The sheriff shall hold confiscated explosives for a
15 period of thirty days under proper security unless the
16 period of holding is shortened pursuant to this section.

17 If the licensee or permittee corrects the improper
18 security within such thirty day period, the explosives
19 shall be returned to the licensee or permittee after he
20 has made such correction and after he has paid into the
21 county fund an amount equal to the expense incurred by
22 the county in storing the explosives during the period
23 of confiscation. The amount of such expense shall be
24 determined by the sheriff.

25 If the improper security is not corrected during the

Page 4

1 thirty day period, the sheriff shall deliver the explo-
2 sives to the fire marshal for disposal and the license
3 or permit shall be canceled. Such canceled license or
4 permit shall not be reissued for a period of two
5 years from the date of cancellation.

6 The licensee or permittee may obtain possession of
7 the explosives from the sheriff during the thirty day
8 period for the purpose of disposing of them. The dis-
9 posal procedure shall conform to the provisions of
10 section eight (8) of this Act. The licensee or permittee
11 shall first pay into the county fund an amount equal to
12 the expense incurred by the county in storing the explo-
13 sives during the period of confiscation. The amount of
14 the expense shall be determined by the sheriff."

LEE H. GAUDINEER, JR.
HAROLD A. THORDSEN
W. CHARLENE CONKLIN
GENE V. KENNEDY
RALPH W. POTTER

1 Amend House File 522 as amended and passed by the House
2 by numbering properly and adding the following new section
3 after line 26 on page 9:

4 "Sec. 15. Any person who has an existing and valid
5 license or permit pursuant to the laws of the United States
6 to manufacture, import, distribute, sell, possess, transport,
7 store or detonate explosives shall be exempt from the pro-
8 visions of this Act."

EUGENE M. HILL
LEE H. GAUDINEER, JR.

1 Amend the Potgeter amendment filed May 3, 1971 to page 5 of
2 House File 522, line 7, by inserting after the word "and"
3 the words "de novo".

JAMES A. POTGETER
LUCAS J. DeKOSTER
LEE H. GAUDINEER, JR.

On motion of Senator Lamborn, the Senate adjourned until 8:30
a.m., Wednesday, May 5, 1971.

JOURNAL OF THE SENATE

ONE HUNDRED FIFTEENTH DAY

SENATE CHAMBER

DES MOINES, IOWA, WEDNESDAY, MAY 5, 1971

The Senate met in regular session, President Jepsen presiding.

Prayer was offered by the Reverend R. Ward Holder, pastor of the Argo United Presbyterian Church, Le Claire, Iowa.

The Senate pledged allegiance to the flag.

The Journal of Tuesday, May 4, 1971, was approved.

PRESENTATION OF VISITORS

The Chair announced that the following visitors were present in the Senate gallery:

Thirty students from St. Bernard School, Breda, Iowa, accompanied by Sister Rose Ellen.

Twenty-one students from College Community School, Cedar Rapids, Iowa, accompanied by Mrs. Ditch, Mrs. Nash, Mrs. Nadle, Mrs. Staskel and Mr. Chalmaland.

Forty-three students from Lamoni Community School, Lamoni, Iowa, accompanied by Mrs. Edwards and Mrs. Harris.

Sixteen students from St. Thomas Aquinas School, Webster City, Iowa, accompanied by Sister Lucy.

Sixty students from Southeast Warren Community School, Liberty Center, Iowa, accompanied by their instructors, Mrs. Hoch and John Riley.

Four students from Galen, St. Mary's and Kingsley High Schools, Plymouth County, Iowa, accompanied by Mr. and Mrs. Weston Karr and Mr. and Mrs. Gilbert Winter.

PETITIONS

The following petitions were presented and placed on file:

By Senator Smith, from twenty-four residents of Dickinson County opposing repeal of the Iowa Meat and Poultry Inspection law.

By Senator Van Gilst, from thirty-four residents of Mahaska

County opposing repeal of the Iowa Meat and Poultry Inspection law.

ADOPTION OF SENATE CONCURRENT RESOLUTION 38

Senator Lamborn called up for consideration the following resolution and moved its adoption:

SENATE CONCURRENT RESOLUTION 38

By Lamborn

Be It Resolved by the Senate, the House Concurring: That when adjournment is had on Friday, May 28, 1971, it be to reconvene on Monday, January 10, 1972, at 10:00 a.m.

The motion prevailed and the resolution was adopted.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Rhodes, from the joint committee on enrolled bills, submitted the following report and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate Files 155, 256, 269, 348, 389, 426 and 469.

JOHN C. RHODES
Chairman, Senate Committee
ELIZABETH R. MILLER
Chairman, House Committee

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate the following bills: Senate Files 155, 256, 269, 348, 389, 426 and 469.

BILLS SENT TO THE GOVERNOR

Senator Rhodes, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 5th day of May, 1971, sent to the Governor for his approval: Senate Files 155, 256, 269, 348, 389, 426 and 469.

JOHN C. RHODES, Chairman

Passed on file.

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

The Senate resumed session, President Jepsen presiding.

UNFINISHED BUSINESS

House File 522

The Senate resumed consideration of House File 522, a bill for an act relating to the regulation of the manufacture, sale, transportation, storage, possession, and use of explosive materials; providing penalties for violations of those regulations; and requiring prompt reporting of knowledge or discovery of explosive devices, and providing a penalty for failure to so report.

The Senate resumed consideration of division 2 of the Potgeter amendment temporarily deferred on May 4:

Division 2

- 5 2. Page 6, line 1, by striking all after the word "sought"
- 6 and all of lines 2 and 3 and inserting in lieu thereof the words
- 7 " , and to the district court."

Senator Potgeter offered the following amendment to division 2 of the amendment filed by Senators Potgeter, DeKoster and Gaudineer and moved its adoption:

- 1 Amend the Potgeter amendment filed May 3, 1971, to page 5 of
- 2 House File 522, line 7, by inserting after the word "and"
- 3 the words "de novo".

The amendment to division 2 of the amendment was adopted.

On motion of Senator Potgeter, division 2 of the amendment as amended was adopted.

Senator Van Drie withdrew the following amendment filed by him on April 26, 1971:

- 1 Amend House File 522 as follows:
- 2 Page 8, following line 5 insert the following:
- 3 "No charge shall be made for such user's permits."

Senator Potgeter offered the following amendment filed by him on May 3, 1971:

- 1 Amend House File 522 as follows:
- 2 1. Page 9, by striking lines 16 through 26, inclusive.
- 3 2. Page 1, line 4, by striking all after the word
- 4 "regulations" and all of lines 5 and 6 and inserting in lieu
- 5 thereof a period.

Senator Potgeter moved the adoption of his amendment and requested a roll call.

On the question "Shall the Potgeter amendment to page 9 be adopted?" (H.F. 522) the vote was:

Rule 24 was invoked.

Ayes, 26:

Anderson	Gaudineer	Neu	Schaben
Brownlee	Glenn	Palmer	Shawver
Carlson	Griffin	Potgeter	Tapscott
Coleman	Gross	Potter	Van Drie
DeKoster	Kennedy	Rhodes	Van Gilst
Doderer	Miller	Robinson	Walsh
Erskine	Milligan		

Nays, 19:

Arbuckle	Curran	Laverty	Shaff
Balloun	Gilley	Messerly	Smith
Bass	Graham	Nicholson	Stephens
Briles	Hill	Ollenburger	Thordsen
Conklin	Lamborn	Rabedeaux	

Absent or not voting, 5:

Davis	Kyhl	Mowry	Riley
Keith			

The amendment was adopted.

Senator Gaudineer offered the following amendment filed by Senators Gaudineer, Thordsen, et al., on May 4, 1971, and moved its adoption:

1 Amend House File 522 as follows:

2 1. Page 6, line 26, by inserting after the period
3 the following:

4 "The prescribed procedure and method of inventory
5 shall, in any event, provide for the taking of at least
6 a weekly inventory of stored explosive materials."

7 2. Page 6, line 30, insert after the period the
8 following:

9 "The storage and security standards for a licensee
10 shall, in any event, include, at least, the following:

11 a. The explosive storage facility shall be a solidly
12 built structure with a floor which is secured to the
13 ground. It shall contain no windows.

14 b. The outer wall covering shall be constructed in
15 such a manner and of such material that entry cannot be
16 accomplished by prying apart or separating portions of
17 the outer wall covering.

18 c. The doors to the facility shall be fastened to
19 the facility by hinges and hasps that cannot be readily
20 removed or broken by the use of a pry bar or like tool.
21 The hinges and hasps shall be attached to the doors by
22 welding, riveting or bolting, with the nuts on the in-
23 side of door. The rivets or bolts shall be installed
24 in such manner that the hinges and hasps cannot be
25 removed when the doors are closed or locked.

Page 2

1 d. Each door shall be equipped with two mortise
2 locks; or with two padlocks fastened in separate hasps
3 and staples; or with a combination of mortise lock and
4 a padlock; or with a mortise lock that requires two keys

5 to open; or a three-point lock. All padlocks shall be
6 fine-tumbler proof. All padlocks shall be protected
7 with one-quarter inch steel caps constructed so as to
8 prevent sawing or lever action on the locks or hasps."

9 "The storage and security standards for a permittee
10 shall, in any event, include, at least the requirements
11 that explosives be placed in a container that cannot be
12 readily opened or dismantled by the use of a pry bar or
13 like tool; any lid or top thereto be secured to such
14 container in like manner; such lid or top, when closed,
15 be secured by a mortise lock or padlock that cannot be
16 readily removed or broken by the use of a pry bar or
17 like tool; and be securely anchored to the ground in
18 some manner."

19 3. Page 7, by inserting after line 1 the words:

20 "6. Conduct such inspection of licensees and
21 permittees as may be necessary to enforce the provisions
22 of this Act."

23 4. Page 7, by inserting the following new section
24 after line 8:

25 "The licensee's or permittee's explosive storage

Page 3

1 facility shall be inspected at least once every six
2 months by either the sheriff of the county where the
3 facility is located or by the local police authority if
4 the facility is located within a city of over ten thou-
5 sand population. The facility may be examined at other
6 times by the sheriff if he considers it necessary.

7 If the sheriff or local police authority find the
8 facility to be improperly secured, the licensee or per-
9 mittee shall immediately correct the improper security
10 and, if not so corrected, the sheriff or local police
11 authority shall immediately confiscate the stored explo-
12 sives. If the explosives are confiscated by the local
13 police authority, they shall be delivered to the sheriff.
14 The sheriff shall hold confiscated explosives for a
15 period of thirty days under proper security unless the
16 period of holding is shortened pursuant to this section.

17 If the licensee or permittee corrects the improper
18 security within such thirty day period, the explosives
19 shall be returned to the licensee or permittee after he
20 has made such correction and after he has paid into the
21 county fund an amount equal to the expense incurred by
22 the county in storing the explosives during the period
23 of confiscation. The amount of such expense shall be
24 determined by the sheriff.

25 If the improper security is not corrected during the

Page 4

1 thirty day period, the sheriff shall deliver the explo-
2 sives to the fire marshal for disposal and the license
3 or permit shall be canceled. Such canceled license or
4 permit shall not be reissued for a period of two
5 years from the date of cancellation.

6 The licensee or permittee may obtain possession of
7 the explosives from the sheriff during the thirty day
8 period for the purpose of disposing of them. The dis-
9 posal procedure shall conform to the provisions of
10 section eight (8) of this Act. The licensee or permittee
11 shall first pay into the county fund an amount equal to
12 the expense incurred by the county in storing the explo-
13 sives during the period of confiscation. The amount of
14 the expense shall be determined by the sheriff."

The amendment was adopted.

Senator Potgeter offered the following amendment filed by him on May 4 and moved its adoption:

1 Amend House File 522, page 3, by striking in lines 17 and 18
2 the words "fire marshal's" and inserting in lieu thereof the word
3 "commissioner's".

The amendment was adopted.

Senator Hill offered the following amendment filed by Senators Hill and Gaudineer and moved its adoption:

1 Amend House File 522 as amended and passed by the House
2 by numbering properly and adding the following new section
3 after line 26 on page 9:
4 "Sec. 15. Any person who has an existing and valid
5 license or permit pursuant to the laws of the United States
6 to manufacture, import, distribute, sell, possess, transport,
7 store or detonate explosives shall be exempt from the pro-
8 visions of this Act."

Division was called for.

The amendment was adopted.

Senator Walsh offered the following amendment filed by him and moved its adoption:

1 Amend House File 522, page 3, line 31, by striking the word
2 "sixty" and inserting in lieu thereof the word "twenty".

Division was called for.

The amendment lost.

Senator Potgeter offered the following amendment filed by Senators Potgeter, DeKoster and Gaudineer and moved its adoption:

1 Amend House File 522, page 5, line 28, by inserting
2 after the word "court." the words "Such appeal shall be
3 heard as a trial de novo."

The amendment was adopted.

Senator Conklin offered the following amendment and moved its adoption:

1 Amend House File 522, page 7, by adding after line 3
2 the following new subsection:
3 "Prescribe minimum distances which must be maintained
4 between the point where explosive materials are proposed
5 to be detonated and adjacent dwellings or other objects
6 in order to minimize the danger of injury or damage to
7 persons or property in the proximity of the blasting
8 area. Such minimum distances shall be based upon the
9 amount of explosive material proposed to be used in a
10 single detonation, the nature of the adjacent property
11 sought to be protected, and other relevant factors."

The Chair called for a division.

The amendment was adopted.

MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File 677, a bill for an act relating to corrective amendments to the statute on self-liquidating improvements.

WILLIAM R. KENDRICK, Chief Clerk

INTRODUCTION OF BILLS

Senate Joint Resolution 10, by committee on appropriations, a joint resolution establishing legislative compensation to be paid because of a vacancy resulting in the Senate membership.

Read first time and placed on calendar.

Senate File 523, by committee on ways and means, a bill for an act relating to the tax exemption on forest and fruit-tree reservations.

Read first time and placed on calendar.

Senate File 524, by committee on human and industrial relations, a bill for an act relating to workmen's compensation coverage for state agricultural workers.

Read first time and placed on calendar.

Senate File 525, by committee on human and industrial relations, a bill for an act relating to payment of certain workmen's compensation claims.

Read first time and placed on calendar.

Senate File 526, by committee on appropriations, a bill for an act to make appropriations to the appointive members of the capitol

planning commission for per diem compensation for services rendered.

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

HOUSE MESSAGE CONSIDERED

House File 677, a bill for an act relating to corrective amendments to the statute on self-liquidating improvements.

Read first time and **passed on file**.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Rhodes, from the joint committee on enrolled bills, submitted the following report and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: House Files 37, 197, 369, 382 and 384.

JOHN C. RHODES
Chairman, Senate Committee
ELIZABETH R. MILLER
Chairman, House Committee

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, the following bills: House Files 37, 197, 369, 382 and 384.

On motion of Senator Lamborn, the Senate recessed until 1:15 p.m.

AFTERNOON SESSION

The Senate reconvened, President Jepsen presiding.

COMMUNICATION

The following communication was presented:

OFFICE OF THE GOVERNOR
State Capitol
Des Moines, Iowa 50319

May 3, 1971

The Honorable Roger W. Jepsen
Lieutenant Governor of Iowa
State Capitol
Local

Dear Governor Jepsen:

It is my pleasure to submit to the Senate for their consideration the name

of Forrest F. McDonald of Jefferson, Greene County, Iowa, for appointment as a member of the Iowa Aeronautics Commission for the State of Iowa under the provisions of section 328.2, 1971 Code of Iowa, for the regular six-year term beginning July 1, 1971, and ending June 30, 1977.

Sincerely,
ROBERT D. RAY
Governor

UNFINISHED BUSINESS

House File 522

The Senate resumed consideration of House File 522.

Senator Thordsen moved to reconsider the vote by which the Thordsen amendment of April 30, 1971, was adopted by the Senate, which motion prevailed.

Senator Thordsen offered the following amendment to the amendment and moved its adoption:

- 1 Amend the Thordsen amendment, filed April 30, 1971, to House
- 2 File 522, by striking lines 17 and 18.

The amendment to the amendment was adopted.

On motion of Senator Thordsen, the amendment as amended was adopted.

Senator Anderson offered the following amendment.

- 1 Amend House File 522 as follows:
- 2 1. Page 4, line 9, by striking the word "detonate,".
- 3 2. Page 5, line 21, by striking "store, or detonate" and
- 4 inserting in lieu thereof "or store".

Senator Anderson moved the adoption of his amendment and called for a division.

The amendment was adopted.

Senator Graham moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 522) the vote was:

Ayes, 41:

Arbuckle	Gaudineer	Laverty	Rhodes
Bass	Gilley	Messery	Riley
Briles	Glenn	Miller	Shaff
Brownlee	Graham	Milligan	Smith
Carlson	Griffin	Neu	Stephens
Conklin	Gross	Nicholson	Tapscott
Curran	Hill	Ollenburg	Thordsen
Davis	Keith	Palmer	Van Drie
DeKoster	Kennedy	Potter	Van Gilst
Doderer	Lamborn	Rabedaux	Walsh
Erskine			

Nays, 4:

Anderson	Balloun	Potgeter	Shawver
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Absent or not voting, 5:

Coleman	Mowry	Robinson	Schaben
Kyhl			

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

Senator Graham moved that the vote by which **House File 522** passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

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

The Senate resumed session, President Jepsen presiding.

STEERING COMMITTEE CALENDAR

Senator Lamborn moved that as of 12:00 o'clock noon, May 6, all individually sponsored Senate bills in committee be returned to the office of the Secretary and be under his jurisdiction for the remainder of the First Session of the Sixty-fourth General Assembly, exempting therefrom all appropriations committee bills, ways and means committee bills, bills under special order, unfinished business, bills on the noncontroversial calendar and motions to reconsider, and that a steering committee be appointed pursuant to Rule 7 to issue new calendars as necessary from the regular calendar.

The motion prevailed.

MOVE TO SPECIAL ORDER LOST

Senator Tapscott moved that **Senate File 77** be made a special order of business for Friday, May 7, 1971, at 9:30 a.m., and requested a roll call.

On the question "Shall the motion for a special order of business be adopted?" (S.F. 77) the vote was:

Ayes, 12:

Carlson	Glenn	Miller	Tapscott
Doderer	Gross	Neu	Van Gilst
Gaudineer	Kennedy	Palmer	Walsh

Nays, 32:

Anderson	DeKoster	Laverty	Rabedaux
Arbuckle	Erskine	Messerly	Rhodes
Balloun	Gilley	Milligan	Riley
Bass	Graham	Mowry	Shawver
Brownlee	Griffin	Nicholson	Smith
Conklin	Hill	Ollenburg	Stephens
Curran	Keith	Potgeter	Thordsen
Davis	Lamborn	Potter	Van Drie

Absent or not voting, 6:

Briles
Coleman

Kyhl
Robinson

Schaben

Shaff

The motion lost.

SPECIAL ORDERS

Senator Lamborn asked unanimous consent that Senate File 397 be made a special order of business for Tuesday, January 11, 1972, at 10:00 a.m.

Objection was raised by Senator Glenn.

Senator Lamborn moved that Senate File 397 be made a special order of business for Tuesday, January 11, 1972, at 10:00 a.m.

Senator Glenn moved to amend the Lamborn motion by striking the period at the end of the motion and adding "with Senate File 466 following immediately thereafter."

Senator Lamborn raised a point of order as to whether or not the amendment to his motion was germane.

The Chair ruled the point well taken and the amendment to the motion out of order.

The motion by Senator Lamborn prevailed, and **Senate File 397** was made a **special order** of business for Tuesday, January 11, 1972, at 10:00 a.m.

Senator Lamborn asked and received unanimous consent that **House File 129** be made a **special order** of business for Monday, May 10, 1971, at 10:00 a.m.

INTRODUCTION OF BILLS

Senate File 527, by committee on appropriations, a bill for an act relating to reports of treasurers of political subdivisions.

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

Senate File 528, by committee on appropriations, a bill for an act to appropriate funds from the general fund of the state to the higher education facilities commission for the state supported scholarship and medical student tuition loan programs.

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

Senate File 529, by Senator Walsh, a bill for an act to legalize and validate proceedings for the establishment, organization, formation, and changes in the boundaries of merged area school systems.

Read first time and **passed on file**.

Senate File 530, by committee on county government, a bill for an act relating to conditions of withdrawal from a county library district.

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

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on May 5, 1971, the Governor approved and transmitted to the Secretary of State the following bill:

S. F. 469—To legalize and validate the proceedings of the Town Council to the Town of Bussey, in the County of Marion, State of Iowa, in amending a certain resolution for the authorization and issuance of water revenue bonds, dated April 1, 1961, to increase the maximum rates which may be charged to consumers of water.

ANNOUNCEMENT OF INVESTIGATING COMMITTEE ON GOVERNOR'S APPOINTMENT

President Jepsen, in accordance with section 2.32, Code 1971, announced the appointment of the following Senators to investigate the qualifications of Forrest F. McDonald of Jefferson, Greene County, Iowa, for appointment as a member of the Iowa Aeronautics Commission for the State of Iowa for the regular six-year term ending June 30, 1977:

Senator Arbuckle, Chairman
Senator Coleman
Senator Graham
Senator Neu
Senator Van Drie

BILLS ASSIGNED TO COMMITTEE

President Jepsen announced the assignment of the following bills to committee:

S. F. 525 Appropriations (Rule 37)

S. F. 529 Judiciary

H. F. 677 Judiciary

REPORTS OF COMMITTEES

Senator Messerly submitted the following reports:

MR. PRESIDENT: Your committee on appropriations, to which was referred **Senate File 515**, a bill for an act to provide for a sales tax credit, begs leave

to report it has had the same under consideration and recommends the same **do pass.**

FRANCIS L. MESSERLY, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred **Senate File 522**, a bill for an act to appropriate general state aid funds from the general fund of the state to the department of public instruction and providing a formula for distribution of the general state aid, begs leave to report it has had the same under consideration and **returns the bill without recommendation.**

FRANCIS L. MESSERLY, Chairman

Ordered passed on file.

Senator Briles submitted the following reports:

MR. PRESIDENT: Your committee on county government, to which was referred **Senate File 322**, a bill for an act relating to compensation for feeding prisoners in certain counties, begs leave to report it has had the same under consideration and recommends the same **be amended in accordance with the Curran amendment filed March 3, 1971, and found on page 423 of the Senate Journal; and when so amended the bill do pass.**

JAMES E. BRILES, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on county government, to which was referred **Senate File 430**, a bill for an act relating to sanitary and improvement districts, begs leave to report it has had the same under consideration and recommends the same **be amended in accordance with the Griffin amendment filed April 12, 1971, and found on page 793 of the Senate Journal; and when so amended the bill do pass.**

JAMES E. BRILES, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on county government, to which was referred **House File 69**, a bill for an act relating to errors and omissions insurance for county officers and employees, begs leave to report it has had the same under consideration and recommends the same **do pass.**

JAMES E. BRILES, Chairman

Ordered passed on file.

Senator Griffin submitted the following reports:

MR. PRESIDENT: Your committee on human and industrial relations, to which was referred **Senate File 98**, a bill for an act relating to fees charged by the bureau of labor for certificates of inspection, begs leave to report it has had the same under consideration and recommends the same **do pass.**

JAMES W. GRIFFIN, SR., Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on human and industrial relations, to which was referred **House File 63**, a bill for an act to provide compensation for the public representatives serving on the committee on child labor, begs leave to report it has had the same under consideration and recommends the same **do pass**.

JAMES W. GRIFFIN, SR., Chairman

Ordered passed on file.

Senator Thordsen submitted the following report:

MR. PRESIDENT: Your committee on law enforcement, to which was referred **House File 268**, a bill for an act relating to the issuance and use of distress flags by handicapped persons and providing penalties for violations thereof, begs leave to report it has had the same under consideration and recommends the same **do pass**.

HAROLD A. THORSEN, Chairman

Ordered passed on file.

Senator Potgeter submitted the following reports:

MR. PRESIDENT: Your committee on state government, to which was referred **Senate Concurrent Resolution 27**, a concurrent resolution to establish an advisory committee for the study of the advantages of a pari-mutuel system of betting, begs leave to report it has had the same under consideration and recommends the same **do pass**.

JAMES A. POTGETER, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on state government, to which was referred **House File 129**, a bill for an act to create a department of general services, transferring services presently performed by designated state agencies to the department of general services, eliminating the performance of certain duties, and providing penalties, begs leave to report it has had the same under consideration and recommends the same **be amended as follows; and when so amended the bill do pass**:

- 1 Amend House File 129, as amended and passed by the
- 2 House, as follows:
- 3 1. Page 2, line 25, by inserting after the period
- 4 the following sentences:
- 5 "The director shall be employed on a permanent basis.
- 6 He shall not hold any other office, engage in any
- 7 political activity, accept or solicit, directly or
- 8 indirectly, any political contributions, and shall not
- 9 use his office to support the candidacy of anyone for
- 10 elective or appointive office."
- 11 2. Page 2, by striking lines 33 through 35 and
- 12 inserting in lieu thereof the following sentence:
- 13 "The director shall be a qualified administrator."
- 14 3. Page 3A, by striking lines 7 through 9 and insert-
- 15 ing in lieu thereof the following:
- 16 "except items used by the highway commission, in-

stitutions under the control of the board of regents, and any other agencies exempted by law. The director may purchase items through the highway commission, institutions under the control of the board of regents and any other agency exempted by law from centralized purchasing. These state agencies shall upon request furnish the director with a list of and specifications for all items of office equipment, furniture, fixtures, motor vehicles, heavy equipment

Page 2

and other related items to be purchased during the next quarter and the date by which the director must file with the agency the quantity of items to be purchased by the state agency for the department of general services. The department of general services shall be liable to the state agency for the proportionate costs the items purchased for it bear to the total purchase price. When items purchased have been delivered, the state agency shall notify the director and after receipt of the purchase price shall release the items to the director or upon his order."

4. Page 3A, by striking lines 10 through 15 and inserting in lieu thereof the following:

"2. Adminstrating the provisions of chapter twenty-one (21) of the Code."

5. Page 3A, by adding after line 25 the following paragraph:

"This subsection shall not apply to electronic data processing equipment, personnel, and services operated and maintained by the state highway commission and institutions under the control of the board of regents. However, these agencies shall cooperate with the director to benefit other state agencies by joint use where possible."

6. Page 3A, by striking lines 31 through 33 and

Page 3

renumbering the following subsection.

7. Page 4, line 10, by inserting after the word "dollars" the words "and removed from office".

8. Page 4, by inserting after the period in line 17 the following new sentence:

"Preference shall be given to purchasing Iowa products and purchases from Iowa based businesses if the bids submitted therefor are comparable in price to bids submitted by out-of-state businesses and otherwise meet the required specifications."

9. Page 5, line 19, by striking the word "may" and inserting in lieu thereof the word "shall".

10. Page 5, line 24, by striking the word "may" and inserting in lieu thereof the word "shall".

11. Page 6A, line 10, by inserting after the word "days" the words ", exclusive of Saturdays, Sundays and legal holidays".

12. Page 6A, line 21, by inserting after the word

19 "award" the words ", exclusive of Saturdays, Sundays,
20 and legal holidays".
21 13. Page 6A, by adding after line 34 the following
22 sentence:
23 "The director shall allow a department to seal, meter
24 or stamp, and post mail directly from such department
25 if it would be more efficient and economical."

Page 4

1 14. Page 6A, by striking line 35.
2 15. Page 6B, by striking line 36.
3 16. Page 7A, by striking lines 15 through 35.
4 17. Page 8, by striking lines 1 through 12.
5 18. Page 8, line 16, by inserting the word "and"
6 after the first comma and striking the second comma
7 and inserting in lieu thereof a period.
8 19. Page 8, by striking line 17.
9 20. Page 8, by striking lines 21 through 23 and
10 inserting in lieu thereof the words "and postage used
11 by the agency. The monthly statement shall also include
12 a fair pro-".
13 21. Page 9, lines 13 and 14, by striking the words
14 "or by both such fine and imprisonment".
15 22. Page 10A, line 5, by striking the words "said
16 grounds and through said" and inserting in lieu thereof
17 the words "capital grounds and capital".
18 23. Page 10A, line 8, by striking the word "police"
19 and inserting in lieu thereof the words "capital security
20 force".
21 24. Page 10A, line 12, by striking the word "police"
22 and inserting in lieu thereof the words "capital security
23 force".
24 25. Page 10A, lines 27 and 28, by striking the words
25 "located at 2900 Grand Avenue, Des Moines, Polk County,

Page 5

1 Iowa".
2 26. Page 10, line 30, by striking the word "bien-
3 nial" and inserting in lieu thereof the words "annual,
4 fiscal or calendar".
5 27. Page 12, by striking lines 3 through 15.
6 28. Page 14, line 22, by striking the word "bien-
7 nial" and inserting in lieu thereof the words "[bien-
8 nial] *annual, fiscal or calendar*".
9 29. Page 15, by striking lines 19 through 25 and
10 inserting in lieu thereof the following:
11 15.11 ADVERTISEMENTS FOR BIDS. The [secretary of
12 the board] *director* shall[, from time to time as directed
13 by the board,] advertise for bids for the doing of the
14 public printing. [Such advertisements shall be published
15 once each week for three consecutive weeks in seven
16 newspapers in seven different cities of the state; one
17 of which newspapers shall be published in Des Moines.]
18 30. Page 22, lines 15 and 16, by striking the words
19 "[with the approval of the printing board and the execu-

20 tive council,]" and inserting in lieu thereof the words
21 "with the approval of the [printing board and the] execu-
22 tive council".
23 31. Page 23, line 21, by striking the words "[execu-
24 tive council]" and inserting in lieu thereof the words
25 "*with the approval of the executive council*".

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1 32. Page 24, line 24, by striking the word "biennial"
2 and inserting in lieu thereof the words "[biennial] *annual,*
3 *fiscal or calendar*".
4 33. Page 25, by adding the following after line
5 9:
6 "*The budget and financial control committee may*
7 *direct the director to establish a central library and*
8 *depository from which shall be distributed all books,*
9 *pamphlets, documents, reports and publications not*
10 *required by law to be otherwise distributed. The direc-*
11 *tor shall from time to time establish the cost of print-*
12 *ing and mailing each book, pamphlet, report, document*
13 *and publication. The director shall, thereafter, cause*
14 *to be delivered, sent, or mailed to anyone requesting*
15 *a book, pamphlet, report, document, or publication upon*
16 *receipt of the cost thereof plus mailing charges.*
17 *Anyone may examine a copy of any book, pamphlet,*
18 *document, report or publication at the central library*
19 *and depository. The committee may exempt from the*
20 *provisions of this section any pamphlet or publication*
21 *which only lists the services available from a state*
22 *department or agency.*"
23 34. Page 25, line 16, by inserting the following
24 words before the period "without being subject to the
25 provisions of chapter nineteen A (19A) of the Code".

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1 35. Page 25, by striking lines 17 through 35 and
2 inserting in lieu thereof the following new sections:
3 1. "Sec. 60. Section sixteen point two (16.2),
4 Code 1971, is amended by striking subsections four (4),
5 nine (9), and eleven (11)."
6 2. Sec. 61. Section sixteen point two (16.2), sub-
7 sections three (3), five (5), and twelve (12), Code
8 1971, are amended as follows:
9 3. Have general supervision[, under the direction
10 of said board,] of all matters pertaining to the enforce-
11 ment of the contracts [of the] *for printing [board].*
12 5. Prepare[, under the directions of said board,]
13 the specifications and advertisements for printing.
14 12. Perform such other duties as are necessary,
15 or incident to his position, or which may be ordered
16 by the [printing board] *director, or required by law.*"
17 36. Page 26, by striking lines 1 through 19.
18 37. Page 26, by striking line 35 and inserting the
19 following section in lieu thereof:
20 "Sec. 64. Section sixteen point eight (16.8), Code

21 1971, as amended by Senate File one hundred eighty-three
22 (183), Sixty-fourth General Assembly, First Session,
23 is amended as follows:
24 16.8 UNUSED DOCUMENTS. The superintendent shall
25 from time to time [make] report to the [printing board]

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1 of] *director* any documents in his custody deemed not
2 needed and which have been printed five years or more,
3 and if [such] *the* report has the written approval of the
4 head of the department from which the documents were
5 issued, the [printing board] *director* may condemn and
6 order [such] *the* documents sold, and the proceeds turned
7 into the unappropriated funds of the state. If a
8 department no longer exists, approval by the head of
9 the department shall not be required. *If the condemned*
10 *documents cannot be sold the director may order them*
11 *destroyed."*

12 38. Page 27A, by striking lines 1 through 9.

13 39. Page 28A, by inserting after line 16, the follow-
14 ing new section:

15 "Sec. 71. Section seventeen point twenty-seven
16 (17.27), unnumbered paragraph two (2), Code 1971, is
17 amended as follows:

18 When such publications paid for by public funds fur-
19 nished by the state, contain reprints of statutes or
20 departmental rules, or both, they shall be sold and
21 distributed at cost by the department ordering same
22 if the cost per publication is one dollar or more,
23 *unless a central library or depository is established*
24 *by the budget and financial control committee.* Such
25 publications shall be obtained from the superintendent

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1 of printing on requisition by the department and the
2 selling price, if any, shall be determined by the
3 printing board by dividing the total cost of printing,
4 paper and binding by the number printed. Said price
5 shall be set at the nearest multiple of ten to the
6 quotient thus obtained. Distribution of such
7 publications shall be made by the superintendent of
8 printing gratis to public officers, purchasers of
9 licenses from state departments required by statute,
10 and department. Funds from the sale of such publications
11 shall be deposited monthly in the general fund of the
12 state."

13 40. Page 28A, line 31, by striking the words "[execu-
14 tive council]" and inserting in lieu thereof the words
15 "executive council *and*".

16 41. Page 29A, line 1, by adding after the word
17 "*services*" the words "*or his designee*".

18 42. Page 29A, by adding the following new sections
19 after line 8:

20 1. "Sec. 75. Section twenty-one point one (21.1),
21 Code 1971, is amended as follows:

22 21.1 AUTHORITY IN GOVERNOR. Upon the taking effect
23 of this chapter, the authority to assign all state-owned
24 motor vehicles to state officers and employees, or to
25 state offices, departments, bureaus, and commissions,

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1 shall be transferred and vested in the [governor]
2 *department of general services. As used in this chapter*
3 *'motor vehicle' includes all state-owned aircraft except*
4 *those used by the national guard and Iowa highway safety*
5 *patrol."*

6 2. "Sec. 76. Section twenty-one point two (21.2),
7 Code 1971, as amended by Senate File one hundred forty-
8 six (146), Sixty-fourth General Assembly, First Session,
9 is amended as follows:

10 21.2 [CAR] VEHICLE DISPATCHER—EMPLOYEES—DUTIES.

11 In order to carry out the powers vested in him by this
12 chapter, the [governor] *director of the department of*
13 *general services* shall appoint a state [car] vehicle
14 dispatcher and such other employees as may be necessary[,
15 their compensation to be fixed by the governor and
16 comptroller, but said compensation of the state car
17 dispatcher shall be as fixed by the general assembly,]
18 to carry out the provisions of this chapter. [The
19 secretary of the executive council may be appointed
20 by the governor as the state car dispatcher, without
21 additional compensation.] *The state vehicle dispatcher*
22 *shall serve at the pleasure of the director and shall*
23 *not be governed by the provisions of chapter nineteen*
24 *A (19A) of the Code. Subject to the approval of the*
25 [governor] *director*, the [said] state [car] vehicle dispatcher

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1 shall have the following duties:

2 1. He shall assign to a state officer or employee
3 or to a state office, department, bureau, or commission,
4 one or more motor vehicles which may be required by
5 [said] *the officer or department*, after [said] *the officer*
6 or department has shown the necessity for such
7 transportation. The state [car] vehicle dispatcher shall
8 have the power to assign [said] *a motor vehicle* either
9 for part time or full time. He shall have the right
10 to revoke [said] *the assignment* at any time.

11 2. The state [car] vehicle dispatcher may cause all
12 state-owned motor vehicles to be inspected periodically.
13 Whenever [such] *the inspection* reveals that repairs have
14 been improperly made on [said] *the motor vehicle* or that
15 the operator [of same] is not giving it the proper care,
16 he shall report [such] *this fact* to the head of the
17 department to which [such] *the motor vehicle* has been
18 assigned, together with recommendation for improvement.

19 3. The state [car] vehicle dispatcher shall install
20 a record system for the keeping of records of the total
21 number of miles state-owned motor vehicles are driven
22 *or hours flown* and the per-mile *or per hour* cost of

23 operation of each motor vehicle. Every state officer
24 or employee shall keep a record book to be furnished
25 by the state [car] *vehicle* dispatcher in which [such] *the*

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1 officer or employee shall enter all purchases of
2 gasoline, *aviation fuel*, lubricating oil, grease, and
3 other incidental expense in the operation of the motor
4 vehicle assigned to him, giving the quantity and price
5 of each purchase, including the cost and nature of all
6 repairs on [such] *the* motor vehicle. Each operator of
7 a state-owned motor vehicle shall promptly prepare a
8 report at the end of each month on forms furnished by
9 the state [car] *vehicle* dispatcher and forward the same
10 to him at the statehouse, giving [such] *the* information
11 [as] the state [car] *vehicle* dispatcher may request in [such]
12 *the* report. The state [car] *vehicle* dispatcher shall
13 each month compile the costs and mileage *or hours flown*
14 of state-owned motor vehicles from [such] *the* reports
15 and keep a cost history card [of] *on* each motor vehicle
16 and [such] *the* costs shall be reduced to a cost-per-mile
17 *or per hour flown* basis for each motor vehicle. It
18 shall be the duty of the state [car] *vehicle* dispatcher
19 to call to the attention of the head of any department
20 to which a motor vehicle has been assigned any evidence
21 of the mishandling or misuse of any state-owned motor
22 vehicle which is called to his attention.
23 4. The state [car] *vehicle* dispatcher shall purchase
24 all new motor vehicles for all branches of the state
25 government *including agencies exempted from centralized*

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1 *purchasing by section three (3) of this Act.* Before
2 purchasing any motor vehicle he shall make requests
3 for public bids by advertisement and he shall purchase
4 the vehicles from the lowest responsible bidder for
5 the type and make of motor vehicle designated. No
6 passenger motor vehicle except the motor vehicle provided
7 by the state for the use of the governor, ambulances,
8 buses, trucks, or station wagons shall be purchased
9 for an amount in excess of the sum of two thousand five
10 hundred dollars; provided that if the passenger motor
11 vehicle is to be used by the highway patrol or the
12 narcotics division or the bureau of criminal
13 investigation for actual law enforcement, the maximum
14 amount shall be two thousand eight hundred dollars.
15 Provided further, that for station wagons the maximum
16 amount shall be two thousand eight hundred dollars.
17 *The purchase price limitations of this subsection shall*
18 *not apply to aircraft.*
19 5. All used motor vehicles turned in to the state
20 [car] *vehicle* dispatcher shall be disposed of by public
21 auction, and [such] *the* sales shall be advertised in a
22 newspaper of general circulation one week in advance
23 of sale, and the receipts from [such] *the* sale shall be

- 24 deposited in the depreciation fund to the credit of
25 that unit within the department or agency turning in

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- 1 the vehicle; except that, in the case of a used motor
2 vehicle of special design, the state [car] *vehicle*
3 dispatcher may, with the approval of the executive
4 council instead of selling it at public auction,
5 authorize the motor vehicle to be traded for another
6 vehicle of similar design.
- 7 6. The state [car] *vehicle* dispatcher may authorize
8 the establishment of motor pools consisting of a number
9 of state-owned [cars] *motor vehicles* under his supervision
10 and which he may cause to be stored in a public or
11 private garage *or airport*. In the event that [such] a
12 pool is established by the state [car] *vehicle* dispatcher,
13 any state officer or employee shall not use state-owned
14 [cars] *motor vehicles* except when he shall find it
15 necessary to use a state-owned motor vehicle to make
16 a trip outside of the city of Des Moines on state
17 business, and he shall notify the state [car] *vehicle*
18 dispatcher of [such] *his* intention, if possible, within
19 a reasonable length of time before the [said] trip is
20 to be made. The [said] state [car] *vehicle* dispatcher may
21 assign one of the motor vehicles from the motor pool
22 to [said] *the* state officer or employee for [such] *the* trip.
23 If two or more state officers or employees are required
24 to make a trip to the same destination and return to
25 Des Moines at the same time, the state [car] *vehicle*

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- 1 dispatcher may assign one [car] *motor vehicle* to these
2 state officers or employees to make [such] *the* trip.
- 3 7. The state [car] *vehicle* dispatcher shall cause
4 to be marked on every state-owned motor vehicle a sign
5 in a conspicuous place which indicates its ownership
6 by the state except cars [necessary for use in police
7 work] *requested to be exempt by the commissioner of*
8 *public safety or the director of the department of*
9 *general services*. All state-owned motor vehicles shall
10 display registration plates bearing the word "official"
11 except cars [assigned for use in police work for which
12 ordinary plates may be used when necessary but only
13 upon order of] *requested to be furnished with ordinary*
14 *plates by the commissioner of public safety or the*
15 *director*. [the] *The* state [car] *vehicle* dispatcher [who]
16 shall keep an accurate record of the registration plates
17 used on all state cars. *This subsection shall not apply*
18 *to aircraft*.
- 19 8. The state [car] *vehicle* dispatcher shall have the
20 authority to make such other rules regarding the
21 operation of state-owned motor vehicles, with the
22 approval of the [governor] *director of the department*
23 *of general services*, as may be necessary to carry out

24 the purpose of this chapter.

25 All rules and regulations adopted by the [car] *vehicle*

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1 dispatcher shall be approved by the [executive council]
2 *director* before becoming effective."

3 3. "Sec. 77. Section twenty-one point three (21.3),
4 Code 1971, is amended as follows:

5 21.3 VIOLATIONS—WITHDRAWING USE OF CAR. If any
6 state officer or employee violates any of the provi-
7 sions of this chapter, the state [car] *vehicle* dispatcher
8 shall have the authority to withdraw the assignment
9 of any state-owned motor vehicle to any such state
10 officer or employee. An appeal from such order by the
11 state [car] *vehicle* dispatcher may be taken to the [governor]
12 *executive council* whose decision shall be final."

13 4. "Sec. 78. Section twenty-one point four (21.4),
14 Code 1971, is amended as follows:

15 21.4 PRIVATE USE—RATE FOR STATE BUSINESS. No state
16 officer or employee shall use any state-owned [car] *motor*
17 *vehicle* for his own personal private use, nor shall
18 he be compensated for driving or *flying* his own motor
19 vehicle except if such is done on state business and
20 in such case he shall not receive more than ten cents
21 per mile or *reasonable compensation for the use of his*
22 *aircraft.*"

23 5. "Sec. 79. Section twenty-one point five (21.5),
24 Code 1971, is amended as follows:

25 21.5 PENALTY FOR PRIVATE USE. Any state officer

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1 or employee found guilty of [using any state-owned motor
2 vehicle for his own private business or pleasure] *vio-*
3 *lating the rules and regulations of the state vehicle*
4 *dispatcher* shall, upon conviction, be fined not to
5 exceed one hundred dollars or imprisoned not to exceed
6 thirty days in the county jail."

7 6. "Sec. 80. Section twenty-one point six (21.6),
8 Code 1971, is amended as follows:

9 21.6 REVOLVING FUND—REPLENISHMENT. There is hereby
10 appropriated out of any money in the state treasury
11 not otherwise appropriated the sum of twenty-five
12 thousand dollars, which shall be known as the [car] *vehicle*
13 *dispatcher* revolving fund. From this fund shall be
14 paid all purchases of gasoline, *aviation fuel*, oil,
15 tires, repairs, and all other general expenses incurred
16 in the operation of state-owned motor vehicles, and
17 all salaries and expenses of the [car] *vehicle* dispatcher's
18 [department] *office* shall be paid from said fund.

19 At the end of each month the state [car] *vehicle*
20 dispatcher shall render a statement to each state depart-
21 ment or agency thereof for the actual cost of operation
22 of all motor vehicles assigned to such department or
23 agency, together with a fair proportion of the cost

24 of administration of the state [car] *vehicle* dispatcher's
25 [department] *office* during such month, as shall be

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1 determined by him, all subject to review by the executive
2 council upon complaint of any state department or agency
3 adversely affected. Such expense shall be paid by the
4 state departments or agencies in the same manner as
5 other expenses of such department are paid, and when
6 such cost of operation and administration is paid by
7 the department, such sum shall be credited to the [car]
8 *vehicle* dispatcher revolving fund. If any surplus
9 accrues to said revolving fund in excess of twenty-five
10 thousand dollars for which there is no anticipated need
11 or use, the governor may order such surplus turned over
12 to the general fund of the state."

13 7. "Sec. 81. Section twenty-one point seven (21.7),
14 Code 1971, is amended as follows:

15 21.1 REPLACEMENT FUND. The [car] *vehicle* dispatcher
16 shall maintain a depreciation fund for the purchase
17 of replacement motor vehicles and additions to the
18 fleet. The dispatcher's records shall show the total
19 funds deposited by and credited to each department or
20 agency thereof. At the end of each month, the state
21 [car] *vehicle* dispatcher shall render a statement to each
22 state department or agency thereof for additions to
23 the fleet and depreciation on each motor vehicle assigned
24 to and owned by such department or agency. Such
25 depreciation expense shall be paid by the state

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1 departments or agencies in the same manner as other
2 expenses of such department are paid, and shall be
3 deposited in the depreciation fund to the credit of
4 the individual motor vehicle within the department or
5 agency thereof. The funds credited to each department
6 or agency thereof shall remain the property of the
7 department or agency. However, at the end of each
8 biennium, the state [car] *vehicle* dispatcher shall cause
9 to revert to the fund from which it accumulated any
10 unassigned depreciation."

11 8. "Sec. 82. Chapter twenty-one (21), Code 1971,
12 is amended by adding the following new section:

13 ASSISTANTS. The director of the department of general
14 services may at various points in the state, outside
15 the city of Des Moines, where state institutions or
16 departments are located, appoint and empower assis-
17 tants to administer in the name of the state vehicle
18 dispatcher."

19 43. Page 29A, by striking lines 15 through 35.

20 44. Page 29A, lines 28 and 29, by striking the words
21 "[with the approval of the executive council]" and
22 inserting in lieu thereof the words "with the approval
23 of the executive council".

24 45. Page 30, by striking lines 32 through 35 and
25 inserting in lieu thereof the following:

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1 "Sec. 86. Section ninety-one point four (91.4),
2 Code 1971, is amended as follows:
3 91.4 INDUSTRIAL STATISTICS AND INFORMATION. The
4 duties of said commissioner shall be:
5 1. To safely keep all records, papers, documents,
6 correspondence, and other property pertaining to or
7 coming into his hands by virtue of his office, and
8 deliver the same to his successor, except as otherwise
9 provided.
10 2. To collect, assort, and systematize statistical
11 details relating to all departments of labor in the
12 state[, especially in its relation to the commercial,
13 social, educational, and sanitary conditions surrounding
14 the laboring classes, the means of escape from, and
15 the protection of life and health in factories, the
16 employment of children, the number of hours of labor
17 exacted from them and from women, and to the permanent
18 prosperity of the mechanical, manufacturing, and
19 productive industries of the state].
20 [3. To collect as fully as practicable such informa-
21 tion and reliable reports from each county in the state,
22 the amount and condition of the mechanical and manufac-
23 turing interests, the value and location of the various
24 manufacturing and coal productions of the state, also
25 sites offering natural or acquired advantages for the

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1 profitable location and operation of different branches
2 of industry, he shall by correspondence with interested
3 parties in other parts of the United States, impart
4 to them such information as may tend to induce the
5 location of mechanical and producing plants within the
6 state, together with such other information as shall
7 tend to increase the productions, and consequent
8 employment of producers.]
9 [4. To submit the foregoing statistics and informa-
10 tion to the governor in biennial reports in which he
11 shall give a statement of the business of the bureau
12 since the last regular report, and shall compile therein
13 such information as may be considered of value to the
14 industrial interests of the state, the number of laborers
15 and mechanics employed, the number of apprentices in
16 each trade, with the nativity of such laborers,
17 mechanics, and apprentices, wages earned, the savings
18 from the same, with age and sex of laborers employed,
19 the number and character of accidents, the sanitary
20 condition of institutions where labor is employed, the
21 proportion of married laborers and mechanics who live
22 in rented houses, with the average annual rental, and
23 the value of property owned by laborers and mechanics,

24 to include in such report what progress has been made
25 with schools now in operation for the instruction of

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1 students in the mechanic arts, and what systems have
2 been found most practical, with details thereof.]
3 [5] 3. To issue from time to time[, with the consent
4 of the executive council,] bulletins containing
5 information of importance to the industries of the state
6 and to the safety of wage earners.
7 [6] 4. To conduct and to co-operate with other
8 interested persons and organizations in conducting
9 educational programs and projects on employment safety.
10 5. *Report to the governor biennially on all matters*
11 *pertaining to the bureau of labor.*
12 46. Page 31, by striking line 1.
13 47. Page 31, lines 25 through 28, by striking the
14 words "[Such power shall include the power to spend such
15 moneys as may be appropriated to the commission by
16 the state for the purpose of carrying out the provisions
17 of this chapter.]" and inserting in lieu thereof the
18 words "Such power shall include the power to spend such
19 moneys as may be appropriated to the commission by the
20 state for the purpose of carrying out the provisions
21 of this chapter."
22 48. Page 32, by striking lines 9 through 16.
23 49. Page 33, by striking lines 20 through 27.
24 50. Page 34, by inserting after line 3, the following
25 new section:

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1 "Sec. 95. Section one hundred forty-seven point
2 twenty-seven (147.27), Code 1971, is amended as follows:
3 147.27 QUARTERS. The [executive council] *director*
4 *of the department of general services* shall furnish
5 each examining board with suitable quarters in which
6 to conduct the examinations held by said board at the
7 seat of government. [When examinations are held at the
8 state university, the superintendent of buildings and
9 grounds shall furnish such quarters.]"
10 51. Page 35, by striking lines 1 through 5.
11 52. Page 35, line 27, by inserting after the word
12 "[council]" the words "*with the approval of the director*
13 *of the department of general services*".
14 53. Page 36, by striking lines 13 through 21.
15 54. Page 36, line 27, by striking the words "[, at
16 his option upon authority of the executive council,]"
17 and inserting in lieu thereof the words ", at his option
18 upon authority of the [executive council,] *director of*
19 *the department of general services*,".
20 55. Page 37, line 6, by striking the words "chapter
21 twenty-one (21),".
22 56. Page 37, by striking line 9 and inserting in
23 lieu thereof the following:

24 "six (91.6), ninety-one point seven (91.7), one
25 hundred seven".

Page 24

- 1 57. Page 37, line 14, by striking the words "one
- 2 hundred forty-seven point twenty-seven (147.27),".
- 3 58. By renumbering the bill sections.

JAMES A. POTGETER, Chairman.

Ordered passed on file.

Senator Shaff submitted the following reports:

MR. PRESIDENT: Your committee on ways and means, to which was referred **Senate File 307**, a bill for an act relating to the real property tax credit for disabled veterans, begs leave to report it has had the same under consideration and recommends the same **do pass**.

ROGER J. SHAFF, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on ways and means, to which was referred **Senate File 410**, a bill for an act relating to the taxation of real estate transfers and the penalty for failure to comply, begs leave to report it has had the same under consideration and recommends the same **be amended as follows; and when so amended the bill do pass**:

- 1 Amend Senate File 410 as follows:
- 2 1. Page 2, line 7, by adding after the word "consideration" the
- 3 words "*or when the deed instrument or writing is executed and*
- 4 *tendered for recording as an instrument corrective of title, and*
- 5 *so states,*".
- 6 2. Page 2, line 13, by adding after the word "consideration" the
- 7 words "*and the actual market value of the property transferred is*
- 8 *in excess of five hundred dollars (\$500.00)*".
- 9 3. Page 2, by striking in line 14 the words "one dollar ten cents
- 10 plus", and by inserting the words "[one dollar ten cents plus]".
- 11 4. Page 2, line 16, by striking the words "[in excess of]" and insert-
- 12 ing the words "*in excess of five hundred dollars*".
- 13 5. Page 2, by striking in lines 19 and 20 the words "*, whether*
- 14 *assumed or not by the grantee*".
- 15 6. Page 2, line 31, by inserting after the first word "Any" the
- 16 words "*instrument of*".
- 17 7. Page 2, line 31, by striking the words "or any" and inserting
- 18 the words "*, [or any]*".
- 19 8. Page 2, by striking in lines 32 and 33 the words "*, except*
- 20 *those included in the sale of real property*".
- 21 9. Page 3, by adding the following new subsection after line 24:
- 22 "14. *The making or delivering of instruments of transfer resulting*
- 23 *from any corporate merger, consolidation or reorganization under the*
- 24 *laws of the United States or any state thereof, where such instrument*
- 25 *so states on the face thereof.*"

ROGER J. SHAFF, Chairman

Ordered passed on file.

AMENDMENTS FILED

- 1 Amend Senate File 85, page 48, line 32, by striking
2 the period and inserting in lieu thereof the following:
3 "and may, by rule, restrict or prohibit the sale,
4 distribution, or use of any agricultural chemical. In
5 determining whether to restrict or prohibit the sale,
6 distribution, or use of any agricultural chemical, the
7 board shall consider any official reports, academic
8 studies, expert opinions or testimony, or other matter
9 deemed to have probative value. Any such evidence shall
10 be received at a public hearing held for such purpose."

CHARLES O. LAVERTY

- 1 Amend Senate File 237 as follows:
2 1. Page 1, line 21, by striking the word "*authority*" and insert
3 in lieu thereof the words "*implied or actual permission*".
4 2. Page 1, by striking in line 22 the words "*, unless such person*
5 *intends*", and insert in lieu thereof a period.
6 3. Page 1, by striking lines 23 and 24.

W. CHARLENE CONKLIN

- 1 Amend Senate File 397 as follows:
2 1. Page 48, by striking all of lines 31 and 32, and renumbering
3 subsections of this section to conform with this amendment.
4 2. Page 52, by striking all of lines 28 through 35, inclusive,
5 and inserting in lieu thereof the following:
6 "Upon the filing of any such protest, the county auditor shall
7 immediately prepare a true and complete copy of the written protest,
8 together with the budget to which the objections are made, and shall
9 transmit the same forthwith to the state appeal board, and shall
10 also send a copy of the protest to the council.
11 The state appeal board shall proceed to consider the protest in
12 accordance with the same provisions that protests to budgets of
13 municipalities are considered under chapter 24 of the Code, except
14 that final disposition of appeals of city budgets shall be made on
15 or before November 24 of each year. The state appeal board shall
16 certify its decision with respect to the protest to the county
17 auditor, and such decision shall be final.
18 The county auditor shall make up his records in accordance with
19 such decision and the levying board shall make its levy in accordance
20 therewith. Upon receipt of such decision, the county auditor shall
21 immediately notify both parties thereof, whereupon the council shall
22 correct its records accordingly, if necessary."
23 3. Page 53, by striking all of lines 1 through 24, inclusive.

REINHOLD O. CARLSON

- 1 Amend Senate File 397 as follows:
2 1. Page 91, lines 10 and 11 by inserting after the word "*utilities*" the
3 words "*owned by a single city*".
4 2. Page 91, line 28, by inserting after the word "*within*" the words
5 "the
6 state of Iowa whether within".
7 Page 92, line 10 by inserting after the word "*payable*" the words
8 "solely

7 and only".

8 Page 92, line 13 by inserting after the word "pay" the words "solely
9 only".

10 5. Page 92, line 25 by inserting after the word "Act" the words "and
11 specifically subject to the requirements of section two hundred ten (210)
12 hereof".

13 6. Page 98, line 22 by striking the word "forty" and inserting in lieu
14 thereof the word "twenty".

15 7. Page 98, line 26 by striking the word "forty" and inserting in lieu
16 thereof the word "twenty".

17 8. Page 100, line 32 by inserting after the word "project" the words
18 "except gasworks and electric light and power plants and systems".

19 9. Page 118, line 6 by inserting after the comma (,) the words "or
20 the proposal to generate power and electric energy by a city utility
21 engaged in the distribution of electricity at retail,".

TOM RILEY

JAMES W. GRIFFIN, SR.

EDWARD E. NICHOLSON

1 Amend the Arbuckle amendment to Senate File 397,
2 filed May 4, 1971, commencing on page 1113 of the Journal
3 of the Senate, as follows:

4 1. Page 1, line 5, insert after the word "of" the
5 words "not more than".

6 2. Page 1, line 14, insert after the word "tax"
7 the words "at a specified rate of not more than one
8 percent".

9 3. Page 1, line 23, insert after the word "same"
10 the words "rate of tax".

R. DEAN ARBUCKLE

1 Amend Senate File 442 as follows:

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

4 "Section 1. Chapter four hundred fifty-three (453), Code
5 1971, is amended by adding the following new section:

6 "INVESTMENT OF FUNDS BY SCHOOL CORPORATIONS.

7 The board of directors of a school corporation may invest
8 any portion of the proceeds of bonds issued and not currently
9 needed in United States government bonds or make time deposits
10 as provided in this chapter.

11 Earnings and interest from investments authorized by this
12 section may be used to retire the bonded indebtedness or may
13 be credited to the schoolhouse fund for the purpose of fi-
14 nancing the construction or equipping of the school building
15 for which the bonds were sold."

16 Sec. 2. This Act shall apply to the use and crediting
17 of earnings and investments of the proceeds from bonds issued
18 prior to the effective date of this Act.

19 2. Amend the title by striking all of line 1 after the
20 word "investment" and inserting in lieu thereof the following:
21 "of public funds from the sale of school bonds."

LUCAS J. DeKOSTER

1 Amend House File 420, page 1, as follows:

2 1. Line 5, by striking the word "section" and by
3 inserting in lieu thereof the word, "sections".

4 2. By inserting after line 14 the following new
5 section:

6 "Sec. 2. A judge who sentences a person to the
7 county jail or other detention facility pursuant to
8 this chapter, may suspend any part of such sentence and
9 place such person on probation, upon such terms and
10 conditions as the sentencing judge may direct, after such
11 person has served that part of his sentence which was not
12 suspended."

LEE H. GAUDINEER, JR.

On motion of Senator Lamborn, the Senate adjourned until 8:30
a.m., Thursday, May 6, 1971.

JOURNAL OF THE SENATE

ONE HUNDRED SIXTEENTH DAY

SENATE CHAMBER

DES MOINES, IOWA, THURSDAY, MAY 6, 1971

The Senate met in regular session, Senator Brownlee presiding.

Prayer was offered by the Reverend Clyde Norrgard, pastor of the Messiah Lutheran Church, Burlington, Iowa.

The Senate pledged allegiance to the flag.

The Journal of Wednesday, May 5, 1971, was approved.

PRESENTATION OF VISITORS

The Chair announced that the following visitors were present in the Senate gallery:

Twelve students from Hoover Elementary School, Cedar Rapids, Iowa.

Twenty-five students from Stuart Community School, Stuart, Iowa, accompanied by their instructor, Mrs. Thompson.

Fifty-six students from St. Ludmila School, Cedar Rapids, Iowa, accompanied by Sister Christine and Mrs. Andrews.

Fifty-eight students from Independence High School, Independence, Iowa, accompanied by Mrs. Turgason and Mr. Lounsberry.

Eighty students from Fellows Elementary School, Ames, Iowa, accompanied by Mrs. Saxton, Mrs. Boyd and Mrs. Haas.

Fifteen students from Hoover Elementary School, Cedar Rapids, Iowa, accompanied by Mrs. Molander, Mrs. Griffith, Mrs. Murray, Mrs. Pazdernik, Mrs. Peterson, Mrs. Garwood, Mr. Brown and Mr. Harris.

Sixty students from Mt. Ayr High School, Mt. Ayr, Iowa, accompanied by their instructor, Miss Van Houtan.

PETITIONS

The following petitions were presented and placed on file:

By Senator Potter, from one hundred six residents of Lynn County

urging legislation requiring negotiations between public employees and their employers.

By Senator Bass, from a three-member committee representing The United Methodist Church, Montgomery County, Iowa, opposing pari-mutuel betting in Iowa.

CONSIDERATION OF BILLS

Senator Lamborn asked and received unanimous consent to take up out of order Senate File 470.

Senate File 470

On motion of Senator Doderer, Senate File 470, a bill for an act relating to deferred compensation for governmental employees, with report of committee recommending amendment and passage, was taken up, considered and the report of the committee adopted.

Senator Doderer withdrew the following amendment filed by her on May 3, 1971:

- 1 Amend Senate 470 by striking all after the
- 2 period in line 12, and by striking lines 13 through
- 3 19, inclusive.

Senator Doderer offered the following amendment recommended by the committee on state government and moved its adoption:

- 1 Amend Senate File 470 as follows:
- 2 1. By adding in line 10 after the word "life" the
- 3 words "or securities".
- 4 2. Line 11 by striking the words "who represents
- 5 an insurance company licensed".

The amendment was adopted.

Senator Doderer offered the following amendment filed by her on May 4 and moved its adoption:

- 1 Amend Senate File 470 as follows:
- 2 Line 13, by adding after the word "comptroller"
- 3 the words "or his designees".

The amendment was adopted.

Senator Doderer moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 470) the vote was:

Rule 24 was invoked.

Ayes, 35:

Arbuckle
Briles

Brownlee
Carlson

Curran
Davis

Doderer
Erskine

Gaudineer	Lamborn	Potter	Smith
Glenn	Lavery	Rhodes	Stephens
Graham	Mowry	Riley	Tapscott
Gross	Neu	Robinson	Van Drie
Hill	Nicholson	Schaben	Van Gilst
Keith	Palmer	Shaff	Walsh
Kennedy	Potgeter	Shawver	

Nays, 2:

Balloun	Gilley
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Absent or not voting, 13:

Anderson	DeKoster	Messerly	Ollenburg
Bass	Griffin	Miller	Rabedeaux
Coleman	Kyhl	Milligan	Thordsen
Conklin			

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

ADOPTION OF SENATE CONCURRENT RESOLUTION 25

Senator Arbuckle called up for consideration **Senate Concurrent Resolution 25** found on page 470 of the Senate Journal and moved its adoption.

The motion prevailed and the resolution was adopted.

CONSIDERATION OF BILLS

Senator Lamborn asked and received unanimous consent to take up out of order Senate File 500.

Senate File 500

On motion of Senator Ollenburg, Senate File 500, a bill for an act relating to the Iowa inheritance tax, was taken up and considered.

Senator DeKoster withdrew the amendment filed by him on April 29, 1971, and found on page 1056 of the Senate Journal.

Senator DeKoster offered the amendment filed by him on April 21, 1971, and found on pages 927-928 of the Senate Journal and moved its adoption.

The amendment was adopted.

Senator DeKoster offered the following amendment filed by him on April 26, 1971, and moved its adoption:

- 1 Amend Senate File 500, page 5, by adding the following new
- 2 section after line 20, and renumbering the remaining sections:
- 3 Sec. 6. Section four hundred fifty point fifty-nine (450.59),
- 4 Code 1971, is amended by striking unnumbered paragraph two.

The amendment was adopted.

Senator DeKoster offered the following amendment filed by him on April 19, 1971, and moved its adoption:

- 1 Amend Senate File 500, page 6, line 31, by striking the
- 2 words and figures "four hundred fifty point fifteen (450.15)"
- 3 and inserting in lieu thereof the words and figures "four
- 4 hundred fifty point twenty-three (450.23)".

The amendment was adopted.

Senator Ollenburg moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 500) the vote was:

Ayes, 47:

Anderson	Doderer	Messerly	Riley
Arbuckle	Erskine	Miller	Robinson
Balloun	Gaudineer	Milligan	Schaben
Bass	Gilley	Mowry	Shaff
Briles	Glenn	Neu	Shawver
Brownlee	Graham	Nicholson	Smith
Carlson	Gross	Ollenburg	Stephens
Coleman	Hill	Palmer	Tapscott
Conklin	Keith	Potgeter	Van Drie
Curran	Kennedy	Potter	Van Gilst
Davis	Lamborn	Rabedeaux	Walsh
DeKoster	Laverty	Rhodes	

Nays, none.

Absent or not voting, 3:

Griffin	Kyhl	Thordsen
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Ollenburg asked and received unanimous consent that **Senate File 500** be immediately messaged to the House, which request was complied with.

Senator Lamborn asked and received unanimous consent to take up out of order Senate Joint Resolution 9.

Senate Joint Resolution 9

On motion of Senator Lamborn, Senate Joint Resolution 9, a joint resolution authorizing the executive council to acquire the Hubbell mansion known as Terrace Hill, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

SUBSTITUTION

Senator Lamborn asked and received unanimous consent that

House Joint Resolution 16 be substituted for **Senate Joint Resolution 9**.

House Joint Resolution 16

On motion of Senator Lamborn, House Joint Resolution 16, a joint resolution authorizing the executive council to acquire the Hubbell mansion known as Terrace Hill, was taken up and considered.

Senator Lamborn moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the resolution be adopted?" (H.J.R. 16) the vote was:

Ayes, 40:

Anderson	DeKoster	Miller	Riley
Arbuckle	Doderer	Milligan	Robinson
Balloun	Erskine	Neu	Schaben
Bass	Gaudineer	Nicholson	Shawver
Briles	Glenn	Ollenburg	Smith
Brownlee	Gross	Palmer	Stephens
Carlson	Keith	Potgeter	Tapscott
Conklin	Kennedy	Potter	Van Drie
Curran	Lamborn	Rabedaux	Van Gilst
Davis	Laverty	Rhodes	Walsh

Nays, 2:

Coleman	Gilley
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Voting present, 1:

Graham

Absent or not voting, 7:

Griffin	Kyhl	Mowry	Thordsen
Hill	Messerly	Shaff	

The resolution having received a constitutional majority was declared to have been adopted by the Senate and the title was agreed to.

WITHDRAWN

Senator Lamborn asked and received unanimous consent that **Senate Joint Resolution 9** be withdrawn from further consideration of the Senate.

MOTION TO RECONSIDER LOST

House File 14

Senator Van Drie called up the following motion filed by him on April 27, 1971, and moved its adoption:

MR. PRESIDENT: I move to reconsider the vote by which House File 14 passed the Senate.

On the question "Shall the motion to reconsider be adopted?" (H.F. 14) the vote was:

Ayes, 16:

Anderson	Glenn	Lamborn	Robinson
Balloun	Graham	Messerly	Stephens
Bass	Gross	Milligan	Thordsen
Coleman	Hill	Mowry	Van Drie

Nays, 29:

Arbuckle	Erskine	Neu	Rhodes
Briles	Gaudineer	Nicholson	Riley
Brownlee	Gilley	Ollenburg	Schaben
Carlson	Griffin	Palmer	Smith
Curran	Keith	Potgeter	Tapscott
Davis	Kennedy	Potter	Van Gilst
DeKoster	Laverty	Rabedaux	Walsh
Doderer			

Absent or not voting, 5:

Conklin	Miller	Shaff	Shawver
Kyhl			

The motion lost.

MOTION TO RECONSIDER ADOPTED

House File 48

Senator Gross called up the following motion filed by him on April 27, 1971, and moved its adoption:

MR. PRESIDENT: I move to reconsider the vote by which House File 48 passed the Senate.

Senator Hill asked unanimous consent that the remarks by Senator Gross be printed in the Senate Journal.

Objection was raised.

On the question "Shall the motion to reconsider be adopted?" (H.F. 48) the vote was:

Ayes, 28:

Carlson	Glenn	Miller	Riley
Coleman	Graham	Milligan	Robinson
Conklin	Gross	Mowry	Schaben
Davis	Hill	Neu	Shawver
DeKoster	Kennedy	Palmer	Tapscott
Doderer	Laverty	Potgeter	Thordsen
Gaudineer	Messerly	Rhodes	Van Gilst

Nays, 21:

Anderson	Curran	Lamborn	Shaff
Arbuckle	Erskine	Nicholson	Smith
Balloun	Gilley	Ollenburg	Stephens
Bass	Griffin	Potter	Van Drie
Briles	Keith	Rabedaux	Walsh
Brownlee			

Absent or not voting, 1:

Kyhl

The motion prevailed.

Senator Gross moved to reconsider the vote by which House File 48 went to its last reading, which motion prevailed.

On motion of Senator Gross, House File 48, a bill for an act relating to the movement of oversized mobile homes and vehicles, was taken up for reconsideration.

Senator Gross moved to reconsider the vote by which the amendment by Senators Curran, Keith and Walsh was adopted by the Senate on April 26, which motion prevailed.

Senator Doderer offered the following amendment to the amendment by Senators Doderer, Gross and Potgeter:

- 1 Amend the Curran, Keith and Walsh amendment to
- 2 House File 48, filed March 4, 1971, and appearing on
- 3 pages 432 and 433 of the Senate Journal, page 2, by
- 4 inserting after line 10 the following new section and
- 5 renumbering the remaining sections accordingly:
- 6 "Section three hundred twenty-one E point six
- 7 (321E.6), Code 1971, is amended as follows:
- 8 321E.6 VARIATIONS IN ROAD WIDTH AND TRAFFIC. A
- 9 movement of an indivisible load over a highway or high-
- 10 ways having sections carrying varying volumes of traffic
- 11 and having varying surface widths shall have its permis-
- 12 sible total distance computed on the basis of the
- 13 lowest volume of traffic or the greatest highway width,
- 14 whichever produces the greatest distance by the foregoing
- 15 schedule. However, no movement over a section or
- 16 sections carrying a given shorter permissible maximum
- 17 shall be greater than that shorter maximum and, in
- 18 computing the distance which would be traveled on a
- 19 section or sections having a certain width and traffic
- 20 volume, distances which would be traveled on sections
- 21 carrying shorter permissible move distances shall be
- 22 included. *In no event shall an indivisible load subject*
- 23 *to the provisions of this chapter move over a road or*
- 24 *highway of less than twenty-four feet in width."*

President Jepsen took the chair at 10:45 a.m.

Action on the Doderer, et al., amendment to the amendment was deferred temporarily.

Senator Coleman offered the following amendment to the amendment by Senators Coleman and Doderer and moved its adoption:

- 1 Amend the Curran, et al., amendment to House File 48, page 3, by
- 2 striking lines 18 through 23 and inserting in lieu thereof
- 3 the following:
- 4 "Movements by permit in accordance with this chapter

- 5 shall be permitted [only] during daylight hours unless it
6 is established by the issuing authority that the
7 movement can be better accomplished at another period
8 of time because of traffic [volume] conditions."

The amendment to the amendment was adopted.

Senator Hill offered the following amendment to the amendment:

- 1 Amend the Curran, et al., amendment, adopted April 26,
2 1971, to House File 48, page 2, by adding after line
3 10 the following new section, and renumbering the
4 remaining sections to conform with this amendment:
5 Sec. 2. Chapter three hundred twenty-one E point
6 three (321E.3) is amended by adding the following new
7 section:
8 "Any person, firm, or corporation receiving a
9 permit pursuant to this chapter to move any load on
10 a highway of this state that exceeds twelve feet five
11 inches in width shall pay to the state, for deposit
12 in the road use tax fund, a sum of money equal to one
13 dollar for every road mile for which such permit is
14 issued plus the reasonable cost of providing the
15 required escort, prior to receiving such permit."

Action on the Hill amendment to the amendment was deferred temporarily for the preparation of a substitute amendment.

Senator Gaudineer offered the following amendment to the amendment:

- 1 Amend the Curran, et al., amendment to House File 48,
2 page 3, by inserting after line 23 the following:
3 "*Any person, firm, or corporation who moves a vehicle*
4 *or mobile home upon the highways of this state in violation*
5 *of this chapter or any permit issued pursuant thereto,*
6 *shall, upon conviction, be fined not to exceed two thousand*
7 *dollars (\$2,000.00) or imprisoned in the county jail not*
8 *to exceed six (6) months or by both such fine and imprison-*
9 *ment. In addition thereto the highway commission may, for*
10 *a period not to exceed one year, refuse such person, firm,*
11 *or corporation any further permits."*

Senator Lamborn asked and received unanimous consent that further action on **House File 48** be deferred and that the bill be placed on the calendar under **unfinished business**.

STEERING COMMITTEE

The President of the Senate announced the appointment of the following Senators to the steering committee:

Senator Lamborn, Chairman
Senator Briles
Senator Brownlee
Senator Gaudineer

Senator Miller
 Senator Potter
 Senator Walsh

MOTION TO RECONSIDER LOST

Senate File 427

Senator Griffin called up the following motion filed by him on April 8, 1971, and moved its adoption:

MR. PRESIDENT: I move to reconsider the vote by which Senate File 427 failed to pass the Senate.

On the question "Shall the motion to reconsider be adopted?" the vote was:

Rule 24 was invoked.

Ayes, 20:

Arbuckle	DeKoster	Gross	Potgeter
Brownlee	Doderer	Kennedy	Riley
Carlson	Gaudineer	Milligan	Schaben
Coleman	Glenn	Neu	Tapscott
Curran	Griffin	Palmer	Walsh

Nays, 24:

Anderson	Gilley	Mowry	Shawver
Balloun	Graham	Nicholson	Smith
Bass	Hill	Ollenburg	Stephens
Briles	Keith	Potter	Thordsen
Conklin	Lamborn	Rabedaux	Van Drie
Erskine	Laverty	Rhodes	Van Gilst

Absent or not voting, 6:

Davis	Messerly	Robinson	Shaff
Kyhl	Miller		

The motion lost.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 470 passed the Senate.

WILLIAM D. PALMER

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate File 349, a bill for an act relating to the penalty and interest for the sales tax.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 361, a bill for an act relating to the taxation of private and professional libraries.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 462, a bill for an act relating to property tax levies for the basic school tax in Ida, Johnson and Kossuth Counties.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 227, a bill for an act relating to fee for issuance of tax deed.
WILLIAM R. KENDRICK, Chief Clerk

INTRODUCTION OF BILL

Senate File 531, by Senator Doderer (Ewell), a bill for an act relating to campaign expenses, and providing penalties.

Read first time and **passed on file**.

HOUSE MESSAGE CONSIDERED

House File 227, a bill for an act relating to fee for issuance of tax deed.

Read first time and **passed on file**.

On motion of Senator DeKoster, the Senate recessed until 1:15 p.m.

AFTERNOON SESSION

The Senate reconvened, Senator Brownlee presiding.

UNFINISHED BUSINESS

House File 262

On motion of Senator Kennedy, House File 262, a bill for an act relating to traffic control signals, was taken up for further consideration.

Senator Arbuckle offered the following amendment filed by him:

- 1 Amend House File 262, page 1, by striking in lines 14 and
- 2 15 the following: "whenever a sign is in place permitting
- 3 such turn".

Senator Arbuckle asked and received unanimous consent to withdraw the amendment.

Senator Arbuckle offered the following amendment by Senators Balloun and Arbuckle:

- 1 Amend House File 262, lines 14 and 15, by striking the following:

- 2 "whenever a sign is in place permitting such turn." and inserting in
3 lieu thereof the following: "except that local authorities may by
4 ordinance prohibit a right turn against a red or 'Stop' signal at any
5 intersection, if a sign is erected at the intersection giving notice
6 of the prohibition against a right turn."

Senator Arbuckle moved the adoption of the amendment and called for a division.

The amendment lost.

Senator Kennedy moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 262) the vote was:

Ayes, 44:

Anderson	Doderer	Lavery	Rabedaux
Arbuckle	Erskine	Messerly	Rhodes
Balloun	Gaudineer	Miller	Riley
Bass	Gilley	Milligan	Robinson
Briles	Glenn	Mowry	Smith
Brownlee	Graham	Neu	Stephens
Carlson	Gross	Nicholson	Tapscott
Coleman	Hill	Ollenburg	Thordsen
Conklin	Keith	Palmer	Van Drie
Curran	Kennedy	Potgeter	Van Gilst
Davis	Lamborn	Potter	Walsh

Nays, none.

Absent or not voting, 6:

DeKoster	Kyhl	Shaff	Shawver
Griffin	Schaben		

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

SENATE FILE WITHDRAWN

Senator Thordsen asked and received unanimous consent that **Senate File 293** be **withdrawn** from further consideration of the Senate.

MOTION TO RECONSIDER LOST

Senate File 188

Senator Walsh called up the following motion filed by him on April 30, 1971, and moved its adoption:

MR. PRESIDENT: I move to reconsider the vote by which Senate File 188 passed the Senate.

On the question "Shall the motion to reconsider be adopted?" (S.F. 188) the vote was:

Ayes, 19:

Coleman	Glenn	Palmer	Tapscott
Conklin	Gross	Potgeter	Thordsen
DeKoster	Kennedy	Riley	Van Gilst
Doderer	Miller	Robinson	Walsh
Gaudineer	Neu	Schaben	

Nays, 28:

Anderson	Curran	Lamborn	Rabedaux
Arbuckle	Davis	Lavery	Rhodes
Balloun	Erskine	Messerly	Shaff
Bass	Gilley	Mowry	Shawver
Briles	Graham	Nicholson	Smith
Brownlee	Hill	Ollenburg	Stephens
Carlson	Keith	Potter	Van Drie

Absent or not voting, 3:

Griffin	Kyhl	Milligan
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The motion lost.

INTRODUCTION OF BILL

Senate File 532, by Senator Miller, a bill for an act relating to summary administration of small estates and the transfer of personal property.

Read first time and **passed on file**.

COMMUNICATION FROM THE SECRETARY OF STATE

May 5, 1971

Mr. Carroll Lane
Secretary of the Senate
State Capitol Building
Des Moines, Iowa 50319

I hereby certify that House File 570 was published in The Sioux Center News, Sioux Center, Iowa, April 29, 1971, and in the Grinnell Herald-Register, Grinnell, Iowa, April 29, 1971.

Respectfully submitted,

MELVIN D. SYNHORST
Secretary of State

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on May 5, 1971, the Governor approved and transmitted to the Secretary of State the following bills:

S. F. 149—Relating to the imposition of a general criminal penalty for violations of the fish and game conservation laws.

S. F. 183—Relating to disposal of unneeded documents.

S. F. 190—Relating to the transfer of persons committed to jail.

- H. F. 24—To exempt certain electric utility projects from petition requirements.
- H. F. 26—Relating to the use of eminent domain for the development or utilization of water or water power for manufacturing, power, industrial and recreational purposes.
- H. F. 278—Relating to eligibility requirements for aid to dependent children.
- H. F. 283—Relating to the payment of claims.
- H. F. 429—Relating to preparation of ballots and voting machines for constitutional questions, amendments and public measures.
- H. F. 470—Relating to sale or transfer of livestock brands.

REPORT OF STEERING COMMITTEE

MR. PRESIDENT: Your steering committee begs leave to report that it has had the following bills under consideration and recommends they be placed on the steering committee calendar:

S. F. 441	S. F. 77	S. F. 503
S. F. 444	S. F. 356	S. F. 413
S. F. 85		

CLIFTON C. LAMBORN, Chairman

ANNOUNCEMENT BY THE PRESIDENT OF THE SENATE

President Jepsen announced the reassignment of **House File 668** from the committee on **social services** to the committee on **judiciary**.

ASSIGNMENT OF BILL TO COMMITTEE

President Jepsen announced the assignment of the following bill to committee:

H. F. 227 Ways and Means

COMMUNICATION FROM THE STATE DEPARTMENT OF HEALTH

In accordance with the provisions of section 28C of the Code of Iowa, the minutes of the Inter-Agency Liaison Committee held on April 2, 1971, have been received and placed on file in the office of the Secretary of the Senate.

REPORTS OF COMMITTEES

Senator Erskine submitted the following report:

MR. PRESIDENT: Your committee on conservation and recreation, to which was referred **House File 446**, a bill for an act relating to public recreation on

private lands, begs leave to report it has had the same under consideration and recommends the same **do pass**.

ALDEN J. ERSKINE, Chairman

Ordered passed on file.

Senator Thordsen submitted the following reports:

MR. PRESIDENT: Your committee on law enforcement, to which was referred **Senate File 369**, a bill for an act to authorize certain vehicles safety regulations on streets and highways and to prescribe a penalty, begs leave to report it has had the same under consideration and recommends the same **do pass**.

HAROLD A. THORSEN, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on law enforcement, to which was referred **Senate File 396**, a bill for an act relating to the revocation penalty for drag racing, begs leave to report it has had the same under consideration and recommends the same **do pass**.

HAROLD A. THORSEN, Chairman

Ordered passed on file.

Senator Potgeter submitted the following report:

MR. PRESIDENT: Your committee on state government, to which was referred **Senate File 486**, a bill for an act to repeal the basic science examination requirements and to abolish the board of examiners in the basic sciences, begs leave to report it has had the same under consideration and recommends the same **do pass**.

JAMES A. POTGETER, Chairman

Ordered passed on file.

Senator Walsh submitted the following reports:

MR. PRESIDENT: Your committee on transportation, to which was referred **Senate File 327**, a bill for an act relating to construction specifications for secondary roads, begs leave to report it has had the same under consideration and recommends the same **do pass**.

JOHN M. WALSH, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on transportation, to which was referred **Senate File 371**, a bill for an act relating to the movement of vehicles with loads of excess size and weight, begs leave to report it has had the same under consideration and recommends the same **do pass**.

JOHN M. WALSH, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on transportation, to which was referred **Senate File 376**, a bill for an act relating to vehicle equipment requirements, begs leave to report it has had the same under consideration and recommends the same **do pass**.

JOHN M. WALSH, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on transportation, to which was referred **Senate File 403**, a bill for an act relating to in-transit vehicles, begs leave to report it has had the same under consideration and **returns the bill without recommendation.**

JOHN M. WALSH, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on transportation, to which was referred **House File 46**, a bill for an act relating to slow-moving vehicle warning devices, begs leave to report it has had the same under consideration and recommends the same **be amended as follows; and when so amended the bill do pass:**

- 1 Amend House File 46, page 2, line 10, by striking the word
- 2 "or" and inserting in lieu thereof the words "and any such
- 3 tractor, implement, vehicle or grader".

JOHN M. WALSH, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on transportation, to which was referred **House File 658**, a bill for an act relating to flashing emergency lights on motor vehicles, begs leave to report it has had the same under consideration and recommends the same **do pass.**

JOHN M. WALSH, Chairman

Ordered passed on file.

AMENDMENTS FILED

- 1 Amend Senate File 85 as follows:
- 2 1. Page 3, by striking from lines 18 and 19 the words
- 3 "the chemical technology commission,".
- 4 2. Page 4, by striking lines 34 and 35.
- 5 3. Page 5, by striking lines 1 through 8.
- 6 4. Page 5, line 9, by striking the number "4" and
- 7 inserting in lieu thereof the number "3".
- 8 5. Page 5, line 26, by striking the word "four" and
- 9 inserting in lieu thereof the word "three".
- 10 6. Page 44, by striking all of lines 24 through 35.
- 11 7. By striking pages 45 through 78.
- 12 8. Page 74, by striking lines 1 through 16.
- 13 9. Page 76, line 7, by striking the following:
- 14 "two hundred (200), two hundred six (206), two".
- 15 10. Page 76, line 8, by striking the following:
- 16 "hundred six A (206A)".

RICHARDS L. STEPHENS
JAMES E. BRILES
J. WESLEY GRAHAM

- 1 Amend Senate File 323 as follows:

- 2 Page 1, by adding in line 9 after the period the
3 following:
4 *"However final action on any such matters shall be*
5 *taken in a public meeting and not in closed session in*
6 *the same manner provided in section 28A.3."*

WILSON L. DAVIS
MINNETTE DODERER

- 1 Amend Senate File 397, as follows:
2 1. Page 4, by inserting a new subsection after line 12,
3 as follows: "3. Ordinances and amendment shall be published
4 in a newspaper published in the city, but in cities in which
5 no newspaper is published such publication shall be given
6 by posting in three public places which have been permanently
7 designated by ordinance."
8 2. Page 94, by inserting after the period in line 28
9 the following sentence: "A city may deliver revenue bonds
10 to the federal government or an agency thereof which has
11 loaned the city money for any of the purposes referred to
12 in this section."

JOHN C. RHODES

- 1 Amend Senate File 470, page 1, by striking lines
2 6 through 22, inclusive, and insert in lieu thereof the
3 following:
4 "At the request of an employee through contractual
5 agreement a governing body may purchase an individual
6 annuity contract for an employee, from such insurance organi-
7 zation authorized to do business in this state and through
8 an Iowa licensed insurance agent as the employee may select,
9 for retirement or other purposes and may make payroll
10 deductions in accordance with such arrangements for the
11 purpose of paying the entire premium due and to become due
12 under such contract. The deductions shall be made in the
13 manner which will qualify the annuity premiums for the
14 benefit afforded under section 403b (26 USC #403b) of the
15 federal internal revenue code and amendments thereto. The
16 employee's rights under such annuity contract shall be non-
17 forfeitable except for the failure to pay premiums.

WILLIAM D. PALMER

- 1 Amend Senate File 503 on page 1, by inserting
2 after line 21 the following new section:
3 Sec. 2. Section three hundred forty point nine
4 (340.9), Code 1971, is amended by striking subsections
5 ten (10), eleven (11), and twelve (12) and inserting in
6 lieu thereof the following new subsection:
7 "One hundred thousand or more, an annual salary
8 established by the county board of supervisors, except
9 that in no case shall his annual salary be less than the
10 annual salary established in December, 1969."

ALDEN J. ERSKINE

- 1 Amend Senate File 513 as follows:
2 1. Page 3, by inserting after line 24 the following
3 new sections:

4 Sec. 4. Section four hundred twenty-two point
5 forty-two (422.42), subsection six (6), paragraph "b",
6 Code 1971, is amended as follows:

7 b. That in all transactions in which tangible
8 personal property is traded toward the purchase price of
9 tangible personal property of greater value [except the
10 sale of vehicles subject to registration under the laws
11 of this state], the gross receipts shall be only that por-
12 tion of the purchase price represented by the difference
13 between the total purchase price of such tangible per-
14 sonal property of greater value and the amount of such
15 tangible personal property traded.

16 Sec. 5. Section four hundred twenty-two point
17 forty-five (422.45), Code 1971, is amended by striking
18 subsection four (4) and inserting in lieu thereof the
19 following:

20 4. The gross receipts from sales of vehicles sub-
21 ject to registration.

22 Sec. 6. Section four hundred twenty-three point one
23 (423.1), subsection three (3), Code 1971, is amended as
24 follows:

25 3. "Purchase price" means the total amount for

Page 2

1 which tangible personal property is sold, valued in
2 money, whether paid in money or otherwise; provided that
3 cash discounts and [except the sale of vehicles subject to
4 registration under the laws of this state,] trade-in
5 allowances taken on sales shall not be included.

6 Sec. 7. Section four hundred twenty-three point one
7 (423.1), Code 1971, is amended by striking subsection
8 seven (7) and inserting in lieu thereof the following:

9 7. "Vehicles subject to registration" means any
10 vehicle subject to registration pursuant to section three
11 hundred twenty-one point eighteen (321.18) of the Code.

12 Sec. 8. Section four hundred twenty-three point
13 four (423.4), subsection one (1), Code 1971, is amended
14 as follows:

15 1. Tangible personal property, the gross receipts
16 from the sale of which are required to be included in the
17 measure of the tax imposed by division IV of chapter 422,
18 and any amendments made or which may hereafter be made
19 thereto. This exemption does not include [new motor ve-
20 hicles as defined herein] *vehicles subject to registration.*

21 Sec. 9. Section four hundred twenty-three point
22 four (423.4), subsection six (6), Code 1971, is amended
23 as follows:

24 6. Tangible personal property, the gross receipts
25 from the sale of which are exempted from the retail sales

Page 3

1 tax by the terms of section 422.45, *except subsection 6*
2 *as it relates to the sale of vehicles subject to regis-*
3 *tration.*

4 Sec. 10. Section four hundred twenty-three point
5 six (423.6), subsection one (1), Code 1971, is amended as

6 follows:

7 1. The tax upon the use of all [new motor vehicles
8 and new trailers] *vehicles subject to registration* shall
9 be collected by the county treasurer *who shall retain*
10 *twenty-five cents from each vehicle registration issued*
11 *for use and benefit of the county general fund* or depart-
12 ment of public safety pursuant to the provisions of
13 section 423.7.

14 Sec. 11. Section four hundred twenty-three point
15 seven (423.7), Code 1971, is amended as follows:

16 423.7 MOTOR VEHICLES. The tax hereby imposed upon
17 the use of [new motor vehicles and new trailers] *vehicles*
18 *subject to registration* shall be paid by the owner thereof
19 to the county treasurer or department of public safety
20 from whom the [original certificate of] *registration receipt*
21 [for such motor vehicle or trailer] is obtained. No
22 [original certificate of] *registration receipt* for any [new
23 motor vehicle or new trailer] *vehicle subject to registra-*
24 *tion* shall be issued until said tax has been so paid. The
25 county treasurer or department of public safety shall

Page 4

1 require every applicant for [an original certificate of] *a*
2 *registration receipt* for any [new motor vehicle or new
3 trailer] *vehicle subject to registration* to supply such
4 information as he or the director may deem necessary as
5 to the time of purchase, the purchase price, and other
6 information relative to the purchase of said [motor vehicle
7 or trailer] *vehicle subject to registration*. On or before
8 the tenth day of each month the county treasurer or
9 department of public safety shall remit to the department
10 the amount of the taxes so collected during the preceding
11 month, together with an itemized statement on forms furn-
12 ished by the department showing the name of each taxpayer,
13 the make and purchase price of each [motor vehicle or
14 trailer] *vehicle subject to registration*, the amount of
15 tax paid in each case, and such other information as the
16 director shall require.

17 Sec. 12. Section four hundred twenty-three point
18 eight (423.8), Code 1971, is amended as follows:

19 423.8 SALES TAX REPORT—DEDUCTION. Motor vehicle
20 or trailer dealers, in making their reports and returns
21 to the department for the purpose of paying the retail
22 sales tax imposed by division IV of chapter 422, shall be
23 permitted to deduct all gross receipts from retail sales
24 of [new motor vehicles and new trailers] *vehicles subject*
25 *to registration*. Gross receipts from [such new motor

Page 5

1 vehicle and new trailer] *sales of vehicles subject to*
2 *registration* are hereby expressly exempted from the tax
3 imposed by said division IV, but, if required by the
4 director, such gross receipts shall be included in the
5 returns made by motor vehicle or trailer dealers under
6 said division IV, and proper deductions taken pursuant
7 to this section.

8 2. Amend the title, page 1, line 1, by inserting
9 after the word "tax" the words "and relating to the
10 administration of the use tax imposed upon vehicles sub-
11 ject to registration".

H. L. OLLENBURG
CLIFTON C. LAMBORN
WAYNE D. KEITH
EDWARD E. NICHOLSON

1 Amend the Curran, et al., amendment, adopted April 26,
2 1971, to House File 48, page 2, by adding after line
3 10 the following new section, and renumbering the
4 remaining sections to conform with this amendment:
5 Sec. 2. Chapter three hundred twenty-one E point
6 three (321E.3) is amended by adding the following
7 new section:

8 "Any person, firm, or corporation receiving a
9 permit pursuant to this chapter to move any load on
10 a highway of this state that exceeds twelve feet five
11 inches in width shall pay to the state, for deposit
12 in the road use tax fund, a sum of money equal to one
13 dollar for every road mile for which such permit is
14 issued plus the reasonable cost, if any, of providing
15 the required escort, prior to receiving such permit."

EUGENE M. HILL

1 Amend the Curran, et al., amendment to House File 48
2 as follows:

3 1. Page 3, by inserting after line 23, the following:
4 "Any person, firm or corporation who moves a vehicle
5 or mobile home upon the highways of this state in violation
6 of this chapter or any permit issued pursuant thereto, shall,
7 upon conviction, be fined not to exceed one hundred dollars (\$100.00)
8 or, imprisoned in the county jail not to exceed thirty (30)
9 days, in addition to any other fines or penalties imposed
10 by this chapter. In addition thereto the highway commission
11 may, for a period not to exceed one year, refuse such person,
12 firm, or corporation any further permits."

13 2. Page 4, line 9, by numbering properly and adding
14 after line 9, the following new section:

15 "Sec. 7. Page 1, line 2, by adding after the word
16 "vehicles" the words, "and providing penalties for violations
17 thereof".

LEE H. GAUDINEER, JR.

1 Amend House File 658 by adding the following new
2 section:

3 Section three hundred twenty-one point four hundred
4 twenty-three (321.423), Code 1971, is amended by adding
5 the following new subsection:

6 "Emergency vehicles owned by a city or town may use
7 flashing blue or flashing red lights."

G. WILLIAM GROSS

On motion of Senator Lamborn, the Senate adjourned until 8:30
a.m., Friday, May 7, 1971.

JOURNAL OF THE SENATE

ONE HUNDRED SEVENTEENTH DAY

**SENATE CHAMBER
DES MOINES, IOWA, FRIDAY, MAY 7, 1971**

The Senate met in regular session, President Jepsen presiding.

Prayer was offered by Father Gerald Deere, pastor of the Christ The King Catholic Church, Des Moines, Iowa.

The Senate pledged allegiance to the flag.

The Journal of Thursday, May 6, 1971, was approved.

PRESENTATION OF VISITORS

The Chair announced that the following visitors were present in the Senate gallery:

Thirteen students from Sidney Community High School, Sidney, Iowa, accompanied by Mrs. Hills, Mrs. Rucker and Mr. Wahling.

Forty-two students from Lincoln Elementary School, Perry, Iowa, accompanied by their instructors, Mrs. Mains and Mrs. Roberts.

Forty-five students from Treynor Community School, Treynor, Iowa, accompanied by Mr. Rehurch and Mr. Guttau.

Forty-seven students from Le Grand Junior High School, Le Grand, Iowa, accompanied by Mrs. Hutton and Mr. Smith.

Thirty students from Dunlap Community School, Dunlap, Iowa. Senator Schaben's daughter was a member of the group.

Forty students from Franklin Elementary School, Muscatine, Iowa, accompanied by Mrs. O'Neill and Jerry Lange.

Sixty students from Sigourney, Iowa, accompanied by Gordon Cook and Judy Martin.

Fifty students from North Elementary School, Sigourney, Iowa, accompanied by Mrs. Goodman.

Seventy-five students from Nevada High School, Nevada, Iowa, accompanied by Kris Phillips and W. D. Miller.

ADOPTION OF SENATE RESOLUTION 3

Senator Kennedy called up for consideration the following resolution and moved its adoption:

SENATE RESOLUTION 3

By Kennedy

Be It Resolved by the Senate: That the week of May 17, 1971, be declared "Iowa High School Senior Voter Registration Week," and that each city clerk, working in cooperation with school officials, in the twenty-nine Iowa cities which require voter registration be encouraged to establish branch Registration Offices located within the high schools, or in suitable facilities as near high school as is reasonable, in order to expedite the registration of Iowa's high school seniors who are at least eighteen years of age.

Be It Further Resolved by the Senate: That copies of this resolution be transmitted to the executive offices of the League of Iowa Municipalities in Des Moines, Iowa, and to the city clerks of the following Iowa cities: Ames, Bettendorf, Boone, Burlington, Cedar Falls, Cedar Rapids, Charles City, Clinton, Council Bluffs, Davenport, Des Moines, Dubuque, Fort Dodge, Fort Madison, Iowa City, Keokuk, Marion, Marshalltown, Mason City, Muscatine, Newton, Oelwein, Oskaloosa, Ottumwa, Sioux City, Spencer, Urbandale, Waterloo and West Des Moines.

Division was called for.

The motion prevailed and the resolution was adopted.

CONSIDERATION OF BILLS

Senate File 507

On motion of Senator Arbuckle, Senate File 507, a bill for an act relating to the Iowa crime commission, was taken up and considered.

Senator Arbuckle moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 507) the vote was:

Ayes, 42:

Anderson	Doderer	Milligan	Riley
Arbuckle	Erskine	Mowry	Robinson
Balloun	Gaudineer	Neu	Schaben
Bass	Gilley	Nicholson	Shaff
Briles	Glenn	Ollenburg	Shawver
Brownlee	Griffin	Palmer	Smith
Carlson	Gross	Potgeter	Tapscott
Coleman	Kennedy	Potter	Van Drie
Conklin	Lamborn	Rabedaux	Van Gilst
Davis	Laverty	Rhodes	Walsh
DeKoster	Miller		

Nays, none.

Absent or not voting, 8:

Curran	Hill	Kyhl	Stephens
Graham	Keith	Messerly	Thordsen

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

Senator Arbuckle asked and received unanimous consent that **Senate File 507** be immediately messaged to the House, which request was complied with.

House File 39

On motion of Senator Bass, House File 39, a bill for an act relating to the regulation of aerial application of pesticides and establishing damage and enforcement procedures, was taken up, considered, and the report of the committee adopted.

Senator Bass moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 39) the vote was:

Ayes, 44:

Anderson	Erschine	Messeryly	Rhodes
Arbuckle	Gaudineer	Miller	Riley
Balloun	Gilley	Milligan	Robinson
Bass	Glenn	Mowry	Schaben
Briles	Graham	Neu	Shaff
Brownlee	Griffin	Nicholson	Shawver
Carlson	Gross	Ollenburg	Smith
Coleman	Hill	Palmer	Tapscott
Conklin	Kennedy	Potgeter	Van Drie
Davis	Lamborn	Potter	Van Gilst
DeKoster	Laverty	Rabedaux	Walsh

Nays, none.

Absent or not voting, 6:

Curran	Keith	Stephens	Thordsen
Doderer	Kyhl		

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

Senate File 484

On motion of Senator Shaff, Senate File 484, a bill for an act to authorize county boards of supervisors to adopt and enforce certain traffic ordinances, and to provide penalties for violations, was taken up and considered.

Senator DeKoster asked and received unanimous consent that action on **Senate File 484** be temporarily deferred.

MOTION TO SUSPEND RULES

Senator Schaben moved that the rules be suspended and that the

Governor's page, Tom Thoren, be allowed floor privileges in the Senate chamber.

The motion lost.

CONSIDERATION OF BILLS

Senate File 442

On motion of Senator Riley, Senate File 442, a bill for an act relating to the investment of funds of public bodies, with report of committee, was taken up, considered, and the report of the committee adopted.

Senator DeKoster offered the following amendment filed by him and moved its adoption:

- 1 Amend Senate File 442 as follows:
- 2 1. By striking all after the enacting clause and inserting
- 3 in lieu thereof the following:
- 4 "Section 1. Chapter four hundred fifty-three (453), Code
- 5 1971, is amended by adding the following new section:
- 6 "INVESTMENT OF FUNDS BY SCHOOL CORPORATIONS.
- 7 The board of directors of a school corporation may invest
- 8 any portion of the proceeds of bonds issued and not currently
- 9 needed in United States government bonds or make time deposits
- 10 as provided in this chapter.
- 11 Earnings and interest from investments authorized by this
- 12 section may be used to retire the bonded indebtedness or may
- 13 be credited to the schoolhouse fund for the purpose of fi-
- 14 nancing the construction or equipping of the school building
- 15 for which the bonds were sold."
- 16 Sec. 2. This Act shall apply to the use and crediting
- 17 of earnings and investments of the proceeds from bonds issued
- 18 prior to the effective date of this Act.
- 19 2. Amend the title by striking all of line 1 after the
- 20 word "investment" and inserting in lieu thereof the following:
- 21 "of public funds from the sale of school bonds."

Senator DeKoster asked and received unanimous consent that action on **Senate File 442** be temporarily deferred.

Senate File 502

On motion of Senator Laverty, Senate File 502, a bill for an act relating to the establishment of water effluent standards, was taken up and considered.

Senator Shawver offered the following amendment filed by him on April 23, 1971, and moved its adoption:

- 1 Amend Senate File 502, page 3, by adding the following
- 2 new section after line 16:
- 3 Sec. 3. This Act, being deemed of immediate importance,

- 4 shall take effect and be in force from and after its publica-
 5 tion in The New Hampton Tribune, a newspaper published in
 6 New Hampton, Iowa, and in The Times-Plain Dealer, a
 7 newspaper published in Cresco, Iowa.

The amendment was adopted.

Senator Laverty moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 502) the vote was:

Ayes, 43:

Anderson	Gaudineer	Messerly	Riley
Arbuckle	Gilley	Miller	Robinson
Bass	Glenn	Mowry	Schaben
Briles	Graham	Neu	Shaff
Brownlee	Griffin	Nicholson	Shawver
Carlson	Gross	Ollenburg	Smith
Coleman	Hill	Palmer	Tapscott
Curran	Keith	Potgeter	Van Drie
Davis	Kennedy	Potter	Van Gilst
DeKoster	Lamborn	Rabedeaux	Walsh
Erskind	Laverty	Rhodes	

Nays, none.

Voting present, 2:

Milligan Stephens

Absent or not voting, 5:

Balloun	Doderer	Kyhl	Thordsen
Conklin			

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

Senate File 442

The Senate resumed consideration of Senate File 442.

Senator DeKoster offered the following amendment to his amendment, and moved its adoption:

- 1 Amend the DeKoster amendment, filed May 5, 1971, to
- 2 Senate File 442, by striking all of line 12 and inserting
- 3 in lieu thereof the following: "section shall be used either
- 4 to retire the bonded indebtedness or to".

The amendment to the amendment was adopted.

On motion of Senator DeKoster, the amendment as amended was adopted.

Senator Riley withdrew his amendment filed April 28, 1971, and found on page 1034 of the Senate Journal.

Senator Riley moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 442) the vote was:

Ayes, 46:

Anderson	Erskine	Messery	Rhodes
Arbuckle	Gaudineer	Miller	Riley
Balloun	Gilley	Milligan	Robinson
Bass	Glenn	Mowry	Schaben
Briles	Graham	Neu	Shaff
Brownlee	Griffin	Nicholson	Shawver
Carlson	Gross	Ollenburg	Smith
Coleman	Hill	Palmer	Tapscott
Curran	Keith	Potgeter	Van Drie
Davis	Kennedy	Potter	Van Gilst
DeKoster	Lamborn	Rabedaux	Walsh
Doderer	Laverty		

Nays, none.

Absent or not voting, 4:

Conklin	Kyhl	Stephens	Thordsen
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The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Rhodes, from the joint committee on enrolled bills, submitted the following report and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: House Joint Resolution 16.

JOHN C. RHODES
Chairman, Senate Committee
ELIZABETH R. MILLER
Chairman, House Committee

Report adopted.

RESOLUTION SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate the following resolution: House Joint Resolution 16.

CONSIDERATION OF BILLS

Senate File 484

The Senate resumed consideration of Senate File 484.

Senator Mowry offered the following amendment and moved its adoption:

1 Amend Senate File 484, page 1, by adding after the period in

2 line 14 the following:

3 "The form and style of the information shall be in the name
4 of the county and as against the person in violation of the
5 traffic ordinance."

The amendment was adopted.

Senator Mowry moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 484) the vote was:

Ayes, 44:

Anderson	Doderer	Lavery	Rhodes
Arbuckle	Erskine	Messerly	Riley
Balloun	Gaudineer	Miller	Robinson
Bass	Gilley	Milligan	Schaben
Briles	Glenn	Mowry	Shaff
Brownlee	Graham	Neu	Shawver
Carlson	Griffin	Nicholson	Smith
Coleman	Gross	Ollenburg	Tapscott
Curran	Keith	Palmer	Van Drie
Davis	Kennedy	Potgeter	Van Gilst
DeKoster	Lamborn	Rabedaux	Walsh

Nays, none.

Absent or not voting, 6:

Conklin	Kyhl	Stephens	Thordsen
Hill	Potter		

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

UNFINISHED BUSINESS

MOTION TO RECONSIDER

Senate File 259

Senator Erskine moved to reconsider the vote by which Senate File 259 went to its last reading, which motion prevailed.

On motion of Senator Erskine, Senate File 259, a bill for an act relating to the imposition of an annual registration fee upon all motorboats and sailboats in lieu of personal property taxes and providing penalties for violations, was taken up for reconsideration.

Senator Erskine offered the following amendment filed by him May 3, 1971, and moved its adoption:

1 Amend Senate File 259 as follows:

2 1. Page 5, line 2, by inserting after the word

3 "fund" the words "if the owner of the motorboat or

4 sailboat resides outside the corporate limits of a city
5 or town, or to the general fund of the city or town if
6 the owner of the motorboat or sailboat resides within the
7 corporate limits of a city or town."

8 2. Page 5, by striking lines 3 and 4 and inserting
9 in lieu thereof the following:

10 "If the owner of a motorboat or sailboat is a
11 nonresident, the county treasurer shall allocate those
12 funds to the general fund of the county if the motorboat
13 or sailboat is stored or principally used outside the
14 corporate limits of a city or town, or to the general
15 fund of the city or town if the motorboat or sailboat is
16 stored or principally used within the corporate limits
17 of a city or town."

Senator Erskine asked and received unanimous consent that action on **Senate File 259** be deferred temporarily.

PRESENTATION OF SENATE QUEEN

The Secretary of the Senate made a special announcement and presented Dorothy Curran, secretary to Senator Leigh R. Curran, who was chosen by the Pages of the Senate as "Queen of the Senate" for the first session of the Sixty-fourth General Assembly.

CONSIDERATION OF BILLS

Senate Joint Resolution 10

On motion of Senator Messerly, Senate Joint Resolution 10, a joint resolution establishing legislative compensation to be paid because of a vacancy resulting in the Senate membership, was taken up and considered.

Senator Mowry moved that the resolution be read the last time now, which motion prevailed, and the resolution was read the last time.

On the question "Shall the resolution be adopted?" (S.J.R. 10) the vote was:

Ayes, 44:

Anderson	DeKoster	Messerly	Riley
Arbuckle	Erskine	Miller	Robinson
Balloun	Gaudineer	Milligan	Schaben
Bass	Gilley	Mowry	Shaff
Briles	Glenn	Neu	Shawver
Brownlee	Graham	Nicholson	Smith
Carlson	Griffin	Ollenburg	Stephens
Coleman	Keith	Palmer	Tapscott
Conklin	Kennedy	Potgeter	Van Drie
Curran	Lamborn	Potter	Van Gilst
Davis	Laverty	Rhodes	Walsh

Nays, none.

Voting present, 1:

Gross

Absent or not voting, 5:

Doderer	Kyhl	Rabedeaux	Thordsen
Hill			

The resolution having received a two-thirds constitutional majority was declared to have been adopted by the Senate and the title was agreed to.

Senate File 526

On motion of Senator Mowry, Senate File 526, a bill for an act to make appropriations to the appointive members of the capitol planning commission for per diem compensation for services rendered, was taken up and considered.

Senator Mowry moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 526) the vote was:

Ayes, 46:

Anderson	Doderer	Messerly	Rhodes
Arbuckle	Erskine	Miller	Riley
Balloun	Gaudineer	Milligan	Robinson
Bass	Gilley	Mowry	Schaben
Briles	Glenn	Neu	Shawver
Brownlee	Graham	Nicholson	Smith
Carlson	Griffin	Ollenburg	Stephens
Coleman	Gross	Palmer	Tapscott
Conklin	Keith	Potgeter	Van Drie
Curran	Kennedy	Potter	Van Gilst
Davis	Lamborn	Rabedeaux	Walsh
DeKoster	Lavery		

Nays, none.

Absent or not voting, 4:

Hill	Kyhl	Shaff	Thordsen
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The bill having received a two-thirds majority was declared to have passed the Senate and the title was agreed to.

Senate File 527

On motion of Senator Balloun, Senate File 527, a bill for an act relating to reports of treasurers of political subdivisions, was taken up and considered.

Senator Balloun moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 527) the vote was:

Ayes, 44:

Anderson	DeKoster	Lamborn	Rhodes
Arbuckle	Doderer	Messerly	Riley
Balloun	Erskine	Milligan	Robinson
Bass	Gaudineer	Mowry	Shaff
Briles	Gilley	Neu	Shawver
Brownlee	Glenn	Nicholson	Smith
Carlson	Graham	Ollenburg	Stephens
Coleman	Griffin	Palmer	Tapscott
Conklin	Gross	Potgeter	Van Drie
Curran	Keith	Potter	Van Gilst
Davis	Kennedy	Rabedeaux	Walsh

Nays, none.

Absent or not voting, 6:

Hill	Laverty	Schaben	Thordsen
Kyhl	Miller		

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

Senate File 528

On motion of Senator Mowry, Senate File 528, a bill for an act to appropriate funds from the general fund of the state to the higher education facilities commission for the state supported scholarship and medical student tuition loan programs, was taken up and considered.

SENATE FILE DEFERRED

Senator Neu asked and received unanimous consent that further action on **Senate File 528** be deferred, and that the bill retain its place on the calendar.

MOTIONS TO RECONSIDER

Senate File 323

Senator Doderer called up the following motion filed by her on May 3, 1971, and moved its adoption:

MR. PRESIDENT: I move to reconsider the vote by which Senate File 323 passed the Senate.

On the question "Shall the motion to reconsider be adopted?" (S.F. 323) the vote was:

Ayes, 44:

Anderson	Erskine	Messerly	Rhodes
Arbuckle	Gaudineer	Miller	Riley
Balloun	Gilley	Milligan	Robinson
Bass	Glenn	Mowry	Shaff
Brownlee	Graham	Neu	Shawver
Carlson	Gross	Nicholson	Smith
Coleman	Hill	Ollenburg	Stephens
Conklin	Kennedy	Palmer	Tapscott
Davis	Kyhl	Potgeter	Van Drie
DeKoster	Lamborn	Potter	Van Gilst
Doderer	Laverty	Rabedeaux	Walsh

Nays, 1:

Briles

Absent or not voting, 5:

Curran	Keith	Schaben	Thordsen
Griffin			

The motion prevailed.

Senator Doderer moved to reconsider the vote by which Senate File 323 went to its last reading, which motion prevailed.

On motion of Senator Doderer, Senate File 323, a bill for an act relating to negotiation proceedings of public agencies, was taken up for reconsideration.

Senator Davis offered the following amendment filed by Senators Davis and Doderer and moved its adoption:

- 1 Amend Senate 323 as follows:
- 2 Page 1, by adding in line 9 after the period the
- 3 following:
- 4 *"However final action on any such matters shall be*
- 5 *taken in a public meeting and not in closed session in*
- 6 *the same manner provided in section 28A.3."*

The amendment was adopted.

Senator Davis moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 323) the vote was:

Ayes, 36:

Arbuckle	Erskine	Miller	Rabedeaux
Briles	Gaudineer	Milligan	Riley
Brownlee	Graham	Mowry	Robinson
Carlson	Griffin	Neu	Schaben
Conklin	Gross	Nicholson	Shawver
Curran	Hill	Ollenburg	Stephens
Davis	Keith	Palmer	Tapscott
DeKoster	Kennedy	Potgeter	Van Drie
Doderer	Laverty	Potter	Van Gilst

Nays, 10:

Anderson	Gilley	Messerly	Smith
Bass	Glenn	Rhodes	Walsh
Coleman	Lamborn		

Absent or not voting, 4:

Balloun	Kyhl	Shaff	Thordsen
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 259

The Senate resumed consideration of Senate File 259.

Senator Erskine offered the following amendment to his amendment and moved its adoption:

- 1 Amend the Erskine amendment, filed May 3, 1971, to Senate File
- 2 259, by striking lines 8 and 9 and inserting in lieu thereof
- 3 the following:
- 4 "2. Page 5, by inserting before line 5, the following:".

The amendment to the amendment was adopted.

Senator Erskine moved the adoption of his amendment as amended.

Senator Potgeter took the chair at 11:26 a.m.

Division was called for.

The amendment as amended was adopted.

Senator Brownlee withdrew his amendment filed on April 29, 1971, and found on pages 1053-1054 of the Senate Journal.

Senator Erskine moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 259) the vote was:

Ayes, 30:

Anderson	DeKoster	Lamborn	Riley
Arbuckle	Doderer	Lavery	Schaben
Balloun	Erskine	Mowry	Shaff
Bass	Graham	Neu	Stephens
Briles	Gross	Nicholson	Tapscott
Carlson	Hill	Potter	Van Gilst
Conklin	Keith	Rhodes	Walsh
Curran	Kennedy		

Nays, 14:

Brownlee	Glenn	Palmer	Robinson
Coleman	Messerly	Potgeter	Smith
Gaudineer	Miller	Rabedeaux	Van Drie
Gilley	Milligan		

Voting present, 1:

Shawver

Absent or not voting, 5:

Davis

Kyhl

Ollenburg

Thordsen

Griffin

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

Senator Erskine asked and received unanimous consent that **Senate File 259** be immediately **messaged** to the House, which request was complied with.

Senate File 441

On motion of Senator Lamborn, Senate File 441, a bill for an act relating to the dispossession of a landowner under condemnation proceedings for highway purposes, was taken up and considered.

Senator Gaudineer offered the following amendment filed by him and moved its adoption:

- 1 Amend Senate File 441, page 1, line 11, by inserting
- 2 after the word "purposes" the words "by the Iowa Highway
- 3 Commission".

SENATE FILE DEFERRED

Senator Walsh asked and received unanimous consent that further action on Senate File 441 be deferred and that the bill be placed on the calendar under **unfinished business**.

CONSIDERATION OF BILLS

Senate File 444

On motion of Senator Van Drie, Senate File 444, a bill for an act relating to students fees at merged area community colleges and vocational schools, was taken up and considered.

Senator Van Drie offered the following amendment filed by him and moved its adoption:

- 1 Amend Senate File 444, line 7, by striking the words
- 2 "may be".

The amendment was adopted.

Senator Balloun withdrew his amendment filed April 5, 1971 and found on page 720 of the Senate Journal.

Senator Balloun offered the following amendment and moved its adoption:

- 1 Amend Senate File 444 as follows:
- 2 1. Page 1, line 8, by inserting after the word "breakage"
- 3 the word "and".
- 4 2. Page 1, by striking from lines 8, 9, and 10 the following:

- 5 “, and other objects and purposes for which student fees other than
6 tuition are customarily charged by colleges and universities.”.

Division was called for.

The amendment lost.

Senator Walsh took the chair at 12:36 p.m.

President Jepsen took the chair at 1:09 p.m.

Senator Van Drie moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 444) the vote was:

Ayes, 39:

Briles	Gaudineer	Mowry	Schaben
Brownlee	Glenn	Neu	Shaff
Carlson	Griffin	Nicholson	Shawver
Coleman	Gross	Palmer	Smith
Conklin	Hill	Potgeter	Stephens
Curran	Keith	Potter	Tapscott
Davis	Kennedy	Rabedaux	Van Drie
DeKoster	Laverty	Rhodes	Van Gilst
Doderer	Miller	Riley	Walsh
Erskine	Milligan	Robinson	

Nays, 8:

Anderson	Balloun	Gilley	Lamborn
Arbuckle	Bass	Graham	Messerly

Absent or not voting, 3:

Kyhl	Ollenburg	Thordsen
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

BIRTHDAY CONGRATULATIONS

Senator Schaben rose on a point of personal privilege and offered birthday congratulations to Senator Anderson.

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on May 7, 1971, the Governor approved and transmitted to the Secretary of State the following bills:

- S. F. 155—An act relating to findings of the commission of hospitalization.
- S. F. 256—An act authorizing cities and towns to acquire land by lease for park purposes, and to finance the acquisition or improvement of the leased land by issuing general obligation bonds.
- S. F. 269—An act relating to providing that expenditures of funds by the

county board of supervisors to replace property acquired by another governmental body need not be submitted to the voters.

S. F. 348—An act relating to nonprofit corporations.

S. F. 389—An act relating to the place of payment of public bonds.

S. F. 426—An act to legalize and validate the proceedings of the board of directors of the Des Moines Independent Community School District, in the County of Polk, State of Iowa, confirming and authorizing the sale of certain property.

H. F. 37—An act authorizing a public agency to dispose of an interest in property.

H. F. 197—An act relating to taxation and regulation of rural electric cooperatives.

H. F. 369—An act relating to fees for census searches charged by the Iowa Department of History and Archives.

H. F. 382—An act relating to labeling of foreign meats.

H. F. 384—An act to change certain references in the Code from "Poultry and Hatchery Association" to "Poultry Association, Incorporated".

INTRODUCTION OF BILLS

Senate File 533, by committee on judiciary, a bill for an act to legalize the purchase of real estate by the state historical society of Iowa, for the use and benefit of the State of Iowa.

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

Senate File 534, by committee on judiciary, a bill for an act relating to the manner in which court reporters are compensated.

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

REPORTS OF COMMITTEE

Senator DeKoster submitted the following reports:

MR. PRESIDENT: Your committee on judiciary, to which was referred **House File 178**, a bill for an act relating to a requirement that persons accused of having committed crimes together stand trial together, unless justice requires otherwise, begs leave to report it has had the same under consideration and **returns the bill without recommendation**.

LUCAS J. DEKOSTER, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary, to which was referred **House File 180**, a bill for an act relating to the granting of immunity to

witnesses testifying in criminal proceedings, begs leave to report it has had the same under consideration and recommends the same **be amended as follows; and when so amended the bill do pass:**

- 1 Amend House File 180 by striking everything after the
- 2 enacting clause and inserting in lieu thereof the following:
- 3 "Section 1. No witness in a grand jury proceeding, criminal
- 4 trial, or hearing is excused from giving testimony or producing
- 5 evidence upon the ground that his testimony or evidence would
- 6 tend to incriminate him, if the witness has received immunity
- 7 from the use of the testimony or evidence against himself.
- 8 Sec. 2. A grand jury may grant immunity to any witness
- 9 appearing before it from the use of testimony or evidence
- 10 given by the witness against himself.
- 11 Sec. 3. The court in any criminal trial or hearing may
- 12 grant immunity to any witness in the trial or hearing from the
- 13 use of the testimony or evidence given by the witness against
- 14 himself.
- 15 Sec. 4. No person compelled under this Act to testify or
- 16 produce evidence tending to incriminate him shall be prosecuted
- 17 for any crime which such testimony or evidence tends to prove or
- 18 to which the same relates. This section shall not exempt any
- 19 person from prosecution for perjury.
- 20 Sec. 5. Section six hundred twenty-two point fourteen
- 21 (622.14), six hundred twenty-two point fifteen (622.15), and
- 22 six hundred twenty-two point sixteen (622.16), Code 1971, are
- 23 repealed."

LUCAS J. DEKOSTER, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary, to which was referred **House File 675**, a bill for an act relating to the payment of court costs, begs leave to report it has had the same under consideration and recommends the same **do pass**.

LUCAS J. DEKOSTER, Chairman

Ordered passed on file.

AMENDMENTS FILED

- 1 Amend Senate File 280 as follows:
- 2 1. Page 2, by striking lines 3 through 7 and inserting the
- 3 following:
- 4 "1. The disposable earnings of an individual shall be exempt
- 5 from garnishment to the extent provided by the federal Consumer
- 6 Credit Protection Act, Title III. The term "Consumer Protection
- 7 Act" means the Act of Congress approved May 29, 1968, 82 Stat.
- 8 163, officially cited as the "Consumer Credit Protection Act,
- 9 Title III." The maximum amount of an employee's earnings which
- 10 may be garnished during any one calendar year is two hundred fifty
(250) dollars for
- 11 each five thousand (5,000) dollars of such employee's earnings, except
as provided
- 12 in section 627.12 of the Code."

13 2. Page 2, by striking lines 13 and 14, and inserting the
14 following:
15 “c. Discharge any individual by reason of the fact that his
16 earnings have been subjected to garnishment for any one indebted-
17 ness.”

TOM RILEY

1 Amend Senate File 292 by striking all after the enacting
2 clause and inserting in lieu thereof the following:
3 Section 1. As used in this Act:
4 1. “Processor” means a person, firm, or corporation,
5 which alone or in conjunction with others, controls the
6 manufacturing or preparation for market of beef or pork
7 products having an annual value of one million dollars
8 or more.
9 2. “Distributor” means a person, firm, or corporation,
10 which alone or in conjunction with others, controls the
11 marketing, sales, or distribution of beef or pork products
12 or feedstuffs for cattle or hogs and does an annual business
13 of one million dollars or more.
14 3. The word “control” includes control by ownership,
15 stockholdings, interlocking directorates, common membership
16 in a conglomerate, through holding companies, subsidiaries,
17 stock options, or any other financial or contractual
18 arrangement.
19 Section 2. In order to preserve free and private enterprise,
20 prevent monopoly, and protect consumers, it shall be
21 unlawful for any processor or distributor to own, control,
22 operate, or in any manner engage in the production of
23 cattle or hogs. This section shall not prevent processors
24 or distributors from carrying on legitimate research
25 activities nor shall it prevent processors from providing

Page 2

1 normal care and feeding of animals immediately prior to
2 slaughter.
3 Section 3. Any corporation or firm violating the provisions
4 of Section two (2) of this Act shall, upon conviction,
5 be punished by a fine of not less than ten thousand dollars
6 and not more than fifty thousand dollars, and shall be
7 prohibited from doing business in this state for a period
8 not to exceed three years.
9 Any person violating the provisions of section two (2)
10 of this Act shall, upon conviction, be punished by a fine
11 of not less than one thousand dollars and not more than ten
12 thousand dollars.
13 Section 4. In addition to the penalties provided in this
14 Act, the courts of this state may prevent and restrain vio-
15 lations of this Act through the issuance of an injunction.
16 The attorney general or a county attorney shall institute
17 suits on behalf of the state to prevent and restrain violations
18 of this Act. Any person or class of persons damaged or who
19 is threatened with loss, damage or injury by reason of a
20 violation of this Act may commence an action in the district
21 court for injunction relief, or for compensatory and exemplary

22 damages and for the costs of commencing and completing the
23 action including but not limited to the costs for retaining
24 attorneys.

25 Section 5. This Act shall not apply to any corporation

Page 3

1 organized under the provisions of chapter 491 of the Code,
2 which has assets of the value of one million dollars or
3 more and is owned by individuals owning not more than one
4 share each of the voting stock thereof.

JAMES E. BRILES

1 Amend Senate File 441 as follows:

2 1. Page 1, line 12, by inserting after the word "been"
3 the word "finally".

4 2. Page 1, line 17, by inserting after the word "purposes."
5 the following:

6 *"This Act shall be applicable to condemnation proceedings*
7 *pending on the effective date of this Act; it being pro-*
8 *vided that, as to such proceedings, unless damages have*
9 *been finally determined and paid, the landowner shall not*
10 *be dispossessed until one hundred eighty days after the*
11 *effective date of this Act."*

12 3. Page 1, by adding the following new section
13 after line 17:

14 "Sec. 2. This Act, being deemed of immediate impor-
15 tance, shall take effect and be in force from and
16 after its publication in The Cedar Rapids Gazette, a
17 newspaper published in Cedar Rapids, Iowa, and in The
18 Telegraph-Herald, a newspaper published in Dubuque,
19 Iowa."

TOM RILEY

1 Amend Senate File 511 as follows:

2 1. Page 2, line 5, by adding after the period the following
3 "For the purpose of this Act a school district is defined as a
4 school corporation organized under chapter two hundred seventy-
5 four (274), of the Iowa Code."

6 2. Page 2, line 10, by striking the word "June" and inserting the
7 word "February".

8 3. Page 2, line 11, by inserting after the word "property" the
9 words "for the preceding year".

10 4. Page 2, line 23, by inserting after the word "valuation" the
11 words "for the preceding year".

12 5. Page 2, line 24, by striking the words "adjusted gross income"
13 and inserting the words "net income as defined in section four
14 hundred twenty-two point seven (422.7), of the Code, for the most
15 recently completed year".

16 6. Page 2, line 27, by inserting after the word "property" the
17 words "for the preceding year".

18 7. Page 2, line 28, by striking the words "adjusted gross income"
19 and inserting the words "net income for the most recently completed
20 year".

21 8. Page 3, by striking all of line 8, and in line 9 the words "five
22 percent".

- 23 9. Page 3, line 10, by striking the words “, whichever is smaller”.
24 10. Page 3, line 11, by striking the word “July” and inserting the
25 word “April”.

Page 2

- 1 11. Page 3, line 12, by striking the word “accurate”.
2 12. Page 3, line 12, by inserting after the word “approximation”
3 the words “based on the previous year’s fall enrollment”.
4 13. Page 3, line 27, by striking the words “of a school district”
5 and inserting the words “for the purpose set forth in section two
6 (2) of this Act”.
7 14. Page 5, line 14, by inserting after the word “increased” the
8 words “or decreased”.
9 15. Page 5, line 17, by inserting after the word “state”, the words
10 “general fund”.
11 16. Page 5, line 24, by inserting after the word “added” the words
12 “or subtracted”.
13 17. Page 5, line 34, by inserting after the word “budget”, the
14 words “per pupil”.
15 18. Page 5, line 35, by striking the word “three” and inserting
16 the word “five”.
17 19. Page 6, line 1, by inserting after the word “budget” the words
18 “per pupil”.
19 20. Page 6, by adding after the period in line 1, the following:
20 “However, the general fund budget of a school district for 1972-1973
21 shall not increase by more than forty-six (46) dollars per pupil.”.
22 21. Page 6, line 4, by inserting after the second word “tax” the
23 words “as provided in section six (6) of this Act”.
24 22. Page 6, line 12, by striking the word “or” and inserting the
25 words “and if its application is refused,”.

Page 3

- 1 23. Page 6, line 20, by striking the words “the superin-” and all
2 of lines 21 and 22 and the words “representative on the committee”
3 in line 23.
4 24. Page 6, by striking in line 24 the words “each year in Des
5 Moines”.
6 25. Page 6, by striking line 25 and in line 26 the words “budgets
7 of school districts, as provided in” and inserting the words “to
8 carry out the provisions of”.
9 26. Page 6, line 32, by striking the words “or his representative”.
10 27. Page 6, by striking in lines 33 and 34, the words “or his
11 representative”.
12 28. Page 7, by striking in lines 10 and 11 the words “which the
13 committee prescribes” and inserting the words “so prescribed”.
14 29. Page 7, line 20, by inserting after the letters “tion” the
15 words “and the state comptroller”.
16 30. Page 8, line 8, by striking the second word “, and” and all of
17 lines 9 and 10, and inserting in lieu thereof a period.
18 31. Page 8, by striking in lines 22 and 23 the words “or on the
19 last day of a tax year falling within that calendar year” and insert-
20 ing the words “or for fiscal year taxpayers, on the last day of their
21 tax year falling after the adoption of the income surtax”.
22 32. Page 8, line 30, by striking everything after the word “able,”
23 and all of line 31 and inserting in lieu thereof “or for fiscal year

24 taxpayers on the last day of their tax year falling after the adoption
25 of the income surtax. For purposes of this Act the words 'state
individual

Page 4

1 tax paid' shall mean the tax computed under section four hundred
2 twenty-two point five (422.5), Code of Iowa, less the deductions
3 allowed in section four hundred twenty-two point twelve (422.12),
4 Code of Iowa."

5 33. Page 9, line 10, by adding after the period the following:
6 "The school board shall publish in an official newspaper the income
7 surtax rate."

8 34. Page 9, by striking lines 18 and 19, and inserting in lieu
9 thereof "for fiscal year taxpayers, on the last day of their tax
10 year falling after the adoption of the income surtax."

11 35. Page 9, line 20, by inserting after the word "surtax" the words
12 "or as much thereof as may be necessary,".

13 36. Page 9, line 22, by inserting after the word "until" the words
14 "the school board finds that the surtax or a part thereof is unnec-
15 essary, or until the amount of the surtax is".

16 37. Page 9, line 28, by striking the word "increase" and inserting
17 the word "alter".

18 38. Page 9, line 30, by inserting after the word "years," the words
19 "if a school district income surtax is found to be necessary,".

20 39. Page 10, line 10, by striking the word "tax" and inserting
21 the word "surtax".

22 40. Page 10, line 16, by striking the word "tax" and inserting the
23 word "surtax".

24 41. Page 10, line 18, by striking the words "tax return" and insert-
25 ing the word "surtax".

Page 5

1 42. Page 10, line 22, by striking the word "TAX" and inserting the
2 word "SURTAX".

3 43. Page 10, line 24, by striking the word "tax" and inserting the
4 word "surtax".

5 44. Page 10, line 26, by striking the word "tax" and inserting the
6 word "surtax".

7 45. Page 10, line 28, by striking the word "TAX" and inserting the
8 word "SURTAX".

9 46. Page 10, line 30, by striking the word "tax" and inserting the
10 word "surtax".

11 47. Page 10, by striking in lines 32 and 33 the words "a taxpayer's
12 tax year ending within that calendar year" and inserting in lieu
13 thereof the words "for fiscal year taxpayers, on the last day of
14 their tax year falling after the adoption of the income surtax".

15 48. Page 11, line 1, by striking the word "tax" and inserting the
16 word "surtax".

17 49. Page 11, line 5, by striking the word "tax" and inserting the
18 word "surtax".

19 50. Page 11, line 8, by striking the word "TAX" and inserting the
20 word "SURTAX".

COMMITTEE ON SCHOOLS
W. CHARLENE CONKLIN, Chairman

- 2 inserting after the period the following:
3 "For the purpose of determining a school district's
4 relative wealth only, per pupil enrollment includes the
5 number of students residing in the district or the state
6 and attending nonpublic schools, as well as the students
7 attending public schools, and shared-time students shall
8 not be separately counted."

ARTHUR A. NEU
TOM RILEY
JOHN M. WALSH
GEORGE L. SHAWVER
S. J. BROWNLEE
G. WILLIAM GROSS
JAMES F. SCHABEN
LUCAS J. DeKOSTER
WILSON L. DAVIS
JOHN E. TAPSCOTT
GENE V. KENNEDY

- 1 Amend Senate File 511 by inserting in page 3, line
2 4, after the word "enrollment" the words "and the total
3 prorated by the state comptroller so that the total to be
4 paid to all school districts equals but does not exceed
5 the total amount of money appropriated for state aid
6 under this section".

ROGER J. SHAFF

- 1 Amend Senate File 528 as follows:
2 1. Page 2, by striking lines 31 through 35, inclu-
3 sive.
4 2. Page 3, by striking lines 1 through 7, inclusive,
5 and inserting in lieu thereof the following:
6 "Sec. 4. Any balance remaining in the funds for
7 which appropriations are made by this Act at the end of
8 the first fiscal year of the biennium shall carry forward
9 to the second fiscal year of the biennium."

ARTHUR A. NEU

- 1 Amend House File 129 as amended, passed and reprinted
2 by the House as follows:
3 1. Page 36, after line 30, add the following new section:
4 "Sec. 94. Neither the provisions of this Act nor regulations
5 adopted pursuant to thereto shall apply in any situation where
6 such provision or regulation is in conflict with governing
7 federal regulation or where the provision or regulation would
8 jeopardize the receipt of federal funds.
9 2. By renumbering the following sections to conform with
10 this amendment."

LUCAS J. DeKOSTER

- 1 Amend the committee on state government, Potgeter
2 chairman, amendment to House File 129, as found on pages
3 1133 to 1145 of the Senate Journal, filed May 5, 1971,
4 as follows:
5 1. Page 1, line 2, by inserting after the comma

- 6 the words "and reprinted,".
- 7 2. Page 2, line 11, by striking the words "or upon
- 8 his order".
- 9 3. Page 4, by inserting after line 3, the following:
- 10 17. Page 7B, by striking lines 36 through 38.
- 11 4. Page 4, line 17, by striking the words "capital
- 12 grounds and capital" and inserting in lieu thereof the
- 13 words "capitol grounds and capitol".
- 14 5. Page 4, line 19, by striking the word "capital"
- 15 and inserting in lieu thereof the word "capitol".
- 16 6. Page 4, line 22, by striking the word "capital"
- 17 and inserting in lieu thereof the "capitol".
- 18 7. Page 5, line 2 by inserting the letter "A" after
- 19 the numeral "10".
- 20 8. Page 5, by striking lines 18 through 22 and in
- 21 serting in lieu thereof the following: 30. Page 22,
- 22 lines 14, 15, and 16, by striking the words "[, with the
- 23 approval of the printing board and the executive coun-
- 24 cil,]" and inserting in lieu thereof the words ", with
- 25 the approval of the [printing board and the] executive

Page 2

- 1 council,".
- 2 9. Page 19, by striking line 19.
- 3 10. Page 23, line 15, by striking the following
- 4 "line 27" and inserting in lieu thereof the following
- 5 "lines 27 and 28".
- 6 11. By renumbering the sections.

COMMITTEE ON STATE GOVERNMENT
JAMES A. POTGETER, Chairman

- 1 Amend the amendment to House File 129 filed by the committee
- 2 on state government on May 5, 1971, by adding after the
- 3 comma on page 1, line 17, the words "the commission for
- 4 the blind,".

JAMES F. SCHABEN
JAMES W. GRIFFIN
CHARLES P. MILLER
GENE V. KENNEDY
G. WILLIAM GROSS
R. DEAN ARBUCKLE
JOHN M. WALSH
MARVIN SMITH
CLOYD E. ROBINSON
TOM RILEY

- 1 Amend the committee on state government, Potgeter
- 2 chairman, amendment to House File 129, as found on
- 3 pages 1133 to 1145 of the Senate Journal, filed May
- 4 5, 1971, as follows:
- 5 1. Page 10, by striking lines 2 through 5, and
- 6 inserting in lieu thereof the words "*department of*
- 7 *general services*".
- 8 2. Page 11, by striking line 22, and inserting

- 9 in lieu thereof the words "and the per-mile cost of".
10 3. Page 12, line 2, by striking the words "*avia-*
11 *tion fuel*".
12 4. Page 12, line 13, by striking the words "*or*
13 *hours flown*".
14 5. Page 12, line 17, by striking the words "*or*
15 *per hour flown*".
16 6. Page 13, by striking lines 17 and 18.
17 7. Page 14, line 11, by striking the words "*or*
18 *airport*".
19 8. Page 15, by striking lines 17 and 18, and in-
20 serting in lieu thereof the words "used on all state
21 cars".
22 9. Page 16, line 18, by striking the words "*or*
23 *flying*".
24 10. Page 16, by striking lines 21 and 22, and
25 inserting in lieu thereof the words "per mile."

Page 2

- 1 11. Page 17, line 14, by striking the words
2 "*aviation fuel*".

JAMES A. POTGETER

- 1 Amend House File 420, page 1, by inserting after
2 line 14, the following new section:
3 "Sec. 2. Chapter three hundred fifty-six (356), Code
4 1971, is further amended by adding the following new
5 section thereto:
6 A judge who sentences a person to the county jail or
7 other detention facility pursuant to this chapter, may
8 suspend any part of such sentence and place such person on
9 probation, upon such terms and conditions as the sentencing
10 judge may direct, after such person has served that part
11 of his sentence which was not suspended."

LEE H. GAUDINEER, JR.

On motion of Senator Lamborn, the Senate adjourned until 9:00 a.m., Monday, May 10, 1971.

JOURNAL OF THE SENATE

ONE HUNDRED TWENTIETH DAY

SENATE CHAMBER

DES MOINES, IOWA, MONDAY, MAY 10, 1971

The Senate met in regular session, President Jepsen presiding.

Prayer was offered by the Reverend John N. Ness, pastor of the First Lutheran Church, Decorah, Iowa.

The Senate pledged allegiance to the flag.

The Journal of Friday, May 7, 1971, was approved.

PRESENTATION OF VISITORS

The Chair announced that the following visitors were present in the Senate gallery:

Fifteen students from Lone Tree Community School, Lone Tree, Iowa, accompanied by Mrs. Hotz, Mrs. Hartley, Mrs. Laren, Mrs. Swartzendruber and Mrs. Kautz.

Seventy students from Oskaloosa Community High School, Oskaloosa, Iowa, accompanied by Mrs. Urzilla and Mr. Sheesley.

PETITIONS

The following petitions were presented and placed on file:

By Senators Nicholson and Thordsen, from two thousand nine hundred ninety-five residents of Iowa, opposing the use of any public funds, either State or County, to provide financial or material support of any private school, or to subsidize the salaries of teachers, or other personnel, in private schools.

By Senator Erskine, from two hundred eighty-six residents of Woodbury County favoring Senate Files 374 and 444, authorizing merged areas to acquire and operate student centers financed with revenue bonds, and to adopt, collect, and expend student fees.

By Senator Griffin, from one hundred twelve residents of Pottawattamie County opposing an increase of one cent sales tax unless one-half is returned to cities and towns.

By Senators Walsh and Kennedy, from four hundred ninety-seven

residents of Dubuque County opposing any loss of medicaid benefits as a result of cancelled old age assistance grants.

SENATE FILE WITHDRAWN

Senator Conklin asked and received unanimous consent that **Senate File 501** be **withdrawn** from further consideration of the Senate.

CONSIDERATION OF BILLS

House File 479

On motion of Senator Potter, House File 479, a bill for an act relating to the extension of operators' and chauffeurs' licenses; licenses for persons separated from military service, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Potter offered the following amendment filed by the committee on law enforcement and moved its adoption:

- 1 Amend House File 479, page 1, by striking in lines 16 and
- 2 17 the words "*separation* is honorable and such", and insert the
- 3 words "[is honorable and such]".

Division was called for.

The amendment was adopted.

Senator Potter moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 479) the vote was:

Ayes, 43:

Anderson	Erskine	Messerly	Riley
Arbuckle	Gaudineer	Miller	Schaben
Bass	Glenn	Milligan	Shaff
Briles	Graham	Mowry	Shawver
Brownlee	Griffin	Nicholson	Smith
Carlson	Gross	Ollenburg	Stephens
Coleman	Hill	Palmer	Tapscott
Conklin	Keith	Potgeter	Thordsen
Curran	Kennedy	Potter	Van Drie
Davis	Lamborn	Rabedeaux	Van Gilst
DeKoster	Laverty	Rhodes	

Nays, none.

Absent or not voting, 7:

Balloun	Gilley	Neu	Walsh
Doderer	Kyhl	Robinson	

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

House File 614

On motion of Senator Briles, House File 614, a bill for an act relating to the state fair board, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Briles moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 614) the vote was:

Ayes, 43:

Anderson	Erskine	Messerly	Robinson
Arbuckle	Gaudineer	Miller	Schaben
Bass	Glenn	Milligan	Shaff
Briles	Graham	Mowry	Shawver
Brownlee	Griffin	Nicholson	Smith
Carlson	Gross	Ollenburg	Stephens
Coleman	Hill	Potgeter	Tapscott
Conklin	Keith	Potter	Thordsen
Curran	Kennedy	Rabedeaux	Van Drie
Davis	Lamborn	Rhodes	Van Gilst
DeKoster	Laverty	Riley	

Nays, none.

Absent or not voting, 7:

Balloun	Gilley	Neu	Walsh
Doderer	Kyhl	Palmer	

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

Senate File 509

On motion of Senator Griffin, Senate File 509, a bill for an act relating to vocational training and apprenticeship programs, was taken up and considered.

Senator Griffin offered the following amendment filed by Senators Griffin and Davis and moved its adoption:

- 1 Amend Senate File 509, page 3, by striking lines 14 through 18,
- 2 and inserting in lieu thereof the following:
- 3 "Sec. 2. This Act, being deemed of immediate importance,
- 4 shall take effect and be in force from and after its publica-
- 5 tion in The Daily Gate City, a newspaper published in Keokuk,
- 6 Iowa, and in Council Bluffs Nonpareil, a newspaper published
- 7 in Council Bluffs, Iowa."

The amendment was adopted.

Senator Griffin moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 509) the vote was:

Ayes, 43:

Anderson	Gaudineer	Miller	Robinson
Arbuckle	Glenn	Milligan	Schaben
Bass	Graham	Mowry	Shaff
Briles	Griffin	Nicholson	Shawver
Brownlee	Gross	Ollenburg	Smith
Coleman	Hill	Palmer	Stephens
Conklin	Keith	Potgeter	Tapscott
Curran	Kennedy	Potter	Thordsen
Davis	Lamborn	Rabedeaux	Van Drie
DeKoster	Laverty	Rhodes	Van Gilst
Erskine	Messerly	Riley	

Nays, none.

Absent or not voting, 7:

Balloun	Doderer	Kyhl	Walsh
Carlson	Gilley	Neu	

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

House File 209

On motion of Senator Van Gilst, House File 209, a bill for an act relating to county and city programs for senior citizens, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Van Gilst moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 209) the vote was:

Ayes, 43:

Anderson	Doderer	Laverty	Robinson
Arbuckle	Erskine	Messerly	Schaben
Bass	Gaudineer	Miller	Shaff
Briles	Glenn	Milligan	Shawver
Brownlee	Graham	Nicholson	Smith
Carlson	Griffin	Ollenburg	Stephens
Coleman	Gross	Potgeter	Tapscott
Conklin	Hill	Potter	Thordsen
Curran	Keith	Rabedeaux	Van Drie
Davis	Kennedy	Rhodes	Van Gilst
DeKoster	Lamborn	Riley	

Nays, none.

Absent or not voting, 7:

Balloun	Kyhl	Neu	Walsh
Gilley	Mowry	Palmer	

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

SENATE FILE WITHDRAWN

Senator Van Gilst asked and received unanimous consent that

Senate File 140 be **withdrawn** from further consideration of the Senate.

CONSIDERATION OF BILLS

Senate File 280

On motion of Senator Riley, Senate File 280, a bill for an act relating to garnishment of wages, liability for costs, and discharge of employees, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Riley withdrew the amendment filed by him on March 30, 1971, and found on pages 665-666 of the Senate Journal.

Senator Riley offered the following amendment filed by him on May 7, 1971:

Division 1

- 1 Amend Senate File 280 as follows:
2 1. Page 2, by striking lines 3 through 7 and inserting the
3 following:
4 "1. The disposable earnings of an individual shall be exempt
5 from garnishment to the extent provided by the federal Consumer
6 Credit Protection Act, Title III. The term "Consumer Protection
7 Act" means the Act of Congress approved May 29, 1968, 82 Stat.
8 163, officially cited as the "Consumer Credit Protection Act,
9 Title III." The maximum amount of an employee's earnings which
10 may be garnished during any one calendar year is two hundred fifty
11 each five thousand (5,000) dollars of such employee's earnings, except
12 in section 627.12 of the Code." (250) dollars for as provided

Division 2

- 13 2. Page 2, by striking lines 13 and 14, and inserting the
14 following:
15 "c. Discharge any individual by reason of the fact that his
16 earnings have been subjected to garnishment for any one indebted-
17 ness."

Senator Coleman called for a division of the amendment, section 1 to be considered as division 1, and section 2, as division 2.

On motion of Senator Riley, division 1 of the amendment was adopted.

Senator Riley moved the adoption of division 2 of the amendment.

Division was called for.

Division 2 of the amendment lost.

Senator Riley moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 280) the vote was:

Ayes, 42:

Anderson	Gaudineer	Mowry	Schaben
Arbuckle	Gilley	Nicholson	Shaff
Briles	Glenn	Ollenburger	Shawver
Brownlee	Graham	Palmer	Smith
Carlson	Gross	Potgeter	Stephens
Coleman	Hill	Potter	Tapscott
Conklin	Keith	Rabedeaux	Thordsen
Curran	Kennedy	Rhodes	Van Drie
Davis	Jamborn	Riley	Van Gilst
DeKoster	Miller	Robinson	Walsh
Erskine	Milligan		

Nays, 2:

Bass	Messerly
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Absent or not voting, 6:

Balloun	Griffin	Laverty	Neu
Doderer	Kyhl		

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

SPECIAL ORDER OF BUSINESS

House File 129

The hour having arrived, the Chair announced the special order of business for House File 129.

On motion of Senator Milligan, House File 129, a bill for an act to create a department of general services, transferring services presently performed by designated state agencies to the department of general services, eliminating the performance of certain duties, and providing penalties, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Milligan offered the amendment filed May 5, 1971, by the committee on state government and found on pages 1133-1145, inclusive, of the Senate Journal.

Senator Milligan offered the following amendment to the amendment by the committee on state government:

- 1 Amend the committee on state government, Potgeter
- 2 chairman, amendment to House File 129, as found on pages
- 3 1133 to 1145 of the Senate Journal, filed May 5, 1971,
- 4 as follows:
- 5 1. Page 1, line 2, by inserting after the comma
- 6 the words "and reprinted,".
- 7 2. Page 2, line 11, by striking the words "or upon
- 8 his order".

- 9 3. Page 4, by inserting after line 3, the following:
10 17. Page 7B, by striking lines 36 through 38.
11 4. Page 4, line 17, by striking the words "capital
12 grounds and capital" and inserting in lieu thereof the
13 words "capitol grounds and capitol".
14 5. Page 4, line 19, by striking the word "capital"
15 and inserting in lieu thereof the word "capitol".
16 6. Page 4, line 22, by striking the word "capital"
17 and inserting in lieu thereof the word "capitol".
18 7. Page 5, line 2, by inserting the letter "A" after
19 the numeral "10".
20 8. Page 5, by striking lines 18 through 22 and in-
21 serting in lieu thereof the following: 30. Page 22,
22 lines 14, 15, and 16, by striking the words "[, with the
23 approval of the printing board and the executive coun-
24 cil,]" and inserting in lieu thereof the words ", with
25 the approval of the [printing board and the] executive

Page 2

- 1 council,".
2 9. Page 19, by striking line 19.
3 10. Page 23, line 15, by striking the following
4 "line 27" and inserting in lieu thereof the following
5 "lines 27 and 28".
6 11. By renumbering the sections.

Senator Milligan called for a division of the amendment to the amendment into two divisions, section 2, lines 7 and 8, to be considered as division 2, and the remainder of the amendment to the amendment to be considered as division 1.

On motion of Senator Milligan, division 1 of the amendment to the amendment was adopted.

Senator Milligan withdrew division 2 of the amendment to the amendment.

Senator Potgeter offered the following amendment to the amendment and moved its adoption:

- 1 Amend the committee on state government, Potgeter
2 chairman, amendment to House File 129, as found on
3 pages 1133 to 1145 of the Senate Journal, filed May
4 5, 1971, as follows:
5 1. Page 10, by striking lines 2 through 5, and
6 inserting in lieu thereof the words "*department of*
7 *general services*".
8 2. Page 11, by striking line 22, and inserting
9 in lieu thereof the words "and the per-mile cost of".
10 3. Page 12, line 2, by striking the words "*avia-*
11 *tion fuel*".
12 4. Page 12, line 17 by striking the words "*or*
13 *hours flown*".
14 5. Page 12, lines 17, by striking the words "*or*

15 *per hour flown*".

16 6. Page 13, by striking lines 17 and 18.

17 7. Page 14, line 11, by striking the words "*or*
18 *airport*".

19 8. Page 15, by striking lines 17 and 18, and in-
20 serting in lieu thereof the words "used on all state
21 cars."

22 9. Page 16, line 18, by striking the words "*or*
23 *flying*".

24 10. Page 16, by striking lines 21 and 22, and
25 inserting in lieu thereof the words "per mile."

Page 2

1 11. Page 17, line 14, by striking the words

2 "*aviation fuel*".

Division was called for.

The amendment to the amendment was adopted.

Senator Schaben offered the following amendment to the amend-
ment by Senators Schaben, et al., and moved its adoption:

1 Amend the amendment to House File 129 filed by the committee

2 on state government on May 5, 1971, by adding after the

3 comma on page 1, line 17, the words "commission for

4 the blind,".

Senator Brownlee took the chair at 10:53 a.m.

Division was called for.

The amendment to the amendment lost.

Senator Milligan called for a division of the committee amend-
ment as amended, into the following divisions:

Division 1—section 3, page 1, lines 14 through 25; page 2, lines 1
through 11.

Division 2—section 8, page 3, lines 4 through 10.

Division 3—sections 14 and 15, page 4, lines 1 and 2.

Division 4—sections 35 and 36, page 7, lines 1 through 17.

Division 5—Balance of the amendment.

Senator Milligan moved the adoption of division 1 of the commit-
tee amendment and requested a roll call.

On the question "Shall division 1 of the committee amendment be
adopted?" (H.F. 129) the vote was:

Ayes, 44:

Anderson
Arbuckle

Bass
Briles

Brownlee
Carlson

Coleman
Conklin

Curran	Hill	Neu	Schaben
DeKoster	Keith	Nicholson	Shawver
Doderer	Kennedy	Ollenburg	Smith
Erskine	Lamborn	Potgeter	Stephens
Gaudineer	Laverty	Potter	Tapscott
Glenn	Messerly	Rabedeaux	Thordsen
Graham	Miller	Rhodes	Van Drie
Griffin	Milligan	Riley	Van Gilst
Gross	Mowry	Robinson	Walsh

Nays, 2:

Palmer	Shaff
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Absent or not voting, 4:

Balloun	Davis	Gilley	Kyhl
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Division 1 of the amendment was adopted.

On motion of Senator Milligan, division 2 of the committee amendment was adopted.

On motion of Senator Milligan, division 3 of the committee amendment was adopted.

Senator Milligan moved the adoption of division 4 of the committee amendment.

Roll call was requested.

On the question "Shall division 4 of the committee amendment be adopted?" (H.F. 129) the vote was:

Ayes, 17:

Arbuckle	Glenn	Neu	Rhodes
Davis	Gross	Palmer	Robinson
DeKoster	Kennedy	Potgeter	Tapscott
Doderer	Miller	Potter	Walsh
Gaudineer			

Nays, 30:

Anderson	Erskine	Messerly	Schaben
Bass	Gilley	Milligan	Shawver
Briles	Graham	Mowry	Smith
Brownlee	Griffin	Nicholson	Stephens
Carlson	Hill	Ollenburg	Thordsen
Coleman	Keith	Rabedeaux	Van Drie
Conklin	Lamborn	Riley	Van Gilst
Curran	Laverty		

Absent or not voting, 3:

Balloun	Kyhl	Shaff
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Division 4 of the amendment lost.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the

House has adopted the conference committee report and amendments contained therein and repassed the following bill in which the concurrence of the House was asked:

Senate File 188, a bill for an act to define criminal trespass.

Also: That the House has concurred in Senate amendment to and repassed the following bill in which the concurrence of the House was asked:

House File 274, a bill for an act relating to military leave of absence for civil employees.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 474, a bill for an act relating to disabled and retired policemen and firemen, disabled elected and appointed officials.

WILLIAM R. KENDRICK, Chief Clerk

HOUSE AMENDMENT TO SENATE FILE 474

- 1 Amend Senate File 474, as passed by the Senate and
- 2 reprinted, as follows:
- 3 Page 2B, line 41, by inserting after the word
- 4 "compensation" the words "at the minimum rate".

INTRODUCTION OF BILL

Senate File 535, by committee on transportation, a bill for an act relating to the taxation of motor fuel used in aircraft and the use of unclaimed tax refunds.

Read first time and placed on calendar.

On motion of Senator Lamborn, the Senate recessed until 1:30 p.m.

AFTERNOON SESSION

The Senate reconvened, Senator Brownlee presiding.

SPECIAL ORDER CONTINUED

House File 129

The Senate resumed consideration of House File 129 and division 5 of the amendment by the committee on state government.

On motion of Senator Milligan, division 5 of the committee amendment was adopted.

Senator DeKoster offered the following amendment filed by him on May 7, 1971:

- 1 Amend House File 129, as amended, passed and reprinted
- 2 by the House, as follows:
- 3 1. Page 36, after line 30, add the following new section:

- 4 "Sec. 94. Neither the provisions of this Act nor regulations
5 adopted pursuant to thereto shall apply in any situation where
6 such provision or regulation is in conflict with governing
7 federal regulation or where the provision or regulation would
8 jeopardize the receipts of federal funds.
9 2. By renumbering the following sections to conform with
10 this amendment."

Senator DeKoster offered the following amendment to the amendment and moved its adoption:

- 1 Amend the DeKoster amendment filed May 7, 1971, to
2 page 36 of House File 129, line 5, by striking the word "to".

The amendment to the amendment was adopted.

On motion of Senator DeKoster, the amendment as amended was adopted.

Senator Potgeter offered the following amendment and moved its adoption:

- 1 Amend House File 129, as amended, passed, and reprinted by
2 the House, page 2, by striking in lines 27 and 28 the words
3 "within the limits of the funds appropriated by the general
4 assembly", and inserting the words "not to exceed twenty-five
5 thousand dollars per annum".

The amendment was adopted.

Senator Schaben moved to reconsider the vote by which division 1 of the amendment by the committee on state government was adopted by the Senate.

Roll call was requested.

On the question "Shall the motion to reconsider division 1 of the committee amendment be adopted?" (H.F. 129) the vote was:

Rule 24 was invoked.

Ayes, 22:

Arbuckle	Griffin	Palmer	Shaff
Briles	Gross	Rhodes	Smith
Brownlee	Kennedy	Riley	Tapscott
Coleman	Lamborn	Robinson	Van Gilst
Davis	Miller	Schaben	Walsh
Erskine	Milligan		

Nays, 24:

Anderson	Doderer	Keith	Potgeter
Bass	Gaudineer	Laverty	Potter
Carlson	Gilley	Messerly	Rabedeaux
Conklin	Glenn	Neu	Shawver
Curran	Graham	Nicholson	Thordsen
DeKoster	Hill	Ollenburg	Van Drie

Absent or not voting, 4:

Balloun	Kyhl	Mowry	Stephens
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The motion lost.

Senator Milligan moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

President Jepsen took the chair at 2:45 p.m.

On the question "Shall the bill pass?" (H.F. 129) the vote was:

Rule 24 was invoked.

Ayes, 33:

Anderson	Doderer	Lamborn	Rhodes
Arbuckle	Gaudineer	Lavery	Riley
Bass	Glenn	Messerly	Shawver
Brownlee	Graham	Milligan	Smith
Carlson	Griffin	Neu	Tapscott
Conklin	Hill	Palmer	Van Drie
Curran	Keith	Potgeter	Van Gilst
Davis	Kennedy	Rabedaux	Walsh
DeKoster			

Nays, 14:

Briles	Gross	Potter	Shaff
Coleman	Miller	Robinson	Stephens
Erskine	Nicholson	Schaben	Thordsen
Gilley	Ollenburg		

Absent or not voting, 3:

Balloun	Kyhl	Mowry
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The bill having received a constitutional majority was declared have passed the Senate and the title was agreed to.

CONFERENCE COMMITTEE REPORT
(Senate File 217)

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to consider the difference between the Senate and the House of Representatives on Senate File 217, a bill for an act relating to compensating state employees for the use of their motor vehicles, respectfully submit the following recommendation:

1. That the House recede from its amendment.
2. That Senate File 217 as passed by the Senate

be amended as follows:

By striking all after the enacting clause and inserting in lieu thereof the following:

Section 1. Section twenty-one point four (21.4), Code 1971, is amended as follows:

21.4 PRIVATE USE—RATE FOR STATE BUSINESS. No state officer or employee shall use any state-owned car for his own personal private use, nor shall he be compensated for driving his own motor vehicle except if such is done on state business *with the approval of the state*

car dispatcher, and in such case he shall not receive more than ten cents per mile. However, the state car dispatcher may delegate authority to officials of the state, and department heads, for the use of private vehicles on state business up to six thousand miles per year.

When a state car has been assigned to a state officer or employee he shall not collect mileage for the use of his personal vehicle unless the state vehicle assigned to him is not useable.

This section shall not apply to elected officers of the state, judges of the district court, judges of the supreme court, or officials and employees of the state whose mileage is paid by other than state agencies.

On the part of the Senate:

FRANCIS L. MESSERLY, Chairman
JAMES E. BRILES
EDWARD E. NICHOLSON

On the part of the House:

RICHARD F. DRAKE, Chairman
DON D. ALT
E. KEVIN KELLY
CHARLES J. UBAN

RESOLUTION SIGNED BY THE GOVERNOR

A communication was received announcing that on May 7, 1971, the Governor approved and transmitted to the Secretary of State the following resolution:

House Joint Resolution 16—Authorizing the Executive Council to acquire the Hubbell Mansion known as Terrace Hill.

REPORTS OF COMMITTEES

Senator Mowry submitted the following report:

MR. PRESIDENT: Your committee on commerce, to which was referred **House File 254**, a bill for an act relating to the rate of interest which may be paid by a real estate investment trust, begs leave to report it has had the same under consideration and recommends the same **do pass**.

JOHN L. MOWRY, Chairman

Ordered passed on file.

Senator Briles submitted the following report:

MR. PRESIDENT: Your committee on county government, to which was referred **House File 211**, a bill for an act relating to the term of office of county attorneys, begs leave to report it has had the same under consideration and recommends the same **be amended in accordance with the Riley-Brownlee-Gaudineer amendment filed April 20, 1971, and found on page 909 of the Senate Journal; and when so amended the bill do pass**.

JAMES E. BRILES, Chairman

Ordered passed on file.

AMENDMENTS FILED

1 Amend Senate File 154 as follows:

2 1. Page 2, line 9, by adding after the word "medicine" the words

- 3 “, osteopathic medicine”.
4 2. Page 2, line 28, by adding after the word “Iowa” the words
5 “, the dean of the college of osteopathic medicine and surgery”.
6 3. Page 2, by striking in line 28 the word “his” and inserting
7 in lieu thereof the word “their”.
8 4. Page 2, line 30, by adding after the word “association” the
9 words “, the president of the state osteopathic society”.
10 5. Page 2, by striking in line 30 the word “his” and inserting
11 in lieu thereof the word “their”.
12 6. Page 3, line 13, by adding after the word “medical” the words
13 “, osteopathic”.
14 7. Page 4, line 34, by adding after the word “medical” the words
15 “, osteopathic”.

JOHN M. WALSH

- 1 Amend the Ollenburg amendment to Senate File 513,
2 filed Thursday, May 6, 1971, as contained on pages 1164
3 through 1167, inclusive, of the May 6, 1971 Journal of
4 the Senate, as follows:
5 Page 3, line 1, by inserting after the numeral “6”
6 the words “of section 422.45”.

H. L. OLLENBURG

- 1 Amend Senate File 519 as follows:
2 1. Page 3, by striking lines 5 through 20, inclu-
3 sive, and inserting in lieu thereof the following new
4 section:
5 Sec. 3. Section four hundred twenty-two point thirty-
6 three (422.33), Code 1971, is amended by striking
7 subsections one (1) and two (2) and inserting in lieu
8 thereof the following new subsections:
9 1. ALLOCATION OF BUSINESS INCOME. If the trade
10 or business of the taxpayer is carried on entirely
11 within the state, the tax shall be imposed on the entire
12 net income. Any taxpayer having income from business
13 activity which is taxable both within and without this
14 state, other than the rendering of purely personal
15 services by an individual, shall allocate and apportion
16 his net income as provided in this section.
17 2. DEFINITIONS. As used in this section, unless
18 the context otherwise requires:
19 a. “Business income” means income arising from
20 transactions and activity in the regular course of the
21 taxpayer’s trade or business and includes income from
22 tangible and intangible property if the acquisition,
23 management, and disposition of the property constitute
24 integral parts of the taxpayer’s regular trade or
25 business operations.

Page 2

- 1 b. “Commercial domicile” means the principal place
2 from which the trade or business of the taxpayer is
3 directed or managed.
4 c. “Compensation” means wages, salaries, commissions,
5 and any other form of remuneration paid to employees

6 for personal services.

7 d. "Nonbusiness income" means all income other than
8 business income.

9 e. "Sales" means all gross receipts of the taxpayer
10 not allocated under subsections four (4) through eight
11 (8) of this section.

12 f. "State" means any state of the United States,
13 the District of Columbia, the Commonwealth of Puerto
14 Rico, any territory or possession of the United States,
15 and any foreign country or political subdivision thereof.

16 3. NONRESIDENT TAXPAYER. For purposes of allocation
17 and apportionment of income under this chapter, a
18 taxpayer is taxable in another state if:

19 a. In that state he is subject to a net income tax,
20 a franchise tax measured by net income, a franchise
21 tax for the privilege of doing business, or a corporate
22 stock tax; or

23 b. That state has jurisdiction to subject the
24 taxpayer to a net income tax regardless of whether,
25 in fact, the state does or does not.

Page 3

1 4. ALLOCATION OF CERTAIN ITEMS. Rents and royalties
2 from real or tangible personal property, capital gains,
3 interest, dividends, or patent or copyright royalties,
4 to the extent that they constitute nonbusiness income,
5 shall be allocated as provided in subsections five (5)
6 through eight (8) of this section.

7 5. RENTS AND ROYALTIES.

8 a. Net rents and royalties from real property located
9 in this state are allocable to this state.

10 b. Net rents and royalties from tangible personal
11 property are allocable to this state:

12 (1) If and to the extent that the property is
13 utilized in this state; or

14 (2) In their entirety if the taxpayer's commercial
15 domicile is in this state and the taxpayer is not
16 organized under the laws of or taxable in the state
17 in which the property is utilized.

18 c. The extent of utilization of tangible personal
19 property in a state is determined by multiplying the
20 rents and royalties by a fraction, the numerator of
21 which is the number of days of physical location of
22 the property in the state during the rental or royalty
23 period in the taxable year and the denominator of which
24 is the number of days of physical location of the
25 property everywhere during all rental or royalty periods

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1 in the taxable year. If the physical location of the
2 property during the rental or royalty period is unknown
3 or unascertainable by the taxpayer tangible personal
4 property is utilized in the state in which the property
5 was located at the time the rental or royalty payer
6 obtained possession.

7 **6. PROPERTY—CAPITAL GAINS AND LOSSES.**

8 a. Capital gains and losses from sales of real
9 property located in this state are allocable to the
10 state.

11 b. Capital gains and losses from sales of tangible
12 personal property are allocable to this state if:

13 (1) The property had a situs in this state at the
14 time of the sale; or

15 (2) The taxpayer's commercial domicile is in this
16 state and the taxpayer is not taxable in the state in
17 which the property had a situs.

18 c. Capital gains and losses from sales of intangible
19 personal property are allocable to this state if the
20 taxpayer's commercial domicile is in this state.

21 **7. INTEREST AND DIVIDENDS.** Interest and dividends
22 are allocable to this state if the taxpayer's commercial
23 domicile is in this state.

24 **8. PATENTS AND COPYRIGHTS.**

25 a. Patent and copyright royalties are allocable

Page 5

1 to this state:

2 (1) If and to the extent the patent or copyright
3 is utilized by the taxpayer in this state; or

4 (2) If and to the extent that the patent or copyright
5 is utilized by the taxpayer in a state in which the
6 taxpayer is not taxable and the taxpayer's commercial
7 domicile is in this state.

8 b. A patent is utilized in a state to the extent
9 that it is employed in production, fabrication,
10 manufacturing, or other processing in the state or to
11 the extent that a patented product is produced in the
12 state. If the basis of receipts from patent royalties
13 does not permit allocation to states or if the accounting
14 procedures do not reflect states of utilization, the
15 patent is utilized in the state in which the taxpayer's
16 commercial domicile is located.

17 c. A copyright is utilized in a state to the extent
18 that printing or other publication originates in the
19 state. If the basis of receipts from copyright royalties
20 does not permit allocation to states or if the accounting
21 procedures do not reflect states of utilization, the
22 copyright is utilized in the state in which the
23 taxpayer's commercial domicile is located.

24 **9. BUSINESS INCOME.** All business income shall be
25 apportioned to this state by multiplying the income

Page 6

1 by a fraction, the numerator of which is the property
2 factor plus the payroll factor plus the sales factor,
3 and the denominator of which is three.

4 **10. PROPERTY FACTOR.** The property factor is a
5 fraction, the numerator of which is the average value
6 of the taxpayer's real and tangible personal property
7 owned or rented and used in this state during the tax

8 period and the denominator of which is the average value
9 of all the taxpayer's real and tangible personal property
10 owned or rented and used during the tax period.

11 11. PROPERTY OWNED AND RENTED. Property owned by
12 the taxpayer is valued at its original cost. Property
13 rented by the taxpayer is valued at eight times the
14 net annual rental rate. Net annual rental rate is the
15 annual rental rate paid by the taxpayer less any annual
16 rental rate received by the taxpayer from subrentals.

17 12. AVERAGE VALUE OF PROPERTY. The average value
18 of property shall be determined by averaging the values
19 at the beginning and ending of the tax period but the
20 director of revenue may require the averaging of monthly
21 values during the tax period if reasonably required
22 to reflect properly the average value of the taxpayer's
23 property.

24 13. PAYROLL FACTOR. The payroll factor is a
25 fraction, the numerator of which is the total amount

Page 7

1 paid in this state during the tax period by the taxpayer
2 for compensation, and the denominator of which is the
3 total compensation paid everywhere during the tax period.

4 14. COMPENSATION. Compensation is paid in this
5 state if:

6 a. The individual's service is performed entirely
7 within the state; or

8 b. The individual's service is performed both within
9 and without the state, but the service performed without
10 the state is incidental to the individual's service
11 within the state; or

12 c. Some of the service is performed in the state
13 and:

14 (1) The base of operations or, if there is no base
15 of operations, the place from which the service is
16 directly or controlled is in the state; or

17 (2) The base of operations or the place from which
18 the service is directed or controlled is not in any
19 state in which some of the service is performed,
20 but the individual's residence is in this state.

21 15. SALES FACTOR. The sales factor is a fraction,
22 the numerator of which is the total sales of the taxpayer
23 in this state during the tax period, and the denominator
24 of which is the total sales of the taxpayer everywhere
25 during the tax period.

Page 8

1 16. LOCAL SALES OF TANGIBLE PERSONAL PROPERTY.

2 Sales of tangible personal property are in this state
3 if:

4 a. The property is delivered or shipped to a
5 purchaser, other than the United States government,
6 within this state regardless of the f.o.b. point or
7 other conditions of the sale; or

8 b. The property is shipped from an office, store,

9 warehouse, factory, or other place of storage in this
10 state and:

11 (1) The purchaser is the United States government;
12 or

13 (2) The taxpayer is not taxable in the state of
14 the purchaser.

15 17. OTHER SALES. Sales, other than sales of tangible
16 personal property, are in this state if:

17 (a) The income-producing activity is performed in
18 this state; or

19 (b) The income-producing activity is performed both
20 in and outside this state and a greater proportion of
21 the income-producing activity is performed in this state
22 than in any other state, based on costs of performance.

23 18. ADDITIONAL METHODS OF DETERMINING BUSINESS
SITUS.

24 The allocation and apportionment provisions of this
25 section do not fairly represent the extent of the

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1 taxpayer's business activity in this state, the taxpayer
2 may petition for or the director of revenue may require,
3 in respect to all or any part of the taxpayer's business
4 activity, if reasonable:

5 (a) Separate accounting except to a unitary business;

6 (b) The exclusion of any one or more of the factors;

7 (c) The inclusion of one or more additional factors
8 which will fairly represent the taxpayer's business
9 activity in this state; or

10 (d) The employment of any other method to effectuate
11 an equitable allocation and apportionment of the
12 taxpayer's income.

13 2. Amend the title, page 1, by striking lines 3
14 and 4 and inserting in lieu thereof the words "and
15 providing for a three-factor formula for the alloca-
16 tion of corporate income for tax purposes."

EUGENE M. HILL

1 Amend the Curran, et al., amendment, filed March 4, 1971, to
2 House File 48, as follows:

3 1. Page 2, line 5, by inserting after the word "width" the words
4 "*including appurtenances*,".

5 2. Page 2, line 9, by inserting after the word "width" the words
6 "*including appurtenances*,".

7 3. Page 2, by adding the following new paragraph after line 10:
8 "*No mobile home exceeding ten feet in width shall be moved*
9 *according to the provisions of this section, when the recorded*
10 *wind velocity exceeds twenty miles per hour.*"

11 4. Page 2, by inserting after line 10 the following new section
12 and renumbering the remaining sections to conform with this amend-
13 ment.

14 Section three hundred twenty-one E point six (321E.6), Code
15 1971, is amended as follows:

16 321E.6 VARIATIONS IN ROAD WIDTH AND TRAFFIC. A
movement of

17 an indivisible load over a highway or highways having sections
18 carrying varying volumes of traffic and having varying surface
19 widths shall have its permissible total distance computed on the
20 basis of the lowest volume of traffic or the greatest highway
21 width, whichever produces the greater distance by the foregoing
22 schedule. However, no movement over a section or sections carrying
23 a given shorter permissible maximum shall be greater than that
24 shorter maximum and, in computing the distance which would be
25 traveled on a section or sections having a certain width and

Page 2

1 traffic volume, distances which would be traveled on sections
2 carrying shorter permissible move distances shall be included.
3 *Any mobile home exceeding twelve feet five inches in width,*
4 *including appurtenances, subject to the provisions of this chapter,*
5 *shall not move over any highway with a roadway which is less than*
6 *twenty-four feet in width, except that any mobile home which*
7 *exceeds twelve feet five inches but does not exceed fourteen feet*
8 *five inches in width, including appurtenances, may be moved upon*
9 *any highway with a roadway which is less than twenty-four feet in*
10 *width, when the mobile home is being moved to a terminous point*
11 *within the state, provided the mobile home and the power unit are*
12 *under the escort of a highway commission vehicle and is being*
13 *moved on a highway designated by the highway commission.*
14 *For the purpose of this section the word "terminous point"*
15 *means a mobile home park site or any site in which the mobile home*
16 *will be placed permanently and used for human habitation.*

MINNETTE DODERER
G. WILLIAM GROSS
JAMES A. POTGETER
W. R. RABEDEAUX

On motion of Senator Lamborn, the Senate adjourned until 8:30
a.m., Tuesday, May 11, 1971.

JOURNAL OF THE SENATE

ONE HUNDRED TWENTY-FIRST DAY

SENATE CHAMBER
DES MOINES, IOWA, TUESDAY, MAY 11, 1971

The Senate met in regular session, President Jepsen presiding.

Prayer was offered by Captain Thomas N. Sillanpa of the Salvation Army, Keokuk, Iowa.

The Senate pledged allegiance to the flag.

The Journal of Monday, May 10, 1971, was approved.

WAHLERT HIGH SCHOOL CHOIR

The Concert Choir from Wahlert High School, Dubuque, Iowa, appeared at the rear of the Senate chamber and sang "America The Beautiful." The sixty-member choir presented concerts in the capitol rotundas at 8:30 a.m. and 12:00 noon as part of a spring tour. Arrangements for their appearances were made by Senators Walsh and Kennedy.

PRESENTATION OF VISITORS

The Chair announced that the following visitors were present in the Senate gallery:

Six Teenage Republicans from Calhoun County accompanied by Joyce McClintock and Mr. and Mrs. Robert Burley.

CONSIDERATION OF BILLS

Senate File 518

On motion of Senator Briles, Senate File 518, a bill for an act relating to the condemnation of property by the county for flood and erosion control projects, was taken up and considered.

Senator Briles moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 518) the vote was:

Ayes, 36:

Arbuckle
Briles
Brownlee

Carlson
Curran
DeKoster

Erskine
Gaudineer
Gilley

Glenn
Griffin
Gross

Hill	Mowry	Rabedeaux	Smith
Keith	Neu	Rhodes	Stephens
Kennedy	Nicholson	Riley	Tapscott
Lamborn	Ollenburg	Robinson	Thordsen
Messerly	Palmer	Schaben	Van Drie
Milligan	Potter	Shawver	Van Gilst

Nays, 6:

Anderson	Coleman	Potgeter	Shaff
Bass	Conklin		

Voting present, 1:

Graham

Absent or not voting, 7:

Balloun	Doderer	Laverty	Walsh
Davis	Kyhl	Miller	

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

SENATE FILE WITHDRAWN

Senator Curran asked and received unanimous consent that **Senate File 87** be **withdrawn** from further consideration of the Senate.

CONSIDERATION OF BILLS

House File 215

On motion of Senator Anderson, House File 215, a bill for an act relating to notice of compensation commission appraisal of damages and appeal from the damages award, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Anderson moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 215) the vote was:

Ayes, 42:

Anderson	Gaudineer	Milligan	Riley
Arbuckle	Gilley	Mowry	Robinson
Bass	Glenn	Neu	Schaben
Briles	Graham	Nicholson	Shawver
Brownlee	Griffin	Ollenburg	Smith
Carlson	Gross	Palmer	Stephens
Coleman	Hill	Potgeter	Tapscott
Conklin	Keith	Potter	Thordsen
Curran	Kennedy	Rabedeaux	Van Drie
DeKoster	Lamborn	Rhodes	Van Gilst
Erskine	Messerly		

Nays, none.

Absent or not voting, 8:

Balloun
Davis

Doderer
Kyhl

Laverty
Miller

Shaff
Walsh

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

House File 420

On motion of Senator Coleman, House File 420, a bill for an act relating to reduction of sentence for prisoners held in county jails, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Gaudineer withdrew the amendment filed by him on May 5, 1971, and found on page 1148 of the Senate Journal.

Senator Gaudineer offered the following amendment filed by him on May 7, 1971, and moved its adoption:

- 1 Amend House File 420, page 1, by inserting after
- 2 line 14, the following new section:
- 3 "Sec. 2. Chapter three hundred fifty-six (356), Code
- 4 1971, is further amended by adding the following new
- 5 section thereto:
- 6 A judge who sentences a person to the county jail or
- 7 other detention facility pursuant to this chapter, may
- 8 suspend any part of such sentence and place such person on
- 9 probation, upon such terms and conditions as the sentencing
- 10 judge may direct, after such person has served that part
- 11 of his sentence which was not suspended."

The amendment was adopted.

Senator Coleman moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 420) the vote was:

Ayes, 44:

Anderson
Arbuckle
Balloun
Bass
Briles
Brownlee
Carlson
Coleman
Conklin
Curran
DeKoster

Doderer
Erskine
Gaudineer
Gilley
Glenn
Graham
Griffin
Gross
Hill
Keith
Kennedy

Lamborn
Laverty
Milligan
Mowry
Neu
Nicholson
Ollenburg
Palmer
Potgeter
Potter
Rabedeaux

Riley
Robinson
Schaben
Shaff
Shawver
Smith
Tapscott
Thordsen
Van Drie
Van Gilst
Walsh

Nays, none.

Absent or not voting, 6:

Davis
Kyhl

Messerly
Miller

Rhodes

Stephens

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

SENATE FILE WITHDRAWN

Senator Curran asked and received unanimous consent that **Senate File 381** be **withdrawn** from further consideration of the Senate.

CONSIDERATION OF BILLS

House File 515

On motion of Senator Palmer, House File 515, a bill for an act to legalize and validate the proceedings of the Board of Township Trustees of Delaware Township of Polk County, Iowa, in connection with certain elections held to authorize a tax levy for fire protection purposes and the issuance of bonds in anticipation of said tax and declaring the validity of said elections and that bonds issued pursuant to said proceedings shall be enforceable obligations of said Township, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Palmer moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 515) the vote was:

Ayes, 45:

Anderson	Erskine	Laverty	Riley
Balloun	Gaudineer	Milligan	Schaben
Bass	Gilley	Mowry	Shaff
Briles	Glenn	Neu	Shawver
Brownlee	Graham	Nicholson	Smith
Carlson	Griffin	Ollenburg	Stephens
Coleman	Gross	Palmer	Tapscott
Conklin	Hill	Potgeter	Thordsen
Curran	Keith	Potter	Van Drie
Davis	Kennedy	Rabedeaux	Van Gilst
DeKoster	Lamborn	Rhodes	Walsh
Doderer			

Nays, none.

Absent or not voting, 5:

Arbuckle	Messerly	Miller	Robinson
Kyhl			

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

House File 587

On motion of Senator Riley, House File 587, a bill for an act relating to rules of statutory construction, with report of committee rec-

ommending passage, was taken up, considered, and the report of the committee adopted.

Senator Riley moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 587) the vote was:

Ayes, 48:

Anderson	Erskine	Messerly	Riley
Arbuckle	Gaudineer	Miller	Robinson
Balloun	Gilley	Milligan	Schaben
Bass	Glenn	Mowry	Shaff
Briles	Graham	Neu	Shawver
Brownlee	Griffin	Nicholson	Smith
Carlson	Gross	Ollenburg	Stephens
Coleman	Hill	Palmer	Tapscott
Conklin	Keith	Potgeter	Thordsen
Curran	Kennedy	Potter	Van Drie
Davis	Lamborn	Rabedeaux	Van Gilst
Doderer	Laverty	Rhodes	Walsh

Nays, none.

Absent or not voting, 2:

DeKoster Kyhl

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

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Rhodes, from the joint committee on enrolled bills, submitted the following report and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate Files 349, 361 and 462.

JOHN C. RHODES
Chairman, Senate Committee
ELIZABETH R. MILLER
Chairman, House Committee

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate the following bills: Senate Files 349, 361 and 462.

BILLS SENT TO THE GOVERNOR

Senator Rhodes, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 11th day of May, 1971, sent to the Governor for his approval: Senate Files 349, 361 and 462.

JOHN C. RHODES, Chairman

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

The Senate resumed session, Senator Balloun presiding.

On motion of Senator Lamborn, the Senate recessed until the fall of the gavel.

AFTERNOON SESSION

The Senate reconvened, Senator Brownlee presiding.

MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has amended Senate amendment to, concurred in Senate amendment as amended and repassed the following bill in which the concurrence of the House was asked:

House File 172, a bill for an act relating to the reorganization of the Iowa liquor control commission.

WILLIAM R. KENDRICK, Chief Clerk

HOUSE AMENDMENT TO SENATE AMENDMENT TO HOUSE FILE 172

- 1 Amend the Senate amendment to House File 172 as
- 2 follows:
- 3 1. By striking lines 127 through 130.
- 4 2. By inserting in line 225 after the word "licensee"
- 5 the following: "and class 'B' beer permittee."
- 6 3. By inserting in line 263 after the word "division"
- 7 the words ", who shall be an attorney licensed to practice
- 8 in this state,"
- 9 4. By striking lines 275 and 276 and inserting in lieu
- 10 thereof the words "Sec. All agents of the".
- 11 5. By inserting in line 284 after the word "Act"
- 12 the words ", however, those agents who do not qualify as
- 13 such under chapter eighty (80) of the Code shall remain
- 14 members of the Iowa public employees retirement system".
- 15 6. By adding to House File 172 the following sections
- 16 after line 16, page 49:
- 17 (1) Within six months of the occurrence of an injury,
- 18 the injured person shall give written notice to the licensee
- 19 or permittee or such licensee's or permittee's insurance
- 20 carrier of his intentions to bring an action under this section,
- 21 indicating the time, place and circumstances causing the
- 22 injury. Such six months period shall be extended if the

23 injured party is incapacitated at the expiration thereof or
24 unable, through reasonable diligence, to discover the name
25 of the licensee, permittee, or person causing the injury or

Page 2

1 until such time as such incapacity is removed or such person
2 has had a reasonable time to discover the name of the
3 licensee, permittee or person causing the injury.

4 (2) No right of action for contribution or indemnity
5 shall accrue to any insurer, guarantor or indemnitor of any
6 intoxicated person for any act of such intoxicated person
7 against any licensee or permittee as defined in this Act.

8 7. By adding to House File 172 the following section
9 after line 13, page 68:

10 Section ninety-seven A point three (97A.3), subsection
11 one (1), Code 1971, is amended as follows:

12 1. All members of the division of highway safety and
13 uniformed force and the division of criminal investigation
14 and bureau of identification in the department of public
15 safety, excepting the members of the clerical force, who are
16 employed by the state of Iowa when this chapter becomes
17 effective, and all persons thereafter employed as members of
18 such divisions in the department of public safety or division
19 of drug law enforcement or qualified members of the division
20 of beer and liquor law enforcement in said department except
21 the members of the clerical force, shall be members of this
22 system. Such members shall not be required to make contributions
23 under any other pension or retirement system of the state of Iowa,
24 anything to the contrary notwithstanding.

INTRODUCTION OF BILL

Senate File 536, by Senator Gaudineer, a bill for an act relating to the registration of motor vehicles, the use of motor vehicles, safety on public highways, insurance protection for automobile accident victims, and providing for limited use of certain motor vehicles, procedures for enforcement and penalties, and minimum standards for certain insurance policies issued in this state.

Read first time and **passed on file**.

REPORT OF COMMITTEE

Senator Briles submitted the following report:

MR. PRESIDENT: Your committee on county government, to which was referred **Senate File 185**, a bill for an act to combine the present county fund for mental health with the state institution fund, redesignating the latter as the county mental health and institutions fund, prescribing the purposes for which such fund may be used, and authorizing a levy therefor, begs leave to report it has had the same under consideration and recommends the same **do pass**.

JAMES E. BRILES, Chairman

Ordered passed on file May 6, 1971.

AMENDMENTS FILED

1 Amend Senate File 299 as follows:

2 1. By inserting after line 16 the following new
3 section:

4 "Section four hundred twenty-two point forty-five
5 (422.45), Code 1971, is amended by adding the following
6 new subsection:

7 Gross receipts from the sales of prescription drugs."

8 2. Amend the title, line 3, by inserting before the
9 period the words "and exempting prescription drugs from
10 the sales and use tax".

JAMES W. GRIFFIN, SR.

1 Amend Senate File 441 as follows:

2 1. Page 1, by inserting line 17 the following
3 sections:

4 Sec. 2. DEFINITIONS. As used in sections two
5 (2) through fifteen (15) of this Act the term:

6 1. "Person" means any individual, partnership,
7 corporation, or association.

8 2. "Displaced person" means any person who moves
9 from real property, or moves his personal property
10 from real property, as a result of the acquisition
11 of such real property, in whole or in part, or as
12 the result of the written order of an acquiring agency
13 to vacate real property, for a program or project
14 undertaken by the state highway commission with federal
15 highway assistance; and solely for the purposes of
16 sections five (5) and eight (8) of this Act, as a
17 result of the acquisition of or as the result of the
18 written order of the commission to vacate other real
19 property, on which such person conducts a business
20 or farm operation, for such program or project.

21 3. "Business" means any lawful activity, excepting
22 a farm operation, conducted primarily:

23 a. For the purchase, sale, lease and rental of
24 personal and real property, and for the manufacture,
25 processing, or marketing of products, commodities,

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1 or any other personal property;

2 b. For the sale of services to the public;

3 c. By a nonprofit organization; or

4 d. Solely for the purposes of section five (5),
5 subsection one (1) of this Act, for assisting in the
6 purchase, sale, resale, manufacture, processing, or
7 marketing of products, commodities, personal property,
8 or services by the erection and maintenance of an
9 outdoor advertising display or displays, whether or
10 not such display or displays are located on the
11 premises on which any of the above activities are
12 conducted.

13 4. "Farm operation" means any activity conducted
14 solely or primarily for the production of one or more

15 agricultural products or commodities, including timber,
16 for sale or home use, and customarily producing such
17 products or commodities in sufficient quantity to
18 be capable of contributing materially to the operator's
19 support.

20 "Mortgage" means such classes of liens as are
21 commonly given to secure advances on, or the unpaid
22 purchase price of real property, under the laws of
23 this state, together with the credit instruments,
24 if any, secured thereby.

25 6. "Federal agency" means any department, agency,

Page 3

1 or instrumentality in the executive branch of the
2 federal government, and any wholly owned federal
3 government corporation.

4 7. "Commission" means the state highway commission.

5 8. "Highway project" means any federal-aid street
6 or highway project requiring the purchase or
7 condemnation of private property for public use.

8 9. "Director" means the chief administrative
9 officer of the state highway commission.

10 10. "Departmental rules" means all rules subject
11 to the provisions of chapter seventeen A (17A) of
12 the Code.

13 **Sec. 3. EFFECT UPON PROPERTY ACQUISITION.**

14 1. The provisions of sections two (2) through
15 fifteen (15) of this Act shall not affect the validity
16 of any property acquisitions by purchase or
17 condemnation.

18 2. Nothing in sections two (2) through fifteen
19 (15) of this Act shall be construed as creating in
20 any condemnation proceedings brought under the power
21 of eminent domain, any element of value or of damage
22 not in existence immediately prior to the date of
23 enactment of sections two (2) through fifteen (15)
24 of this Act.

25 3. In order to prevent unjust enrichment or a

Page 4

1 duplication of payments to any condemnee, the courts
2 of this state, when determining just compensation
3 in condemnation proceedings, shall not allow any
4 damages which duplicate any of the benefits provided
5 under the provisions of sections two (2) through
6 fifteen (15) of this Act.

7 **Sec. 4. DECLARATION OF POLICY.** The purpose of
8 sections two (2) through fifteen (15) of this Act
9 is to establish a uniform policy for the fair and
10 equitable treatment of persons displaced as a result
11 of state and federally assisted highway programs in
12 order that such persons shall not suffer dis-
13 proportionate injuries as a result of programs designed
14 for the benefit of the public as a whole. The general
15 assembly declares that replacement housing for persons

16 displaced by highway projects is a necessary and
17 essential part of such highway projects. Sections
18 two (2) through fifteen (15) of this Act shall be
19 known and may be cited as the "Highway Relocation
20 Assistance Law".

21 Sec. 5. MOVING AND RELATED EXPENSES.

22 1. Whenever the acquisition of real property for
23 a program or project undertaken by the commission
24 will result in the displacement of any person, the
25 commission shall make a payment to any displaced

Page 5

1 person, upon proper application as approved by such
2 commission, for:

3 a. Actual reasonable expenses in moving himself,
4 his family, business, farm operation, or other personal
5 property;

6 b. Actual direct losses of tangible personal
7 property as a result of moving or discontinuing a
8 business or farm operation, but not to exceed an
9 amount equal to the reasonable expenses that would
10 have been required to relocate such property, as
11 determined by commission; and

12 c. Actual reasonable expenses in searching for
13 a replacement business or farm.

14 2. Any displaced person eligible for payments
15 under subsection one (1) of this section who is
16 displaced from a dwelling and who elects to accept
17 the payments authorized by this subsection in lieu
18 of the payments authorized by subsection one (1) of
19 this section may receive a moving expense allowance,
20 determined according to a schedule established by
21 the commission not to exceed three hundred dollars;
22 and a dislocation allowance of two hundred dollars.

23 3. Any displaced person eligible for payments
24 under subsection one (1) of this section who is
25 displaced from his place of business or from his farm

Page 6

1 operation and who elects to accept the payment
2 authorized by this subsection in lieu of the payment
3 authorized by subsection one (1) of this section,
4 may receive a fixed payment in an amount equal to
5 the average annual net earnings of the business or
6 farm operation, except that such payment shall be
7 not less than two thousand five hundred dollars nor
8 more than ten thousand dollars. In the case of a
9 business no payment shall be made under this subsection
10 unless the director is satisfied that the business
11 cannot be relocated without a substantial loss of
12 its existing patronage, and is not a part of a
13 commercial enterprise having at least one other
14 establishment not being acquired for a highway project
15 which is engaged in the same or similar business.
16 For purposes of this subsection, the term "average

17 annual net earnings" means one-half of any net earnings
18 of the business or farm operation, before federal,
19 state, and local income taxes, during the two taxable
20 years immediately preceding the taxable year in which
21 such business or farm operation moves from the real
22 property acquired for such project, or during such
23 other period as the director determines to be more
24 equitable for establishing such earnings, and includes
25 any compensation paid by the business or farm operation

Page 7

1 to the owner, his spouse, or his dependents during
2 such period.

3 **Sec. 6. REPLACEMENT HOUSING FOR HOMEOWNER.**

4 1. In addition to payments otherwise authorized
5 by sections two (2) through twenty (20) of this Act,
6 the commission shall make an additional payment not
7 in excess of fifteen thousand dollars to any displaced
8 person who is displaced from a dwelling actually owned
9 and occupied by such displaced person for not less
10 than one hundred and eighty days prior to the
11 initiation of negotiations for the acquisition of
12 the property. Such additional payment shall include
13 the following elements:

14 a. The amount, if any, which when added to the
15 acquisition cost of the dwelling acquired by the com-
16 mission, equals the reasonable cost of a comparable
17 replacement dwelling which is a decent, safe, and
18 sanitary dwelling adequate to accommodate such dis-
19 placed person, reasonably accessible to public ser-
20 vices and places of employment and available on the
21 private market. All determinations required to carry
22 out this paragraph shall be made in accordance with
23 departmental rules established by the commission in
24 making these additional payments.

25 b. The amount, if any, which will compensate such

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1 displaced person for any increased interest costs
2 which such person is required to pay for financing
3 the acquisition of any such comparable replacement
4 dwelling. Such amount shall be paid only if the
5 dwelling acquired by the commission was encumbered
6 by a bona fide mortgage which was a valid lien on
7 such dwelling for not less than one hundred and eighty
8 days prior to the initiation of negotiations for the
9 acquisition of such dwelling. Such amount shall be
10 equal to the excess in the aggregate interest and
11 other debt service costs of that amount of the
12 principal of the mortgage on the replacement dwelling
13 which is equal to the unpaid balance of the mortgage
14 on the acquired dwelling, over the remainder term
15 of the mortgage on the acquired dwelling, reduced
16 to discounted present value. The discount rate shall
17 be the prevailing interest rate paid on savings

18 deposits by commercial banks in the general area in
19 which the replacement dwelling is located.
20 c. Reasonable expenses incurred by such displaced
21 person for evidence of title, recording fees, and
22 other closing costs incident to the purchase of the
23 replacement dwelling, but not including prepaid
24 expenses.
25 2. The additional payment authorized by this

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1 section shall be made only to such a displaced person
2 who purchases and occupies a replacement dwelling
3 which is decent, safe, and sanitary not later than
4 the end of the one-year period beginning on the date
5 on which he receives from the commission final payment
6 of all costs of the acquired dwelling, or on the date
7 on which he moves from the acquired dwelling, whichever
8 is the later date.

9 Sec. 7. REPLACEMENT HOUSING FOR TENANTS AND CER-
TAIN

10 OTHERS. In addition to amounts otherwise authorized
11 by sections two (2) through fifteen (15) of this Act,
12 the commission shall make a payment to or for any
13 displaced person displaced from any dwelling not
14 eligible to receive a payment under section six (6)
15 which dwelling was actually and lawfully occupied
16 by such displaced person for not less than ninety
17 days prior to the initiation of negotiations for
18 acquisition of such dwelling. Such payment shall
19 be either:

20 1. The amount necessary to enable such displaced
21 person to lease or rent for a period not to exceed
22 four years, a decent, safe, and sanitary dwelling
23 of standards adequate to accommodate such person in
24 areas not generally less desirable in regard to public
25 utilities and public and commercial facilities, and

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1 reasonably accessible to his place of employment,
2 but not to exceed four thousand dollars, or

3 2. The amount necessary to enable such person
4 to make a down payment, including incidental expenses
5 described in section six (6), subsection one (1),
6 paragraph c, of this Act, on the purchase of a decent,
7 safe, and sanitary dwelling of standards adequate
8 to accommodate such person in areas not generally
9 less desirable in regard to public utilities and
10 public and commercial facilities, but not to exceed
11 four thousand dollars, except that if such amount
12 exceeds two thousand dollars, such person must equally
13 match any such amount in excess of two thousand
14 dollars, in making the down payment.

15 Sec. 8. RELOCATION ASSISTANCE ADVISORY SERVICES.

16 1. Whenever the acquisition of real property for
17 a highway project undertaken by the commission will

18 result in the displacement of any person, the
19 commission shall provide a relocation assistance
20 advisory program for displaced persons which shall
21 offer the services described in subsection three (3)
22 of this section. If the director determines that
23 any person occupying property immediately adjacent
24 to the real property acquired is caused substantial
25 economic injury because of the acquisition, he may

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1 offer such person relocation advisory services under
2 such program.
3 2. The commission shall cooperate to the maximum
4 extent feasible with federal, state or local agencies
5 to assure that such displaced persons receive the
6 maximum assistance available to them.
7 3. Each relocation assistance advisory program
8 required by subsection one (1) of this section shall
9 include such measures, facilities, or services as
10 may be necessary or appropriate in order to:
11 a. Determine the need, if any, of displaced per-
12 sons, for relocation assistance;
13 b. Provide current and continuing information
14 on the availability, prices, and rentals, of comparable
15 decent, safe, and sanitary sales and rental housing,
16 and of comparable commercial properties and locations
17 for displaced businesses;
18 c. Assure that, within a reasonable period of
19 time, prior to displacement there will be available
20 in areas not generally less desirable in regard to
21 public utilities and public and commercial facilities
22 and at rents or prices within the financial means
23 of the families and individuals displaced, decent,
24 safe, and sanitary dwellings, as defined by the
25 commission, equal in number to the number of and

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1 available to such displaced persons who require such
2 dwellings and reasonably accessible to their places
3 of employment, except that the commission may prescribe
4 by departmental rules situations when such assurances
5 may be waived;
6 d. Assist a displaced person displaced from his
7 business or farm operation in obtaining and becoming
8 established in a suitable replacement location;
9 e. Supply information concerning federal and state
10 housing programs, and other federal or state programs
11 offering assistance to displaced persons; and
12 f. Provide other advisory services to displaced
13 persons in order to minimize hardships to such persons
14 in adjusting to relocation.
15 4. The commission shall coordinate relocation
16 activities with project work, and other planned or
17 proposed governmental actions in the community or
18 nearby areas which may affect the carrying out of

19 relocation assistance programs.

20 Sec. 9. HOUSING REPLACEMENT BY COMMISSION AS LAST
21 RESORT.

22 1. If a highway project cannot proceed to actual
23 construction because comparable replacement sale or
24 rental housing is not available, and the commission
25 determines that such housing cannot otherwise be made

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1 available, the commission may take such action as
2 is necessary or appropriate to provide such housing
3 by use of funds authorized for such project. The
4 commission may let contracts for the construction
5 of said housing to approve plans and specifications
6 for the building thereof, and to supervise, inspect
7 and approve the housing once constructed in order
8 that the housing so constructed complies with the
9 terms and conditions of section two (2) through
10 fifteen (15) of this Act.

11 2. No person shall be required to move from his
12 dwelling on or after July 1, 1971, on account of any
13 highway project, unless the director is satisfied
14 that replacement housing, in accordance with section
15 eight (8), subsection three (3), paragraph c, of this
16 Act, is available to such person.

17 Sec. 10. RULES ADOPTED. The commission shall
18 make departmental rules and regulations necessary
19 to effect the provisions of sections two (2) through
20 fifteen (15) of this Act and to assure:

21 1. Compliance with the Uniform Relocation
22 Assistance and Real Property Acquisition Policies
23 Act of 1970, Public Law 91-646.

24 2. The payments authorized by sections two (2)
25 through fifteen (15) of this Act are fair and reason-

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1 able and as uniform as practicable.

2 3. A displaced person who makes proper application
3 for a payment authorized by sections two (2) through
4 fifteen (15) of this Act is paid promptly after a
5 move or, in hardship cases, is paid in advance.

6 4. Any person aggrieved by a determination as
7 to eligibility for a payment authorized by sections
8 two (2) through fifteen (15) of this Act, or the
9 amount of a payment, may have his application reviewed
10 by the director.

11 All rules shall be subject to the provisions of
12 chapter seventeen A (17A) of the Code.

13 Sec. 11. APPLICABLE TO OTHER THAN FEDERAL AID
14 HIGHWAYS. The commission or any political subdivision
15 may provide all or a part of the programs and payments
16 authorized under sections two (2) through fifteen
17 (15) of this Act to persons displaced by any street
18 or highway project which is financed in whole or in
19 part by the state or a political subdivision, which

20 is not a federal-aid project, and which requires the
21 purchase or condemnation of private property for
22 public use. To the extent that a program or payment
23 is provided under this section, it shall be provided
24 on a uniform basis to all persons so displaced. The
25 commission shall make departmental rules and

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1 regulations to assure reasonable standards, which
2 need not conform to federal rules and guidelines,
3 for programs and payments provided under this section.
4 Sec. 12. ACQUISITIONS BY OTHER STATE AGENCIES
5 AND POLITICAL SUBDIVISIONS. Whenever real property
6 is acquired by a state agency or a political
7 subdivision of the state incident to a federal project
8 or program, the state agency or political subdivision
9 is hereby authorized and shall make all payments and
10 provide all services required by sections two (2)
11 through fifteen (15) of this Act of the commission
12 in order to secure the federal funds available for
13 such project or program.

14 Sec. 13. PAYMENTS NOT TO BE CONSIDERED AS INCOME.
15 No payment received under sections two (2) through
16 fifteen (15) of this Act shall be considered as in-
17 come for the purposes of chapter four hundred twenty-
18 two (422) of the Code.

19 Sec. 14. ADMINISTRATION. In order to prevent
20 unnecessary expenses and duplications of functions,
21 and to promote uniform and effective administration
22 of relocation assistance programs for displaced
23 persons, the commission may enter into contracts with
24 any individual, firm, association, or corporation
25 for services in connection with such programs, or

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1 may carry out its functions through any governmental
2 agency, political subdivision, or instrumentality
3 having an established organization for conducting
4 relocation assistance programs. The commission shall,
5 in carrying out the relocation assistance activities
6 described in section nine (9) whenever practicable,
7 utilize the services of state or local housing
8 agencies, or other agencies having experience in the
9 administration or conduct of similar housing assistance
10 activities.

11 Sec. 15. FUNDING. Payments and expenditures under
12 the provisions of sections two (2) through fourteen
13 (14) of this Act are incident to and arise out of
14 the construction, maintenance, and supervision of
15 public highways and streets, and, in the case of any
16 federal-aid highway project, may be made by the
17 commission from the primary road fund and funds made
18 available by the federal government for the purpose
19 of carrying out the provisions of sections two (2)
20 through (14) of this Act. Payments made under

21 authority of section eleven (11) of this Act may be
22 made from the primary road fund in case of a primary
23 road project only, and in other cases may be made
24 from the secondary road fund or from appropriate funds
25 under control of a political subdivision.

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1 Sec. 16. **FEDERAL GRANTS.** The commission may do
2 all things necessary to carry out the provisions of
3 this Act and to secure federal grants to make the
4 payments required by this Act, but the absence of
5 federal aid to make such payments shall not discharge
6 the obligation to make the payments.

7 Sec. 17. Chapter three hundred sixteen (316),
8 Code 1971, is repealed.

9 Sec. 18. Section four hundred seventy-two point
10 forty-two (472.42), Code 1971, is amended as follows:

11 **472.42 EMINENT DOMAIN—PAYMENT TO DISPLACED**

12 **PERSONS.** Any utility or railroad subject to section
13 474.10, chapter 490, or chapter 490A, authorized by
14 law to acquire property by condemnation that does
15 acquire the property of any person who is displaced
16 thereby after July 1, [1970] 1971, shall pay to such
17 person in addition to all other sums of money required
18 by law a displacement allowance in accordance with
19 and in the same manner as provided for acquisition
20 for highway projects in sections [316.3, 316.4 and
21 316.5] 5, 6, 7 and 9 of this Act. In the application
22 of said sections to utilities and railroads the term
23 "commission" shall mean the Iowa state commerce
24 commission. The displacement allowance shall be paid
25 in the manner provided in that chapter and pursuant

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1 to the rules and regulations promulgated by the
2 commission. Any person aggrieved by a determination
3 as to eligibility for a payment or the amount of such
4 payment may, upon application, have the matter reviewed
5 by the commission. The decision of the commission
6 upon review shall be final as to all parties. Any
7 utility or railroad subject to this section that
8 proposes to acquire the property of any person who
9 will be displaced by such acquisition shall inform
10 such person of his right to receive a displacement
11 allowance and, if his entitlement thereto or the
12 amount thereof is in dispute, his right of appeal to
13 the commission.

14 2. Page 1, line 2, by inserting after the word
15 "purposes" the words "and providing a relocation ad-
16 visory assistance program and relocation payments
17 to persons displaced by highway projects".

JOHN M. WALSH

1 Amend the House amendment to Senate File 474 as
2 passed by the Senate and reprinted by adding after line 4

3 the following new paragraphs:

4 Page 3, line 1, by inserting after the word "under",
5 the words "section 85.33 or".

6 Page 3, line 10, by inserting after the word "to",
7 the words "section 85.33 or".

8 Page 3, line 19, by inserting after the word "to",
9 the words "section 85.33 or".

LEE H. GAUDINEER, JR.

1 Amend Senate File 510 as follows:

2 Page 2, by striking lines 1 through 10, inclusive,
3 and inserting in lieu thereof the following:

4 Section 1. Section four hundred twenty-two point
5 sixty-nine (422.69), subsection five (5), Code 1971, as
6 contained in chapter one thousand two hundred five (1205),
7 Acts of the Sixty-third General Assembly, Second Session,
8 is amended as follows:

9 "5. This subsection shall be effective for the fiscal
10 year commencing July 1, [1971] 1972 and each fiscal year
11 thereafter. During the last quarter of each fiscal year
12 an amount equal to ten percent of the net receipts from
13 [two-thirds] *each two cents* of the sales tax collected under
14 division four (IV) of this chapter for the fiscal year,
15 less the amount transferred during such fiscal year for
16 motor vehicle registration plates, shall be transferred to
17 the road use tax fund created by section three hundred
18 twelve point one (312.1) of the Code. The remainder of
19 the net receipts from the sales tax shall be credited to
20 the general fund.

21 *During the last quarter of the fiscal year commencing*
22 *July 1, 1971 the net receipts from all sales taxes collected*
23 *under division four (IV) of this chapter for the fiscal*
24 *year, less the amount transferred during such fiscal year*
25 *for motor vehicle registration plates, shall be transferred*

Page 2

1 *to the general fund of the state."*

TOM RILEY

1 Amend Senate File 512, page 2, line 20, by inserting
2 after the word "dollars" the words "*except that the*
3 *credit shall not exceed the amount of the property taxes*
4 *levied and collectible on the homestead for that year*".

ROGER J. SHAFF

1 Amend the Ollenburg, et al., amendment to Senate File
2 513, filed May 6, 1971, and appearing on pages 1164
3 through 1167, inclusive, of the Senate Journal, as
4 follows:

5 1. Page 3, by inserting after line 3 the following
6 new section:

7 "Section four hundred twenty-three point four (423.4),
8 Code 1971, is amended by adding the following new subsec-
9 tion:

- 10 Sales of vehicles subject to registration when the
11 person selling the vehicle is not a retailer."
12 2. Renumber sections and correct internal references
13 in accordance with this amendment.

EUGENE M. HILL

- 1 Amend Senate File 515 as follows:
2 1. Page 3, by inserting after line 3 the following
3 new paragraph:
4 "No resident individual may receive more than one
5 sales tax refund. The sales tax refund must be claimed
6 by the individual on his income tax return and such in-
7 dividual must claim the sales tax refund for all depen-
8 dents claimed on the return."
9 2. Page 3, line 7, by inserting after the word
10 "proof" the words ", as required by the director of
11 revenue,".
12 3. Page 3, by inserting after line 9 the following
13 new paragraph:
14 "The department of revenue shall promulgate rules
15 and regulations with respect to the refunds for this
16 section including the manner and requirements for claim-
17 ing credit for or refund of the amount thereof in the same
18 manner as state income tax refunds, and in accordance with
19 the provisions of sections four hundred twenty-two point
20 sixteen (422.16) and four hundred twenty-two point
21 seventy-four (422.74) of the Code."

ROGER J. SHAFF

On motion of Senator Lamborn, the Senate adjourned until 8:30 a.m., Wednesday, May 12, 1971.

JOURNAL OF THE SENATE

ONE HUNDRED TWENTY-SECOND DAY

SENATE CHAMBER

DES MOINES, IOWA, WEDNESDAY, MAY 12, 1971

The Senate met in regular session, Senator Brownlee presiding.

Prayer was offered by the Reverend Hume Ward, pastor of the Windsor Presbyterian Church, Des Moines, Iowa.

The Senate pledged allegiance to the flag.

The Journal of Tuesday, May 11, 1971, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Van Drie for the day on request of Senator Lamborn.

PRESENTATION OF VISITORS

Senator Griffin rose on a point of personal privilege and presented to the Senate the Honorable Laurence E. Allen, former member of the House of Representatives from Pottawattamie County.

The Chair announced that the following visitors were present in the Senate gallery:

Twenty-two students from Ames Community School District, Ames, Iowa, accompanied by Mrs. Clappier.

Nineteen students from Laurel Elementary School, Laurel, Iowa, accompanied by Mrs. Patterson.

Twenty-six students from St. Joseph's School, Mason City, Iowa, accompanied by their instructors, Sister Mary Katherine, Sister Corine, Mrs. Don Patton and Mike Rothamel.

Thirty students from Boone Valley Community School, Renwick, Iowa, accompanied by their instructor, Mrs. Basler.

Forty students from Interstate 35 Community School, St. Charles, Iowa, accompanied by their instructors, Mrs. Williamson and Mr. Sheitz.

Fifty students from Highland Community School, Riverside, Iowa, accompanied by their instructor, Mr. McCracken.

Thirty-seven students from Logan Junior High School, Waterloo, Iowa, accompanied by their instructor, Mr. Miller.

Five students from Ames High School, Ames, Iowa, accompanied by their instructor, Kenneth Page.

PETITIONS

The following petitions were presented and placed on file:

By Senator Brownlee, from two hundred forty-eight students of Buena Vista College, Buena Vista County, Iowa, favoring an increase in the funding of the Iowa Tuition Grant Program.

By Senator Ollenburg, from eighty-two students of Waldorf College, Winnebago County, favoring an increase in the Iowa Tuition Grant Program.

CONSIDERATION OF BILLS

House File 605

On motion of Senator Rabedeaux, House File 605, a bill for an act relating to the regulated use of ground water, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Rabedeaux moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 605) the vote was:

Ayes, 34:

Anderson	Erskine	Messerly	Rhodes
Balloun	Gaudineer	Miller	Robinson
Briles	Gilley	Neu	Shawver
Brownlee	Glenn	Nicholson	Smith
Carlson	Graham	Ollenburg	Stephens
Coleman	Griffin	Potgeter	Tapscott
Conklin	Gross	Potter	Van Gilst
Curran	Kennedy	Rabedeaux	Walsh
Davis	Lamborn		

Nays, 1:

Bass

Absent or not voting, 15:

Arbuckle	Keith	Mowry	Shaff
DeKoster	Kyhl	Palmer	Thordsen
Doderer	Laverty	Riley	Van Drie
Hill	Milligan	Schaben	

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

House File 287

On motion of Senator Ollenburg, House File 287, a bill for an act relating to the labeling of seed corn containers, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Coleman offered the following amendment filed by him:

- 1 Amend House File 287, as passed by the House, by adding after
- 2 the period in line 9 the following:
- 3 "The label shall also state the year the seed corn was
- 4 produced."

HOUSE FILE DEFERRED

Senator Ollenburg moved that further action on **House File 287** be deferred and that the bill be placed on the calendar under **unfinished business**, which motion prevailed.

On motion of Senator Lamborn, the Senate recessed until the fall of the gavel.

The Senate reconvened, President Jepsen presiding.

CONSIDERATION OF BILLS**Senate File 510**

On motion of Senator Shaff, Senate File 510, a bill for an act relating to the transfer and use of state funds, was taken up and considered.

Senator Riley offered the following amendment filed by him:

- 1 Amend Senate File 510 as follows:
- 2 Page 2, by striking lines 1 through 10, inclusive,
- 3 and inserting in lieu thereof the following:
- 4 Section 1. Section four hundred twenty-two point
- 5 sixty-nine (422.69), subsection five (5), Code 1971, as
- 6 contained in chapter one thousand two hundred five (1205),
- 7 Acts of the Sixty-third General Assembly, Second Session,
- 8 is amended as follows:
- 9 "5. This subsection shall be effective for the fiscal
- 10 year commencing July 1, [1971] 1972 and each fiscal year
- 11 thereafter. During the last quarter of each fiscal year
- 12 an amount equal to ten percent of the net receipts from
- 13 [two-thirds] *each two cents* of the sales tax collected under
- 14 division four (IV) of this chapter for the fiscal year,
- 15 less the amount transferred during such fiscal year for
- 16 motor vehicle registration plates, shall be transferred to
- 17 the road use tax fund created by section three hundred
- 18 twelve point one (312.1) of the Code. The remainder of
- 19 the net receipts from the sales tax shall be credited to
- 20 the general fund.

21 *During the last quarter of the fiscal year commencing*
 22 *July 1, 1971 the net receipts from all sales taxes collected*
 23 *under division four (IV) of this chapter for the fiscal*
 24 *year, less the amount transferred during such fiscal year*
 25 *for motor vehicle registration plates, shall be transferred*

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1 *to the general fund of the state."*

Senator Riley moved the adoption of his amendment and requested a roll call.

On the question "Shall the Riley amendment be adopted?" (S.F. 510) the vote was:

Rule 24 was invoked.

Ayes, 22:

Arbuckle	Gaudineer	Milligan	Schaben
Carlson	Glenn	Neu	Tapscott
Coleman	Gross	Palmer	Thordsen
Conklin	Hill	Riley	Van Gilst
Davis	Kennedy	Robinson	Walsh
Doderer	Miller		

Nays, 22:

Anderson	Erskine	Nicholson	Rhodes
Balloun	Gilley	Ollenburg	Shaff
Bass	Graham	Potgeter	Shawver
Briles	Griffin	Potter	Smith
Brownlee	Keith	Rabedeaux	Stephens
Curran	Messerly		

Absent or not voting, 6:

DeKoster	Lamborn	Mowry	Van Drie
Kyhl	Laverty		

The amendment lost.

On motion of Senator Lamborn, the Senate recessed until 1:30 p.m.

AFTERNOON SESSION

The Senate reconvened, President Jepsen presiding.

CONSIDERATION OF BILLS

Senate File 510

The Senate resumed consideration of Senate File 510.

Senator Ollenburg offered the following amendment by Senators Walsh, et al.:

- 1 Amend Senate File 510 as follows:
- 2 1. Page 2, by inserting after line 10 the following

3 new sections:

4 Sec. 3. Section four hundred twenty-two point
5 forty-two (422.42), subsection six (6), paragraph "b",
6 Code 1971, is amended as follows:

7 b. That in all transactions in which tangible
8 personal property is traded toward the purchase price of
9 tangible personal property of greater value [except the
10 sale of vehicles subject to registration under the laws
11 of this state], the gross receipts shall be only that por-
12 tion of the purchase price represented by the difference
13 between the total purchase price of such tangible per-
14 sonal property of greater value and the amount of such
15 tangible personal property traded.

16 Sec. 4. Section four hundred twenty-two point
17 forty-five (422.45), Code 1971, is amended by striking
18 subsection four (4) and inserting in lieu thereof the
19 following:

20 4. The gross receipts from sales of vehicles sub-
21 ject to registration.

22 Sec. 5. Section four hundred twenty-three point one
23 (423.1), subsection three (3), Code 1971, is amended as
24 follows:

25 3. "Purchase price" means the total amount for

Page 2

1 which tangible personal property is sold, valued in
2 money, whether paid in money or otherwise; provided that
3 cash discounts and [except the sale of vehicles subject to
4 registration under the laws of this state,] trade-in
5 allowances taken on sales shall not be included.

6 Sec. 6. Section four hundred twenty-three point one
7 (423.1), Code 1971, is amended by striking subsection
8 seven (7) and inserting in lieu thereof the following:

9 7. "Vehicles subject to registration" means any
10 vehicle subject to registration pursuant to section three
11 hundred twenty-one point eighteen (321.18) of the Code.

12 Sec. 7. Section four hundred twenty-three point
13 four (423.4), subsection one (1), Code 1971, is amended
14 as follows:

15 1. Tangible personal property, the gross receipts
16 from the sale of which are required to be included in the
17 measure of the tax imposed by division IV of chapter 422,
18 and any amendments made or which may hereafter be made
19 thereto. This exemption does not include [new motor ve-
20 hicles as defined herein] *vehicles subject to registration*.

21 Sec. 8. Section four hundred twenty-three point
22 four (423.4), subsection six (6), Code 1971, is amended
23 as follows:

24 6. Tangible personal property, the gross receipts
25 from the sale of which are exempted from the retail sales

Page 3

1 tax by the terms of section 422.45, *except subsection 6*
2 *as it relates to the sale of vehicles subject to regis-*
3 *tration.*

4 Sec. 9. Section four hundred twenty-three point
5 six (423.6), subsection one (1), Code 1971, is amended as
6 follows:

7 1. The tax upon the use of all [new motor vehicles
8 and new trailers] *vehicles subject to registration* shall
9 be collected by the county treasurer *who shall retain*
10 *twenty-five cents from each vehicle registration issued*
11 *for use and benefit of the county general fund* or depart-
12 ment of public safety pursuant to the provisions of
13 section 423.7.

14 Sec. 10. Section four hundred twenty-three point
15 seven (423.7), Code 1971, is amended as follows:

16 423.7 MOTOR VEHICLES. The tax hereby imposed upon
17 the use of [new motor vehicles and new trailers] *vehicles*
18 *subject to registration* shall be paid by the owner thereof
19 to the county treasurer or department of public safety
20 from whom the [original certificate of] registration *receipt*
21 [for such motor vehicle or trailer] is obtained. No
22 [original certificate of] registration *receipt* for any [new
23 motor vehicle or new trailer] *vehicle subject to registra-*
24 *tion* shall be issued until said tax has been so paid. The
25 county treasurer or department of public safety shall

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1 require every applicant for [an original certificate of] *a*
2 registration *receipt* for any [new motor vehicle or new
3 trailer] *vehicle subject to registration* to supply such
4 information as he or the director may deem necessary as
5 to the time of purchase, the purchase price, and other
6 information relative to the purchase of said [motor vehicle
7 or trailer] *vehicle subject to registration*. On or before
8 the tenth day of each month the county treasurer or
9 department of public safety shall remit to the department
10 the amount of the taxes so collected during the preceding
11 month, together with an itemized statement on forms fur-
12 nished by the department showing the name of each taxpayer,
13 the make and purchase price of each [motor vehicle or
14 trailer] *vehicle subject to registration*, the amount of
15 tax paid in each case, and such other information as the
16 director shall require.

17 Sec. 11. Section four hundred twenty-three point
18 eight (423.8), Code 1971, is amended as follows:

19 423.8 SALES TAX REPORT—DEDUCTION. Motor vehicle
20 or trailer dealers, in making their reports and returns
21 to the department for the purpose of paying the retail
22 sales tax imposed by division IV of chapter 422, shall be
23 permitted to deduct all gross receipts from retail sales
24 of [new motor vehicles and new trailers] *vehicles subject*
25 *to registration*. Gross receipts from [such new motor

Page 5

1 vehicle and new trailer] sales of *vehicles subject to*
2 *registration* are hereby expressly exempted from the tax
3 imposed by said division IV, but, if required by the
4 director, such gross receipts shall be included in the

- 5 returns made by motor vehicle or trailer dealers under
6 said division IV, and proper deductions taken pursuant
7 to this section.
8 2. Amend the title, page 1, line 1, by inserting after the
9 word "funds" the words "and relating to the use tax imposed upon
10 vehicles subject to registration."

Senator Gaudineer raised a point of order for the reason that the amendment was not germane to the bill.

The Chair ruled the point not well taken and the amendment in order.

Senator Ollenburg offered the following amendment to the amendment and moved its adoption:

- 1 Amend the Walsh, et al., amendment filed May 12, 1971, to
2 Senate File 510 as follows:
3 Page 3, line 1, by inserting after the numeral "6" the
4 words "*of section 422.45*".

The amendment to the amendment was adopted.

Senator Ollenburg offered the following amendment to the amendment and moved its adoption:

- 1 Amend the Walsh, et al., amendment filed May 12, 1971, to
2 Senate File 510 as follows:
3 Page 3, line 10, by striking the words "*vehicle registration*
4 *issued*" and inserting in lieu thereof the words "*tax payment*
5 *collected*".

The amendment to the amendment was adopted.

Senator Hill offered the following amendment to the amendment:

- 1 Amend the Walsh, et al., amendment to Senate File
2 510, filed May 12, 1971, as follows:
3 1. Page 3, by inserting after line 3 the following
4 new section:
5 "Section four hundred twenty-three point four (423.4),
6 Code 1971, is amended by adding the following new sub-
7 section:
8 Sales of vehicles subject to registration when the
9 person selling the vehicle is not a retailer."
10 2. Renumber sections and correct internal references
11 in accordance with this amendment.

Senator Hill moved the adoption of his amendment to the amendment and requested a roll call.

On the question "Shall the Hill amendment to the amendment be adopted?" the vote was:

Ayes, 15:

Briles
Coleman

Doderer
Gaudineer

Glenn
Gross

Hill
Kennedy

Miller
Milligan

Palmer
Robinson

Schaben
Tapscott

Van Gilst

Nays, 33:

Anderson
Arbuckle
Balloun
Bass
Brownlee
Carlson
Conklin
Curran
Davis

DeKoster
Erskine
Gilley
Graham
Griffin
Keith
Lamborn
Laverty

Messerly
Mowry
Neu
Nicholson
Ollenburg
Potgeter
Potter
Rabedeaux

Rhodes
Riley
Shaff
Shawver
Smith
Stephens
Thordsen
Walsh

Absent or not voting, 2:

Kyhl

Van Drie

The amendment to the amendment lost.

(Senate File 510 pending.)

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following joint resolution in which the concurrence of the House was asked:

Senate Joint Resolution 10, establishing legislative compensation to be paid because of a vacancy resulting in the Senate membership.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 308, a bill for an act relating to delegates to political party caucuses and conventions.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 325, a bill for an act relating to escheat of unclaimed postal savings system accounts.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 326, a bill for an act relating to the authority of the chemical technology review board.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 487, a bill for an act making appropriations to certain state agencies.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 502, a bill for an act relating to the establishment of water effluent standards.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 507, a bill for an act relating to the Iowa crime commission.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 526, a bill for an act to make appropriations to the appointive members of the capitol planning commission for per diem compensation for services rendered.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 373, a bill for an act to appropriate funds to defray expenses of the inaugural ceremonies.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 567, a bill for an act relating to the commission form cities.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 666, a bill for an act relating to salaries, vacation, and sick leave for state employees.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 686, a bill for an act relating to the review of school budgets for the school year commencing July 1, 1971, by the school budget review committee.

WILLIAM R. KENDRICK, Chief Clerk

HOUSE MESSAGES CONSIDERED

House File 373, a bill for an act to appropriate funds to defray expenses of the inaugural ceremonies.

Read first time and **passed on file**.

House File 567, a bill for an act relating to commission form cities.

Read first time and **passed on file**.

House File 666, a bill for an act relating to salaries, vacation, and sick leave for state employees.

Read first time and **passed on file**.

House File 686, a bill for an act relating to the review of school budgets for the school year commencing July 1, 1971, by the school budget review committee, and the filing of tentative budgets by individual school districts.

Read first time and **passed on file**.

SENATE RESOLUTION 4

By Lamborn and Gaudineer

Whereas, the Secretary of the Senate has responsibilities and duties to perform during the interim between the sessions of the General Assembly; and

Whereas, during the interim between the session of the General Assembly the Secretary of the Senate has expenses in connection with his interim duties; *Now Therefore*

Be It Resolved by the Senate: That the President of the Senate is hereby authorized to approve such expenses and authorize payment of compensation for as many days each month as determined by him for the Secretary and his necessary staff, at the same rate of pay as was fixed during the regular session of the Sixty-fourth General Assembly. The state comptroller is hereby authorized and directed to issue warrants in payment of same upon requisition signed by the President of the Senate as provided for in sections two point eleven (2.11), two point twelve (2.12), and two point thirteen (2.13), Code 1971, and any amendments passed by the Sixty-fourth General Assembly.

SENATE CONCURRENT RESOLUTION 41

By Lamborn and Gaudineer

Be It Resolved by the Senate, the House Concurring: That the President of the Senate and the Speaker of the House are authorized to determine the policies incident to the details of closing the 1971 first regular session of the Sixty-fourth General Assembly, interim staff and work, and the reconvening of the 1972 second regular session and any special session which may be convened.

Be It Further Resolved: That the Secretary of the Senate and the Chief Clerk of the House shall make an inventory of all equipment and supplies on hand at the close of the session.

Be It Further Resolved: That the Executive Council, in accordance with section nineteen point twenty-five (19.25), Code 1971, shall provide all the supplies required for the Sixty-fourth General Assembly, both while in session and during the interim between sessions, upon requisition signed by the Secretary of the Senate for the Senate and the Chief Clerk of the House for the House.

Be It Further Resolved: That the Secretary of the Senate and the Chief Clerk of the House are authorized to reserve for the exclusive use of the General Assembly during the interim the chamber and such rooms now used by said General Assembly as may be necessary for any official use and for the purpose of storing supplies and equipment, as they may deem proper and advisable. The Executive Council shall not make assignments except with the consent of the Secretary of the Senate or the Chief Clerk of the House.

Be It Further Resolved: That the Secretary of the Senate and the Chief Clerk of the House shall make a complete survey of all the typewriters on hand for the purposes of determining the advisability of replacing some of the equipment. The machines to be replaced shall be appraised and made immediately available to the Secretary of the Executive Council for distribution, for trade-in to typewriter suppliers, or for sale at amounts based on the appraisal. The legislative fund shall be credited with any funds received, or with the appraised value of the machines, if the same are

distributed to other state departments or traded in. All other equipment shall be stored in rooms reserved by the legislative officials above designated who shall have custody of the same and make it available for the following session of the General Assembly.

Be It Further Resolved: That any officers or employees of the Sixty-fourth General Assembly who shall be engaged for work in connection with the General Assembly during the interim between sessions, shall be compensated for such services at the same rate as was fixed during the regular session of the Sixty-fourth General Assembly.

SENATE CONCURRENT RESOLUTION 42

By Lamborn and Gaudineer

Whereas, the National Legislative Conference, which is a part of the Council of State Governments, will convene in its annual sessions in 1971 and 1972; and

Whereas, Iowa has been represented by the Secretary of the Senate and the Chief Clerk of the House in the past, and this policy should be continued; *Now Therefore*

Be It Resolved by the Senate, the House Concurring: That the Secretary of the Senate and the Chief Clerk of the House are hereby authorized to attend the 1971 and 1972 sessions of the National Legislative Conference as well as meetings of committees to which they have been appointed to serve and that the actual expenses in so attending these sessions be paid as provided in section two point twelve (2.12), Code 1971.

SENATE CONCURRENT RESOLUTION 43

By Lamborn and Gaudineer

Whereas, various committee meetings pertaining to the operation of legislative research and legislative services are held between sessions of the General Assembly; and

Whereas, the President of the Senate and the Speaker of the House have the authority to appoint representatives of the General Assembly to attend certain meetings; and

Whereas, it appears advantageous to eliminate the necessity of filing bills in the ensuing legislative session to cover the actual expenses of such representatives and such committee members; *Now Therefore*

Be It Resolved by the Senate, the House Concurring: That the actual expenses of such representatives and such committee members in attending the above-described meetings shall be paid upon the filing of their expense accounts, subject to the approval of the President of the Senate, for the Senate, and the Speaker of the House, for the House. The state comptroller is authorized and directed to issue warrants in payment of same upon requisition signed by the President of the Senate and the Speaker of the House as provided in sections two point ten (2.10), two point eleven (2.11), two point twelve (2.12), and two point thirteen (2.13), Code 1971.

REPORT OF STEERING COMMITTEE

MR. PRESIDENT: Your steering committee begs leave to report it has had the following bills under consideration and recommends that they be placed on the noncontroversial calendar:

S. F. 181	S. F. 534	H. F. 211
S. F. 205	H. F. 23	H. F. 268
S. F. 282	H. F. 63	H. F. 503
S. F. 485	H. F. 132	H. F. 600
S. F. 530	H. F. 178	H. F. 675
S. F. 533		

CLIFTON C. LAMBORN, Chairman

BILLS ASSIGNED TO COMMITTEE

President Jepsen announced the assignment of the following bills to committee:

H. F. 373 Appropriations

H. F. 567 Cities and towns

H. F. 666 State government

H. F. 686 Ways and means

AMENDMENTS FILED

- 1 Amend Senate Concurrent Resolution 39 as follows:
- 2 By inserting in line 2 of the first resolving clause
- 3 before the word "be" the word "shall" and by inserting
- 4 after the word "established" the words "by the legislative
- 5 council".

CLIFTON C. LAMBORN

- 1 Amend Senate File 85 as follows:
- 2 1. Page 2, by striking lines 4 and 5 and inserting
- 3 in lieu thereof the following:
- 4 "1. 'Administration' means the environmental quality
- 5 administration."
- 6 2. Page 2, by striking from line 7 the words "de-
- 7 partment of environmental quality" and inserting in
- 8 lieu thereof the words "environmental quality adminis-
- 9 tration".
- 10 3. Page 2, by striking from line 9 the words "de-
- 11 partment of environmental quality" and inserting in
- 12 lieu thereof the words "environmental quality adminis-
- 13 tration".
- 14 4. Page 2, by striking lines 10 through 14, inclu-
- 15 sive, and inserting in lieu thereof the following:
- 16 "Sec. 2. There is created within the state depart-
- 17 **ment of health an environmental** quality administration.
- 18 The chief administrative officer of the environmental
- 19 quality administration shall be appointed by the com-
- 20 missioner of public health and serve at his pleasure
- 21 subject to the approval of the executive committee.
- 22 The executive director shall be selected on the".
- 23 5. Page 2, by striking lines 19 through 21, inclu-

- 24 sive, and inserting in lieu thereof the following:
25 "1. Formulate and adopt administrative rules and

Page 2

- 1 procedures necessary for the effective operation of
2 the administration."
3 6. Page 2, by striking from lines 22 and 23 the
4 word "department" and inserting in lieu thereof the
5 word "administration".
6 7. Page 2, by striking from line 26 the word "de-
7 partment" and inserting in lieu thereof the word
8 "administration".
9 8. Page 2, by striking from line 30 the word "de-
10 partment" and inserting in lieu thereof the word "ad-
11 ministration".
12 9. Page 3, by striking from line 2 the word "de-
13 partmental" and inserting in lieu thereof the word
14 "administration".
15 10. Page 3, by striking lines 5 through 8, inclu-
16 sive, and inserting in lieu thereof the following:
17 "The executive director shall appoint the technical,
18 professional, legal, secretarial, and clerical staff
19 necessary to accomplish the purposes of this Act. All
20 such appointments shall be made within the provisions
21 of chapter nineteen A (19A) of the Code."
22 11. Page 3, by striking from lines 13 and 14 the
23 word "department" and inserting in lieu thereof the
24 word "administration".
25 12. Page 3, by striking from line 17 the word "de-

Page 3

- 1 partment" and inserting in lieu thereof the word "ad-
2 ministration".
3 13. Page 3, by striking from lines 18 and 19 the
4 words "the chemical technology commission".
5 14. Page 4, by striking lines 34 and 35.
6 15. Page 5, by striking lines 1 through 8, inclusive.
7 16. Page 5, by striking from line 17 the word "de-
8 partment" and inserting in lieu thereof the word "ad-
9 ministration".
10 17. Page 5, by striking from line 25 the word "de-
11 partment" and inserting in lieu thereof the word "ad-
12 ministration".
13 18. Page 5, by striking from line 27 the word "de-
14 partment" and inserting in lieu thereof the words "ad-
15 ministration and the commissioner of public health".
16 19. Page 6, by striking from line 9 the word "Ap-
17 point" and inserting in lieu thereof the words "ap-
18 prove the appointment of".
19 20. Page 6, by striking from line 10 the word "de-
20 partmental" and inserting in lieu thereof the word
21 "administration".
22 21. Page 6, by striking from line 13 the word "de-
23 partmental" and inserting in lieu thereof the word
24 "administration".

25 22. Page 6, by striking from line 16 the word "de-

Page 4

1 partment" and inserting in lieu thereof the word "ad-
2 ministration".

3 23. Page 6, by striking from line 17 the word "de-
4 partment" and inserting in lieu thereof the word "ad-
5 ministration".

6 24. Page 6, by striking from line 21 the word "de-
7 partment" and inserting in lieu thereof the word "ad-
8 ministration".

9 25. Page 6, by striking from line 30 the word "de-
10 partment" and inserting in lieu thereof the word "ad-
11 ministration".

12 26. Page 6, by striking from lines 33 and 34 the
13 word "department" and inserting in lieu thereof the
14 word "administration".

15 27. Page 7, by striking from line 1 the word "de-
16 partment" and inserting in lieu thereof the word "ad-
17 ministration".

18 28. Page 7, by striking from line 6 the period and
19 inserting in lieu thereof the words "and the commis-
20 sioner of public health."

21 29. Page 7, by striking from lines 7 and 8 the word
22 "department" and inserting in lieu thereof the word
23 "administration".

24 30. Page 7, by striking from line 20 the words
25 "*department of environmental quality.*" and inserting

Page 5

1 in lieu thereof the words "*environmental quality ad-*
2 *ministration.*"

3 31. Page 8, by striking from line 27 the word "de-
4 partment" and inserting in lieu thereof the word "ad-
5 ministration".

6 32. Page 9, by striking line 1 and inserting in
7 lieu thereof the following:

8 "Sec. 13. The air quality commission shall have
9 authority to".

10 33. Page 9, by striking from line 22 the word "de-
11 partment" and inserting in lieu thereof the word "ad-
12 ministration".

13 34. Page 10, by striking from line 34 the word "de-
14 partment" and inserting in lieu thereof the word "ad-
15 ministration".

16 35. Page 11, by striking from line 32 the word "de-
17 partment" and inserting in lieu thereof the word "ad-
18 ministration".

19 36. Page 12, by striking from line 14 the word "de-
20 partment" and inserting in lieu thereof the word "ad-
21 ministration".

22 37. Page 12, by striking from line 25 the word "de-
23 partment" and inserting in lieu thereof the word "ad-
24 ministration".

25 38. Page 12, by striking from lines 34 and 35 the

Page 6

- 1 word "department" and inserting in lieu thereof the
2 word "administration".
3 39. Page 14, by striking from line 3 the word "de-
4 partment" and inserting in lieu thereof the word "ad-
5 ministration".
6 40. Page 14, by striking from line 8 the word "de-
7 partment" and inserting in lieu thereof the word "ad-
8 ministration".
9 41. Page 16, by striking from line 28 the word
10 "department" and inserting in lieu thereof the word
11 "administration".
12 42. Page 19, by striking from line 4 the word "de-
13 partment" and inserting in lieu thereof the word "ad-
14 ministration".
15 43. Page 21, by striking from line 2 the word "de-
16 partment" and inserting in lieu thereof the word "ad-
17 ministration".
18 44. Page 22, by striking from line 20 the word
19 "department" and inserting in lieu thereof the word
20 "administration".
21 45. Page 22, by striking line 21 and inserting in
22 lieu thereof the following:
23 "Sec. 32. The water quality commission shall have
24 authority".
25 46. Page 23, line 1, by striking the word "depart-

Page 7

- 1 ment" and inserting in lieu thereof the word "adminis-
2 tration".
3 47. Page 23, by striking from line 7 the word "de-
4 partment" and inserting in lieu thereof the word "ad-
5 ministration".
6 48. Page 23, by striking from line 34 the word
7 "department" and inserting in lieu thereof the word
8 "administration".
9 49. Page 25, by striking from line 5 the word "de-
10 partment" and inserting in lieu thereof the word "ad-
11 ministration".
12 50. Page 26, by striking from line 17 the word
13 "department" and inserting in lieu thereof the word
14 "administration".
15 51. Page 27, by striking from line 15 the word
16 "department" and inserting in lieu thereof the word
17 "commission".
18 52. Page 27, by striking from line 16 the word
19 "department" and inserting in lieu thereof the word
20 "commission".
21 53. Page 27, by striking from line 21 the word
22 "department" and inserting in lieu thereof the word
23 "commission".
24 54. Page 27, by striking from line 24 the word
25 "department" and inserting in lieu thereof the word

Page 8

- 1 "commission".
2 55. Page 27, by striking from line 26 the word
3 "department" and inserting in lieu thereof the word
4 "commission".
5 56. Page 27, by striking from line 27 the word
6 "department" and inserting in lieu thereof the word
7 "commission".
8 57. Page 27, by striking from line 30 the word
9 "department" and inserting in lieu thereof the word
10 "commission".
11 58. Page 28, by striking from lines 4 and 5 the
12 word "department" and inserting in lieu thereof the
13 word "commission".
14 59. Page 28, by striking from line 8 the word
15 "department" and inserting in lieu thereof the word
16 "commission".
17 60. Page 28, by striking from lines 11 and 12 the
18 word "department" and inserting in lieu thereof the
19 word "commission".
20 61. Page 28, by striking from line 14 the word
21 "department" and inserting in lieu thereof the word
22 "commission".
23 62. Page 28, by striking from line 31 the word
24 "department" and inserting in lieu thereof the word
25 "administration".

Page 9

- 1 63. Page 29, by striking from line 10 the word
2 "department" and inserting in lieu thereof the word
3 "administration".
4 64. Page 29, by striking from line 13 the word
5 "department" and inserting in lieu thereof the word
6 "administration".
7 65. Page 29, by striking from line 17 the word
8 "department" and inserting in lieu thereof the word
9 "administration".
10 66. Page 29, by striking from line 20 the word
11 "department" and inserting in lieu thereof the word
12 "administration".
13 67. Page 29, by striking from line 35 the word
14 "department" and inserting in lieu thereof the word
15 "administration".
16 68. Page 30, by striking line 15 and inserting in
17 lieu thereof the following:
18 "the administration."
19 69. Page 31, line 32, by striking the word "depart-
20 ment" and inserting in lieu thereof the word "adminis-
21 tration".
22 70. Page 32, line 30, by striking the word "depart-
23 ment" and inserting in lieu thereof the word "adminis-
24 tration".
25 71. Page 34, line 10, by striking the word "depart-

Page 10

1 ment" and inserting in lieu thereof the word "adminis-
2 tration".

3 72. Page 34, line 24, by striking the word "depart-
4 ment" and inserting in lieu thereof the word "adminis-
5 tration".

6 73. Page 37, by striking from line 35 the letters
7 "de-".

8 74. Page 38, by striking from line 1 the letters
9 "partment" and inserting in lieu thereof the word "ad-
10 ministration."

11 75. Page 38, by striking from line 27 the word "de-
12 partment" and inserting in lieu thereof the word "ad-
13 ministration".

14 76. Page 39, by striking from line 17 the word
15 "department" and inserting in lieu thereof the word
16 "administration".

17 77. Page 40, by striking from line 9 the word "de-
18 partment" and inserting in lieu thereof the word "ad-
19 ministration".

20 78. Page 41, by striking from line 7 the word "de-
21 partment" and inserting in lieu thereof the word "ad-
22 ministration".

23 79. Page 42, line 24, by striking the word "depart-
24 ment" and inserting in lieu thereof the word "adminis-
25 tration".

Page 11

1 80. Page 42, by striking from line 30 the word
2 "department" and inserting in lieu thereof the word
3 "administration".

4 81. Page 43, line 25, by striking the word "depart-
5 ment" and inserting in lieu thereof the word "adminis-
6 tration".

7 82. Page 44, by striking lines 8 and 9 and insert-
8 ing in lieu thereof the following:

9 "Any person violating the provisions of this section
10 shall be guilty of a misdemeanor".

11 83. Page 44, lines 22 and 23, by striking the word
12 "department" and inserting in lieu thereof the word
13 "administration".

14 84. Page 44, strike lines 24 through 35, inclusive.

15 85. Strike pages 45 through 73, inclusive.

16 86. Page 74, strike lines 1 through 16, inclusive.

17 87. Page 74, by striking lines 23 and 24 and insert-
18 ing in lieu thereof the following:

19 "*and the executive director of the environmental*
20 *quality administration or his designee who shall be*
21 *a nonvoting member. Not".*

22 88. Page 75, by striking from line 2 the words
23 "*department of environmental quality*" and inserting
24 in lieu thereof the words "*environmental quality admin-*
25 *istration*".

Page 12

1 89. Page 75, by striking lines 26 and 27 and insert-
2 ing in lieu thereof the following:

3 "a member designated by him, *and the director of*
4 *the environmental quality administration or his desig-*
5 *nee, who shall be a non-".*

6 90. Page 76, by striking lines 3 through 10, inclu-
7 sive, and inserting in lieu thereof the following:

8 "Sec. 118. Chapters one hundred thirty-six A (136A),
9 one hundred thirty-six B (136B), four hundred six (406),
10 four hundred fifty-five B (455B), and four hundred
11 fifty-five C (455C), Code 1971, are repealed."

12 91. Page 76, by striking from line 18 the word
13 "department" and inserting in lieu thereof the word
14 "administration".

15 92. Page 76, by striking from line 29 the word
16 "department" and inserting in lieu thereof the word
17 "administration".

18 93. Page 76, by striking from line 33 the word
19 "department" and inserting in lieu thereof the word
20 "administration".

21 94. Page 76, by inserting after line 33 the follow-
22 ing:

23 "Rules and regulations, emission standards, air qual-
24 ity and water quality standards, administrative orders,
25 legal proceedings and other official actions of the

Page 13

1 Iowa state department of health, the Iowa air pollution
2 control commission and the Iowa water pollution control
3 commission shall continue to be in effect after the
4 effective date of this Act unless rescinded by a commis-
5 sion established under the provisions of this Act having
6 jurisdiction over the subject matter."

7 95. Amend the title, page 1, line 1, by striking
8 the words "a department of environmental quality" and
9 inserting in lieu thereof the words "an environmental
10 quality administration within the state department of
11 health".

12 96. By renumbering the sections and subsections,
13 and correcting the internal references to the sections
14 to conform to this amendment.

JOHN M. WALSH

1 Amend Senate File 510 as follows:

2 Page 2, by striking lines 1 through 10, inclusive and
3 inserting in lieu thereof the following:

4 Section 1. Section four hundred twenty-two point sixty-
5 nine (422.69), subsection five (5), Code 1971, as contained
6 in chapter one thousand two hundred five (1205), Acts of
7 the Sixty-third General Assembly, Second Session, is amended
8 as follows:

9 "5. This subsection shall be effected for the fiscal
10 year commencing July 1, [1971] 1973 and each fiscal year
11 thereafter. During the last quarter of each fiscal year
12 an amount equal to ten percent of the net receipts from

13 [two-thirds *each two cents* of the sales tax collected under
14 division four (IV) of this chapter for the fiscal year,
15 less the amount transferred during such fiscal year for
16 motor vehicle registration plates, shall be transferred to
17 the road use tax fund created by section three hundred
18 twelve point one (312.1) of the Code. The remainder of the
19 net receipts from the sales tax shall be credited to the
20 general fund.

21 *During the last quarter of the fiscal year commencing*
22 *July 1, 1972 the net receipts from all sales taxes collected*
23 *under division four (IV) of this chapter for the fiscal year,*
24 *less the amount transferred during such fiscal year for*

Page 2

1 *motor vehicle registration plates, shall be transferred*
2 *to the general fund of the state."*

TOM RILEY
MINNETTE DODERER

1 Amend Senate File 513 as follows:

2 1. Page 2, by adding after line 34, the following new section,
3 and renumber the remaining sections to conform with this amend-
4 ment:

5 Sec. 2. "Section four hundred twenty-two point forty-five
6 (422.45), Code 1971, is amended by adding the following new
7 subsection:

8 Gross receipts from the sales of prescription drugs."

9 2. Amend the title, line 1 by adding after the word "tax" the
10 words " , and exempting prescription drugs from the sales and
11 use tax".

JAMES W. GRIFFIN, SR.

1 Amend Senate File 513 as follows:

2 1. Page 3, by inserting after line 24 the following
3 new section:

4 "Sec. 4. After approval by the voters, a local sales
5 and use tax at a rate of not more than one percent may
6 be imposed by a city on the gross receipts from the
7 sale or use of tangible personal property or services
8 subject to the state sales and use tax.

9 Upon its own motion, or upon receipt of a valid peti-
10 tion signed by voters of the city equal in number to
11 ten percent of the persons who voted at the last
12 preceding regular city election, but no less than ten
13 persons, requesting that an election be held, the city
14 council shall submit to the voters of the city, at a
15 special election called for that purpose, the question
16 of imposing a local sales and use tax at a specified
17 rate of not more than one percent. If a majority of
18 those voting favors the imposition of the tax, the
19 council shall impose the tax by ordinance, and shall
20 continue to impose the tax for a minimum of four years.
21 After the four-year period, the tax may be discontinued
22 by the council or by petition and election in the same
23 manner as it was imposed.

24 If a majority of those voting does not favor the
25 imposition of a local sales and use tax, the council

Page 2

1 shall not submit the question of imposition of the same
2 rate of tax within one year following the election.

3 The special election may not be held within thirty
4 days of a general election. Prior to the special elec-
5 tion, the city council shall publish notice of the elec-
6 tion in a newspaper published at least once a week and
7 having general circulation in the city, except that
8 the notice shall be published twice. If the city has
9 a population of two hundred or less, a publication may
10 be made by posting notice in three public places in
11 the city which have been permanently designated by
12 ordinance.

13 A local sales and use tax shall be imposed on the
14 same basis as the state sales and use tax and may not
15 be imposed on the sale or use of any tangible personal
16 property or services not taxed by the state. A local
17 sales and use tax is applicable only within the terri-
18 torial limits of the city imposing it and shall be col-
19 lected by all persons required to collect state sales
20 and use taxes. The amount of the sale, for purposes
21 of determining the amount of the local sales and use
22 tax, does not include the amount of the state sales
23 and use tax. No sales and use tax permit, other than
24 the state sales and use tax permits, may be required.
25 A local sales and use tax may be imposed either January

Page 3

1 first or July first following a favorable election.

2 The director of revenue shall administer the provi-
3 sions of a local sales and use tax as nearly as possible
4 in conjunction with the administration of state tax
5 laws. He shall provide appropriate forms, or provide
6 on the regular state tax forms, for reporting local
7 sales and use tax liability.

8 An ordinance imposing a local sales and use tax shall
9 adopt by reference the applicable provisions of the
10 appropriate sections of chapters four hundred twenty-
11 two (422) and four hundred twenty-three (423) of the
12 Code, and all powers of the director to administer the
13 state sales and use tax law are applicable to his
14 administration of a local sales and use tax ordinance.
15 Local officials shall confer with the director of revenue
16 and obtain his assistance in drafting the ordinance
17 imposing a local sales and use tax. A certified copy
18 of the ordinance shall be filed with the director as
19 soon as possible after passage.

20 The director, in consultation with local officials,
21 shall collect and account for a local sales and use
22 tax. The director shall retain for the use of the
23 department one percent of all local sales and use tax

24 receipts, to cover administrative expense, and shall
25 credit remaining local sales and use tax receipts to

Page 4

1 a local sales and use tax fund hereby established in
2 the office of the treasurer of state.

3 The treasurer of state shall remit quarterly to the
4 cities which have imposed a local sales and use tax
5 their share of the balance in the local sales and use
6 tax fund. Local sales and use tax moneys received by
7 a city may be expended for any lawful city purpose."

8 2. Amend the title, page 1, line 1, by inserting
9 after the word "tax" the words "and providing for a
10 local option sales tax".

R. DEAN ARBUCKLE
FRANCIS L. MESSERLY

1 Amend the Ollenburg amendment to Senate File 513,
2 filed May 6, 1971, as contained on pages 1164 through
3 1167, inclusive, of the May 6, 1971 Journal of the
4 Senate, as follows:

5 Page 3, line 10, by striking the words "*vehicle*
6 *registration issued*" and inserting in lieu thereof the
7 words "*tax payment collected*".

H. L. OLLENBURG

1 Amend Senate File 519 as follows:

2 1. Page 3, by inserting after line 20 the following
3 new section:

4 "Section four hundred twenty-two point thirty-three
5 (422.33), subsection one (1), paragraph 'b', unnumbered
6 paragraph four (4) is amended as follows:

7 The gross sales of the corporation within the state
8 shall be taken to be the gross sales from goods [sold and]
9 delivered within the state[, excluding deliveries for
10 transportation out of the state].

11 2. Amend the title, page 1, line 2, by inserting
12 after the first comma the words "altering the formula for
13 the allocation of corporate income for tax purposes".

ROGER J. SHAFF

1 Amend House File 132, page 1, line 15 by striking the
2 words ", or by both such fine and imprisonment".

LEE H. GAUDINEER, JR.

On motion of Senator Lamborn, the Senate adjourned until 8:30
a.m., Thursday, May 13, 1971.

JOURNAL OF THE SENATE

ONE HUNDRED TWENTY-THIRD DAY

SENATE CHAMBER

DES MOINES, IOWA, THURSDAY, MAY 13, 1971

The Senate met in regular session, Senator Potgeter presiding.

Prayer was offered by Father Mathew Habinger, pastor of the St. John's Catholic Church, Burlington, Iowa.

The Senate pledged allegiance to the flag.

The Journal of Wednesday, May 12, 1971, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Van Drie for the day on request of Senator Lamborn.

PRESENTATION OF VISITORS

The Chair announced that the following visitors were present in the Senate gallery:

One hundred five students from Jefferson Junior High School, Jefferson, Iowa, accompanied by their instructor, John Perrin.

Twenty-one students from Grant School, Oskaloosa, Iowa, accompanied by their instructors, Miss Griest and Mrs. Jones.

Forty-eight students from Assumption High School, Davenport, Iowa, accompanied by Miss O'Connor, Father Mann and Father Goetsch.

One hundred two students from Eagle Grove Community School, Eagle Grove, Iowa.

PETITIONS

The following petitions were presented and placed on file:

By Senator Potter, from five hundred twenty-one students of Mount Mercy College, Cedar Rapids, Linn County, Iowa, favoring an increase in the funding of The Iowa Tuition Grant Program.

By Senator DeKoster, from one hundred fifty-five students of

Northwestern College, Orange City, Sioux County, Iowa, favoring an increase in the funding of The Iowa Tuition Grant Program.

CONSIDERATION OF BILLS

Senate File 181

On motion of Senator Arbuckle, Senate File 181, a bill for an act relating to the liability of the commission of hospitalization and the clerk of the district court for certain acts, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Arbuckle moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 181) the vote was:

Ayes, 34:

Anderson	Glenn	Nicholson	Schaben
Arbuckle	Graham	Ollenburg	Shaff
Bass	Gross	Potgeter	Shawver
Brownlee	Hill	Potter	Smith
Conklin	Keith	Rabedaux	Stephens
Curran	Kennedy	Rhodes	Thordsen
Erskine	Lamborn	Riley	Van Gilst
Gaudineer	Messerly	Robinson	Walsh
Gilley	Miller		

Nays, none.

Absent or not voting, 16:

Balloun	Davis	Kyhl	Neu
Briles	DeKoster	Lavery	Palmer
Carlson	Doderer	Milligan	Tapscott
Coleman	Griffin	Mowry	Van Drie

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

Senator Arbuckle asked and received unanimous consent that **Senate File 181** be **immediately messaged** to the House, which request was complied with.

Senate File 282

On motion of Senator Riley, Senate File 282, a bill for an act relating to the issuance of bonds by cities and towns, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Riley moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 282) the vote was:

Ayes, 39:

Anderson	Gaudineer	Mowry	Schaben
Arbuckle	Glenn	Nicholson	Shaff
Briles	Griffin	Ollenburg	Shawver
Brownlee	Gross	Palmer	Smith
Coleman	Hill	Potgeter	Stephens
Conklin	Kennedy	Potter	Tapscott
Curran	Lamborn	Rabedaux	Thordsen
Davis	Messerly	Rhodes	Van Gilst
DeKoster	Miller	Riley	Walsh
Doderer	Milligan	Robinson	

Nays, 4:

Balloun	Bass	Gilley	Graham
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Absent or not voting, 7:

Carlson	Keith	Laverty	Van Drie
Erskine	Kyhl	Neu	

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

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

The Senate resumed session, Senator Potgeter presiding.

UNFINISHED BUSINESS

Senate File 510

The Senate resumed consideration of Senate File 510, a bill for an act relating to the transfer and use of state funds, and the Walsh, et al., amendment offered and amended on May 12, 1971.

Senator Ollenburg offered the following amendment to the amendment and moved its adoption:

- 1 Amend the Walsh, et al., amendment filed May 12, 1971, to
- 2 Senate File 510, page 3, line 1, by inserting after the word
- 3 "except" the words "*subsection 4 and*".

The amendment to the amendment was adopted.

Senator Hill offered the following amendment to the amendment by Senators Gross and Hill:

- 1 Amend the Walsh, et al., amendment filed May 12, 1971, to
- 2 Senate File 510, as follows:
- 3 1. Page 2, line 11, by inserting after the word "Code" the words
- 4 "and including boats, mobile homes, and snowmobiles".
- 5 2. Page 3, line 9, by inserting after the word "treasurer" the
- 6 words "*or the county recorder*".
- 7 3. Page 3, line 19, by inserting after the word "treasurer" the
- 8 words "*, the county recorder*".
- 9 4. Page 3, line 25, by inserting after the word "treasurer" the
- 10 words "*, the county recorder*".

Senator Gross moved the adoption of the amendment to the amendment and called for a division.

The amendment to the amendment lost.

On motion of Senator Lamborn, the Senate recessed until 1:15 p.m.

AFTERNOON SESSION

The Senate reconvened, President Jepsen presiding.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Rhodes, from the joint committee on enrolled bills, submitted the following report and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate File 188 and House Files 39, 209, 274, 473 and 614.

JOHN C. RHODES
Chairman, Senate Committee
ELIZABETH R. MILLER
Chairman, House Committee

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate the following bills: Senate File 188 and House Files 39, 209, 274, 473 and 614.

BILL SENT TO THE GOVERNOR

Senator Rhodes, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 13th day of May, 1971, sent to the Governor for his approval: Senate File 188.

JOHN C. RHODES, Chairman

Passed on file.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate File 76, a bill for an act relating to temporary registration of snowmobiles.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 386, a bill for an act relating to assignment of group life insurance.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 461, a bill for an act relating to supreme court officers and employees.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 367, a bill for an act relating to joint planning commissions.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 514, a bill for an act relating to county conservation boards.

WILLIAM R. KENDRICK, Chief Clerk

INTRODUCTION OF BILLS

Senate File 538, by committee on cities and towns (committee on cities and towns), a bill for an act to permit cities of not less than thirteen nor more than seventeen thousand population, located on a navigable river, to enter into a single responsibility contract for construction of a waste treatment facility.

Read first time and placed on calendar.

Senate File 537, by committee on transportation, a bill for an act relating to temporary restrictions on weight and load of motor vehicles, and to provide penalties for violation of temporary restrictions.

Read first time and placed on calendar.

HOUSE MESSAGES CONSIDERED

House File 367, a bill for an act relating to joint planning commissions.

Read first time and passed on file.

House File 514, a bill for an act relating to county conservation boards.

Read first time and passed on file.

UNFINISHED BUSINESS

Senate File 510

The Senate resumed consideration of Senate File 510 and the Walsh, et al., amendment.

Senator Walsh moved the adoption of the amendment as amended and requested a roll call.

On the question "Shall the Walsh, et al., amendment as amended be adopted?" (S.F. 510) the vote was:

Ayes, 32:

Balloun	Doderer	Messerly	Rhodes
Briles	Erskine	Mowry	Riley
Brownlee	Gilley	Neu	Shaff
Carlson	Graham	Nicholson	Shawver
Conklin	Griffin	Ollenburg	Smith
Curran	Keith	Potgeter	Stephens
Davis	Lamborn	Potter	Thordsen
DeKoster	Laverty	Rabedeaux	Walsh

Nays, 14:

Bass	Gross	Milligan	Schaben
Coleman	Hill	Palmer	Tapscott
Gaudineer	Kennedy	Robinson	Van Gilst
Glenn	Miller		

Absent or not voting, 4:

Anderson	Arbuckle	Kyhl	Van Drie
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The amendment as amended was adopted.

Senator Riley offered the following amendment filed by Senators Riley and Doderer on May 12, 1971:

- 1 Amend Senate File 510 as follows:
- 2 Page 2, by striking lines 1 through 10, inclusive, and
- 3 inserting in lieu thereof the following:
- 4 Section 1. Section four hundred twenty-two point sixty-
- 5 nine (422.69), subsection five (5), Code 1971, as contained
- 6 in chapter one thousand two hundred five (1205), Acts of
- 7 the Sixty-third General Assembly, Second Session, is amended
- 8 as follows:
- 9 "5. This subsection shall be effected for the fiscal
- 10 year commencing July 1, [1971] 1973 and each fiscal year
- 11 thereafter. During the last quarter of each fiscal year
- 12 an amount equal to ten percent of the net receipts from
- 13 [two-thirds] *each two cents* of the sales tax collected under
- 14 division four (IV) of this chapter for the fiscal year,
- 15 less the amount transferred during such fiscal year for
- 16 motor vehicle registration plates, shall be transferred to
- 17 the road use tax fund created by section three hundred
- 18 twelve point one (312.1) of the Code. The remainder of the

- 19 net receipts from the sales tax shall be credited to the
 20 general fund.
 21 *During the last quarter of the fiscal year commencing*
 22 *July 1, 1972 the net receipts from all sales tax collected*
 23 *under division four (IV) of this chapter for the fiscal year,*
 24 *less the amount transferred during such fiscal year for*

Page 2

- 1 motor vehicle registration plates, shall be transferred
 2 to the general fund of the state."

Senator Doderer offered the following amendment to the amendment and moved its adoption:

- 1 Amend the Riley-Doderer amendment filed May 12, 1971,
 2 to Senate File 510 by adding in line 21 after the word
 3 "commencing" the words and figures "July 1, 1971 and".

The amendment to the amendment was adopted.

Senator Riley offered the following amendment to the amendment and moved its adoption:

- 1 Amend the Riley and Doderer amendment filed May 12, 1971,
 2 to Senate File 510, line 13, by inserting after the word
 3 "collected" the following: "for each dollar of sales".

The amendment to the amendment was adopted.

Senator Riley moved the adoption of the amendment as amended.

Roll call was requested.

On the question "Shall the Riley-Doderer amendment as amended be adopted?" (S.F. 510) the vote was:

Ayes, 19:

Carlson	Glenn	Neu	Shawver
Conklin	Gross	Palmer	Tapscott
Davis	Hill	Rabedaux	Van Gilst
Doderer	Laverty	Riley	Walsh
Gaudineer	Milligan	Robinson	

Nays, 26:

Anderson	Erskine	Messerly	Potter
Balloun	Gilley	Miller	Rhodes
Bass	Graham	Mowry	Schaben
Briles	Griffin	Nicholson	Shaff
Brownlee	Keith	Ollenburg	Smith
Coleman	Kennedy	Potgeter	Stephens
DeKoster	Lamborn		

Absent or not voting, 5:

Arbuckle	Kyhl	Thordsen	Van Drie
Curran			

The amendment as amended lost.

Senator Shaff moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 510) the vote was:

Rule 24 was invoked.

Ayes, 27:

Anderson	Erskine	Messerly	Rhodes
Balloun	Gilley	Mowry	Shaff
Briles	Graham	Neu	Smith
Brownlee	Griffin	Nicholson	Stephens
Curran	Keith	Ollenburg	Thordsen
Davis	Lamborn	Potgeter	Walsh
DeKoster	Laverty	Potter	

Nays, 21:

Arbuckle	Gaudineer	Miller	Robinson
Bass	Glenn	Milligan	Schaben
Carlson	Gross	Palmer	Shawver
Coleman	Hill	Rabedeaux	Tapscott
Conklin	Kennedy	Riley	Van Gilst
Doderer			

Absent or not voting, 2:

Kyhl	Van Drie
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The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File 654, a bill for an act relating to state aid for schools, school district property taxes, imposing a school district income tax, providing administration by the director of revenue, adopting provisions relating to the state individual income tax, relating to the corporate income tax, and providing aid to cities, towns and counties from sales tax receipts.

WILLIAM R. KENDRICK, Chief Clerk

INTRODUCTION OF BILL

Senate File 539, by committee on state government, a bill for an act to legalize the proceedings of the board of supervisors of Hardin County in connection with contracts and expenditures made for the remodeling of the county courthouse located in Eldora, Iowa.

Read first time and placed on calendar.

HOUSE MESSAGE CONSIDERED

House File 654, a bill for an act relating to state aid for schools, school district property taxes, imposing a school district income tax, providing administration by the director of revenue, adopting provisions relating to the state individual income tax, relating to the corporate income tax, and providing aid to cities, towns and counties from sales tax receipts.

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

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

The Senate reconvened, Senator Potgeter presiding.

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which House File 605 passed the Senate.

JOHN M. WALSH

MR. PRESIDENT: I move to reconsider the vote by which Senate File 510 passed the Senate.

JOHN M. WALSH

COMMUNICATION FROM THE SECRETARY OF STATE

May 13, 1971

Mr. Carroll A. Lane
Secretary of the Senate
State Capitol Building
Des Moines, Iowa 50319

I hereby certify that Senate File 78 was published in The Telegraph-Herald, Dubuque, Iowa, May 3, 1971, and in the Eldora Herald-Ledger, Eldora, Iowa, May 4, 1971.

I further certify that House File 572 was published in the Eldora Herald-Ledger, Eldora, Iowa, May 4, 1971, and in The Clinton Herald, Clinton, Iowa, May 3, 1971.

Respectfully submitted,
MELVIN D. SYNHORST
Secretary of State

BILL ASSIGNED TO COMMITTEE

President Jepsen announced the assignment of the following bill to committee:

H. F. 514 Conservation and recreation

REPORTS OF COMMITTEES

Senator Stephens submitted the following report:

MR. PRESIDENT: Your committee on agriculture, to which was referred **House File 145**, a bill for an act to provide an excise tax on the sale of

turkeys and providing a penalty for certain violations of this act, begs leave to report it has had the same under consideration and recommends the same **do pass**.

RICHARD L. STEPHENS, Chairman

Ordered passed on file.

Senator Erskine submitted the following report:

MR. PRESIDENT: Your committee on conservation and recreation, to which was referred **House File 514**, a bill for an act relating to county conservation boards, begs leave to report it has had the same under consideration and recommends the same **do pass**.

ALDEN J. ERSKINE, Chairman

Ordered passed on file.

Senator Potgeter submitted the following reports:

MR. PRESIDENT: Your committee on state government, to which was referred **House Joint Resolution 14**, a joint resolution creating a committee to study the use of land and other related resources, begs leave to report it has had the same under consideration and recommends the same **be amended as follows; and when so amended the bill do pass**:

- 1 Amend House Joint Resolution 14 by striking from page 2,
- 2 line 12, the word "directed" and inserting in lieu thereof the
- 3 word "authorized".

JAMES A. POTGETER, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on state government, to which was referred **House File 463**, a bill for an act relating to emergency succession and emergency location of state and local government, begs leave to report it has had the same under consideration and recommends the same **do pass**.

JAMES A. POTGETER, Chairman

Ordered passed on file.

Senator Shaff submitted the following report:

MR. PRESIDENT: Your committee on ways and means, to which was referred **House File 654**, a bill for an act relating to state aid for schools, school district property taxes, imposing a school district income tax, providing administration by the director of revenue, adopting provisions relating to the state individual income tax, relating to the corporate income tax, and providing aid to cities, towns and counties from sales tax receipts, begs leave to report it has had the same under consideration and recommends the same **be amended as follows; and when so amended the bill do pass**:

- 1 Amend House File 654, as amended, passed, and
- 2 reprinted by the House, as follows:
- 3 1. By striking everything after the enacting clause
- 4 and inserting in lieu thereof the following:

5 DIVISION 1

- 6 Section 1. FOUNDATION PROPERTY TAX. Each school
- 7 district shall cause to be levied each year beginning

8 in 1972 for the school general fund a foundation property
9 tax of twenty mills per dollar of assessed valuation
10 on all taxable property in the district. However, a
11 school district which can meet its general fund budget
12 by a levy of less than twenty mills per dollar of
13 assessed valuation on all taxable property in the
14 district, shall levy only the lesser amount needed.
15 Each county auditor shall certify to each school district
16 within the county and to the state comptroller not later
17 than June first each year the assessed valuation of
18 taxable property in each school district within the
19 county.

20 **Sec. 2. FOUNDATION FORMULA.** The foundation formula
21 is a method of determining the amount of per pupil state
22 aid to be paid to public school districts in the state,
23 based upon the relative wealth of each school district.
24 The formula consists of multiplying a school district's
25 relative wealth factor by the average per pupil state

Page 2

1 aid factor.

2 A school district's relative wealth factor is
3 determined for each school year by dividing the state
4 average per pupil wealth by the school district's per
5 pupil wealth. The state average per pupil wealth is
6 determined by adding together the total assessed
7 valuation of taxable property in the state and the total
8 adjusted gross income in the state, and dividing the
9 sum by the total per pupil enrollment in the state.
10 The school district's per pupil wealth is determined
11 by adding together the total assessed valuation of
12 taxable property in the school district and the total
13 adjusted gross income in the district, and dividing
14 the sum by the total per pupil enrollment in the
15 district.

16 The average per pupil state aid factor is determined
17 for each school year by dividing the total amount of
18 money appropriated for state aid by the total per pupil
19 enrollment in the state.

20 Each public school district in the state which cannot
21 meet its general fund budget by the levy of the
22 foundation property tax is entitled to state aid equal
23 to the amount of its per pupil state aid as determined
24 by the foundation formula multiplied by its per pupil
25 enrollment. However, no district shall receive during

Page 3

1 a school year an amount of state aid per pupil which,
2 added to the amount receivable per pupil from the
3 foundation property tax, exceeds eighty-five percent
4 of the district's general fund budget per pupil, or
5 eighty-five percent of the state average general fund
6 budget per pupil, whichever is smaller.

7 Prior to July fifteenth each year, the state
8 comptroller shall determine an accurate approximation
9 of the amount of state aid to be paid to each school

10 district in the state under this section, and shall
11 certify the estimated amount to each school district
12 for use in preparing budgets.

13 As soon as possible each year, the state comptroller
14 shall compute the actual amount due to each school district
15 in the state under the provisions of this section, and
16 shall pay the amount due to each school district in
17 three installments to be paid on approximately the first
18 days of November, February, and May of each school year.
19 The installments shall be as nearly equal as possible
20 as determined by the state comptroller, taking into
21 consideration the relative budget and cash position
22 of the state resources.

23 Sec. 3. GENERAL FUND BUDGET. Subject to limitations
24 imposed by the school budget review committee or by
25 state law, the general fund budget of a school district

Page 4

1 shall be determined as follows:

2 1. Determine estimated general fund expenditures
3 exclusive of gifts, and federal grants and aids, except
4 federal aids paid in anticipation of or reimbursement
5 for expenses caused by a federal activity in or near
6 a school district which would otherwise need to be paid
7 from local sources, by adding together the estimated
8 amounts to be expended for the school year, for
9 administration, instruction, attendance services, health
10 services, pupil transportation services, fixed charges,
11 operation and maintenance, community services, capital
12 outlay, debt service, and tuition paid other districts.
13 The cost of food services and student body activities
14 shall not be included in general fund costs.

15 2. From the total of the sums determined under
16 subsection one (1) of this section deduct the following:

17 a. Estimated receipts from state appropriations
18 for handicapped children aid, vocational aid, driver
19 education aid, and junior college aid.

20 b. Estimated general fund receipts from the
21 following: Tuition paid by individuals or by the state;
22 transportation; services; rents; income on investment
23 securities; other general fund revenue receipts; general
24 fund nonrevenue receipts; and transfers to the general
25 fund other than those resulting from clearing accounts,

Page 5

1 reorganization, and the return of principal of invested
2 securities.

3 c. An estimate of the total amount determined on
4 the per pupil cost basis for children transported who
5 live within statutory walking distance from school.

6 Sec. 4. DETERMINATION OF PER PUPIL ENROLLMENT.

7 The total amount of state aid allocated to public schools
8 shall be paid to each school district, on a per pupil
9 basis, based on the number of students in each school
10 district. The number of students in each school district
11 including special education students shall be determined

12 by a count of actual enrollment on the second Friday
13 in September. Shared-time students shall be counted
14 in the enrollment on the basis of number of hours of
15 instruction in a public school, proportionate to a full-
16 time student enrolled in the district. A school district
17 may appear before the school budget review committee
18 to apply for additional state aid providing it can
19 substantiate that the second semester increased
20 enrollment, based upon a recount of actual enrollment
21 on the second Friday in February, shows an increase
22 over active enrollment on the second Friday in Septem-
23 ber of more than five percent, and that the increased
24 enrollment has caused increased costs over the initial
25 program presented in the proposed budget for the year.

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1 The school budget review committee may distribute
2 additional state aid per pupil allocated for this purpose
3 equally to those schools qualifying. However, the
4 amount per pupil distributed shall not exceed one half
5 of the amount distributed per pupil in fall enroll-
6 ment.

7 Sec. 5. PERCENTAGE GROWTH FACTOR.

8 1. It is the intent of the legislature that the
9 total amount of state aid appropriated for use in
10 determining the amount to be paid to each school district
11 under the school foundation formula provided in section
12 two (2) of this Act, will be increased annually by the
13 amount of the percentage growth factor for the state,
14 which will be computed by the state comptroller each
15 year as follows:

16 a. Determine the percent of increase or decrease
17 in state revenue from taxes other than any school
18 district income surtax, adjusted for changes in rates
19 or basis, for each year of the last three calendar years
20 for which accurate figures are available, and divide
21 the total by three.

22 b. The total state aid for the last preceding school
23 year multiplied by the percentage growth factor gives
24 the additional amount of state aid which should be added
25 to the appropriation for the current school year.

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1 Sec. 6 ADDITIONAL SCHOOL PROPERTY TAX AND BUDGET
2 LIMITATION. The remainder of a school district's general
3 fund budget for the 1972-1973 school year, after
4 allowance for expected receipts from the foundation
5 property tax and from state aid based upon the foundation
6 formula as determined under sections one (1) and two
7 (2) of this Act, shall be provided by a tax which the
8 school board shall cause to be levied on all taxable
9 property within the district. However, a district's
10 general fund budget for the 1972-1973 school year may
11 not exceed one hundred three percent of its general
12 fund budget for the 1971-1972 school year.

13 Sec. 7. MAXIMUM MILLAGE. The total tax caused to

14 be levied by a school district in 1972 for the foundation
15 property tax and the additional school property tax
16 shall be the maximum millage which the school board
17 may cause to be levied for school general fund purposes
18 in subsequent years. If a school district cannot meet
19 its general fund budget by a combination of state aid
20 based upon the foundation formula, and the maximum
21 property tax millage permitted under this section, the
22 school board may apply to the school budget review
23 committee for an allotment of any special funds
24 appropriated for this purpose, or may hold a special
25 election on the question of whether to adopt a school

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1 district income surtax.
2 Sec. 8. SCHOOL BUDGET REVIEW COMMITTEE. A school
3 budget review committee is established, which consists
4 of the superintendent of public instruction, the state
5 comptroller, and three members appointed by the governor
6 to represent the public and to serve three-year staggered
7 terms. Those serving as public members on the effective
8 date of this Act shall continue to serve out their
9 unexpired terms. The superintendent of public
10 instruction and the state comptroller may each appoint
11 a member of his staff to serve as his permanent
12 representative on the committee. The school budget
13 review committee shall meet and hold hearings each year
14 in Des Moines in May, and shall continue in session
15 until it has reviewed budgets of school districts, as
16 provided in section nine (9) of this Act. It may call
17 in school board members and employees as necessary for
18 the hearings. Legislators shall be notified of hearings
19 concerning school districts in their constituencies.
20 The committee shall adopt its own rules of procedure.
21 The superintendent of public instruction or his
22 representative shall serve as chairman, and the state
23 comptroller or his representative shall serve as
24 secretary. The committee members representing the
25 public are entitled to receive a per diem equal to the

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1 per diem of members of the board of public instruction,
2 and their necessary travel and other expenses while
3 engaged in their official duties. Expense payments
4 shall be made from appropriations to the department
5 of public instruction.
6 Not later than December first for the following
7 school year, the board of directors of each school
8 district shall set a tentative limitation in dollars
9 of the amount the district may spend on each program
10 in the system as defined by the school budget review
11 committee and in the form which the committee prescribes.
12 This prospectus of program and allocated dollars as
13 approved by the board of directors shall guide the
14 superintendent when preparing the proposed budget for

15 the following school year. These limitations submitted
16 by the board of directors to the superintendent of
17 schools for the district shall be promptly forwarded
18 to the school budget review committee.

19 Sec. 9. DUTIES OF COMMITTEE. The school budget
20 review committee may recommend to the state board of
21 public instruction the revision of any rules,
22 regulations, directives, or forms relating to school
23 district budgeting and accounting, confer with local
24 school boards or their representatives and make
25 recommendations relating to any budgeting or accounting

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1 matters, and may direct the superintendent of public
2 instruction or the state comptroller to make studies
3 and investigations of school costs in any school district
4 whose budget has been submitted to the committee. The
5 committee shall report to each session of the general
6 assembly, which report shall include any recommended
7 changes in laws relating to school districts, and shall
8 set out the number of hearings held pursuant to this
9 Act, the reasons for any authorized increases in school
10 costs, and other information as the committee deems
11 advisable.

12 If a school board applies to the school budget review
13 committee for an allotment of special funds the committee
14 may make an allotment from any funds appropriated
15 specifically for this purpose, making allowance for
16 prorating the appropriated funds among the districts
17 who apply, in proportion to their needs. The committee
18 in determining whether to grant special funds, shall
19 consider unique and unusual circumstances including,
20 but not limited to, unusual increases or decreases in
21 enrollments, natural disasters, unusual transportation
22 problems, and initial staffing problems, and shall grant
23 permission for the election only if unique and unusual
24 circumstances exist in the district.

25 The school budget review committee may call in any

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1 county board of education or joint county board of
2 education for the purpose of reviewing its budget as
3 it relates to the individual districts within the county.

4 Sec. 10. SPECIAL ELECTION. A school board may
5 submit the question of whether to adopt a school district
6 income surtax at a special election as provided in
7 chapter two hundred seventy-seven (277) of the Code.

8 The question submitted to the voters shall state
9 the specific rate of school district income surtax which
10 will be imposed upon individuals residing in the school
11 district on December thirty-first of that year, or on
12 the last day of a tax year falling within that calendar
13 year, in order to meet the school district's general
14 fund budget as proposed. The surtax rate is determined
15 by dividing the additional amount needed to meet the

16 district's general fund budget by the amount of state
17 individual income tax paid by individuals residing in
18 the school district on December thirty-first of the
19 last preceding year for which accurate figures are
20 available, or on the last day of a taxpayer's tax year
21 ending within that calendar year.

22 If a majority of those voting favors adoption of
23 the proposed budget and the specified school district
24 income surtax, the tax shall be imposed as provided
25 in section eleven (11) of this Act.

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1 If a majority of those voting does not favor adoption
2 of the proposed budget and the specified school district
3 income surtax, the school board shall reduce its general
4 fund budget to the amount which can be met by its maximum
5 property tax millage and its state aid.

6 The school board shall certify the result of an
7 election required under this section to the school
8 budget review committee, to the county auditor, to the
9 director of revenue, and to the state comptroller,
10 within ten days following the election.

11 Sec. 11. SCHOOL DISTRICT INCOME TAX. If the voters
12 of a school district approve the imposition of a school
13 district income surtax of a specified rate, the school
14 board shall impose the tax by resolution, as a surtax
15 on the state individual income tax paid on incomes
16 received during the current calendar year by taxpayers
17 residing in the school district on December thirty-first
18 of the current year, or on the last day of a taxpayer's
19 tax year ending during the current calendar year.

20 A local school district income surtax imposed after
21 approval by the voters shall continue to be in effect
22 in that school district until altered by another
23 election. If a school board increases its general fund
24 budget so that it cannot be met by the combination of
25 its maximum property tax, state aid based on the

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1 foundation formula, and the approved school district
2 income surtax, the school board may hold another election
3 as provided in section ten (10) of this Act, to submit
4 the question of whether to increase the surtax rate
5 for the district.

6 At least once every five years, the school board
7 shall submit to the voters of the school district, at
8 the regular school election or at a special election,
9 the question of whether to continue imposition of the
10 established school district income surtax. If a majority
11 of those voting does not approve continuation of the
12 school district income surtax, the school board may
13 reduce its general fund budget to the amount which can
14 be met by its maximum property tax millage and state
15 aid, or may reduce the budget and submit to the voters
16 the question of imposition of a lesser rate of school

17 district income surtax, as provided in section ten (10)
18 of this Act. If the voters refuse to approve any school
19 district income surtax, the school board shall reduce
20 its budget accordingly.

21 Sec. 12. STATUTES APPLICABLE. The director of
22 revenue shall administer any school district income
23 tax imposed under section eleven (11) of this Act, and
24 all the provisions of sections four hundred twenty-two
25 point twenty-two (422.22) through four hundred twenty-

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1 two point thirty-one (422.31), inclusive, and four
2 hundred twenty-two point seventy-three (422.73) of the
3 Code, shall apply in respect to administration of the
4 school district income tax.

5 Sec. 13. FORM AND TIME OF RETURN. The school
6 district income tax return shall be made a part of the
7 Iowa individual income tax return subject to the
8 conditions and restrictions set forth in section four
9 hundred twenty-two point twenty-one (422.21) of the
10 Code.

11 Sec. 14. DEPOSIT OF SCHOOL DISTRICT INCOME TAX.

12 The director of revenue shall deposit all moneys received
13 as school district income tax to the credit of each
14 district from which the moneys are received, in a "school
15 district income tax fund" which is established in the
16 office of the treasurer of state.

17 Sec. 15. SCHOOL DISTRICT INCOME TAX CERTIFICATION.

18 On or before October twentieth each year, the direc-
19 tor of revenue shall make an accounting of the school
20 district income tax collected under this Act applicable
21 to tax returns for the last preceding calendar year
22 or a taxpayer's tax year ending within that calendar
23 year, from taxpayers in each of the various school
24 districts in the state and certify to the state
25 comptroller and the state department of public

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1 instruction the amount of the total school district income
2 tax credited from the taxpayers of each school district.
3 Additional returns in process, if any, at the time of
4 certification shall be completed and the additional
5 amount of school district income tax reported to the
6 state comptroller for distribution back to the school
7 district with the first installment of the following
8 school year.

9 Sec. 16. SCHOOL DISTRICT INCOME TAX DISTRIBUTION.

10 The state comptroller shall draw warrants in payment
11 of the amount of tax payable to each of the school
12 districts in two installments to be paid on approximately
13 the first day of December and the first day of February,
14 and cause the same to be delivered to the respective
15 school districts.

16 Sec. 17. DEPOSIT IN GENERAL FUND. All amounts
17 received by a school district under the provisions of
18 sections two (2), four (4), nine (9), and sixteen (16)

19 of this Act shall be deposited in the school general
20 fund, and may be used for any school general fund
21 purpose.

22 Sec. 18. Section two hundred ninety-eight point
23 one (298.1), Code 1971, is amended as follows:

24 298.1 SCHOOL TAXES. The board of each school
25 corporation shall estimate the amount of the proposed

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1 expenditures and proposed receipts for the general
2 school purposes at a time and in a manner to effectuate
3 the provisions of [chapter 442] *sections 1 through 17,*
4 *inclusive, of this Act.* Compliance with chapter 24
5 shall be observed.

6 [Prior to compliance with section 24.9, the
7 superintendent of the county school systems shall call
8 a joint meeting of school superintendents and school
9 board members for all of the local districts within
10 the county basic school tax unit. The time and place
11 for such joint meetings shall be set by the
12 superintendent of the county school systems.]

13 [The purpose of the joint meeting shall be for a
14 review of the budgets of the several school districts
15 within the county basic school tax units, and for the
16 discussion of common problems within the county basic
17 unit.]

18 Sec. 19. Section four hundred twenty-two point
19 sixty-five (422.65), Code 1971, is amended as follows:

20 422.65 ALLOCATION OF REVENUE. [Ten] *Fifty-five* percent
21 of the total moneys received from the franchise tax
22 shall be deposited in the state general fund. The
23 remaining moneys received from the franchise tax shall
24 be deposited in a franchise tax fund hereby established
25 in the office of the treasurer of state, and shall be

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1 paid quarterly on warrants by the state comptroller,
2 after certification by the director of revenue, as
3 follows:

4 [1. Fifty percent to the basic school tax equalization
5 fund of the basic school tax unit from which the tax
6 is collected, to be distributed in the same manner as
7 other funds in the basic school tax equalization fund.]

8 [2. Thirty] 1. *Sixty* percent to the general fund
9 of the city or town from which the tax is collected.

10 [3. Twenty] 2. *Forty* percent to the general fund
11 of the county from which the tax is collected.

12 If the financial institution maintains one or more
13 offices for the transaction of business, other than
14 its principal office, a portion of its franchise tax
15 shall be allocated to each office, based upon a
16 reasonable measure of the business activity of each
17 office. The director of revenue shall prescribe, for
18 each type of financial institution, a method of measuring
19 the business activity of each office. Financial
20 institutions shall furnish all necessary information

21 for this purpose at the request of the director.
22 Quarterly, the director of revenue shall certify
23 to the treasurer of state the amounts to be paid to
24 each [basic school tax unit,] city, town, and county from
25 the franchise tax fund. All moneys received from the

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1 franchise tax are hereby appropriated according to the
2 provisions of this section.
3 Sec. 20. Section four hundred thirty A point three
4 (430A.3), Code 1971, is amended as follows:
5 430A.3 LEVY. There is hereby imposed upon capital
6 employed in the business of making loans or investments
7 within the state of Iowa, as determined under the
8 provisions of this chapter, a tax of five mills on each
9 dollar of such capital; such tax to be considered a
10 tax upon moneys and credits of such corporations which
11 shall be levied by the board of supervisors, and placed
12 upon the tax list and collected by the county treasurer.
13 The amount collected in each taxing district in cities
14 and towns shall be apportioned twenty percent to the
15 county general fund, thirty percent to the city or town
16 general fund, and fifty percent to the [basic school
17 tax equalization fund] *general fund of the school district*
18 *where collected*, and the amount collected in each taxing
19 district outside of cities and towns shall be apportioned
20 fifty percent to the county general fund and fifty
21 percent to the [basic school tax equalization fund] *general*
22 *fund of the school district where collected*. The term
23 "loans" as used herein shall mean the lending of money
24 to members of the general public upon other than real
25 estate security. The term "investments" as used herein

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1 shall mean the discounting, purchasing, or otherwise
2 acquiring notes, mortgages, sales contracts, debentures,
3 or any other evidences of indebtedness, based upon other
4 than real estate security when such investments are
5 made in connection with loans made to members of the
6 general public in the state of Iowa or in the courts
7 of any operations having as their effect the financing
8 of business transactions within the state of Iowa
9 resulting in the incurring of any indebtedness based
10 upon security other than real estate security.

11 Sec. 21. Chapter four hundred forty-two (442), Code
12 1971, is repealed.

DIVISION 2

13
14 Sec. 22. Section four hundred twenty-two point
15 forty-three (442.43), unnumbered paragraphs one (1),
16 two (2), seven (7), and eight (8), Code 1971, are amended
17 as follows:

18 There is hereby imposed a tax of [three] *four* percent
19 upon the gross receipts from all sales of tangible
20 personal property, consisting of goods, wares, or mer-
21 chandise, except as otherwise provided in this division,
22 sold at retail in the state to consumers or users; a

- 23 like rate of tax upon the gross receipts from the sales,
24 furnishing or service of gas, electricity, water, heat,
25 and communication service, including the gross receipts

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1 from such sales by any municipal corporation furnishing
2 gas, electricity, water, heat, and communication service
3 to the public in its proprietary capacity, except as
4 otherwise provided in this division, when sold at retail
5 in the state to consumers or users; and a like rate
6 of tax upon the gross receipts from all sales of tickets
7 or admissions to places of amusement, athletic events
8 including those of educational institutions, fairs;
9 and a like rate of tax upon that part of private club
10 membership fees or charges paid for the privilege of
11 participating in any athletic sports provided club
12 members.

13 There is hereby imposed a tax of [three] four percent
14 upon the gross receipts derived from the operation of
15 all forms of amusement devices and commercial amuse-
16 ment enterprises operated or conducted within the state
17 of Iowa, such tax to be collected from the operator
18 in the same manner as is provided for the collection
19 of taxes upon the gross receipts of tickets or admission
20 as provided in this section.

21 The tax herein levied shall be computed and collected
22 as hereinafter provided. The tax herein imposed shall
23 be at the rate of [three] four percent.

24 There is hereby imposed, a tax of [three] four percent
25 upon the gross receipts from the rendering, furnishing,

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- 1 or performing of services as defined in section 422.42.
2 Sec. 23. Section four hundred twenty-three point
3 two (423.2), Code 1971, is amended as follows:
4 423.2 IMPOSITION OF TAX. An excise tax is hereby
5 imposed on the use in this state of tangible personal
6 property purchased for use in this state, at the rate
7 of [three] four percent of the purchase price of such
8 property. Said tax is hereby imposed upon every person
9 using such property within this state until such tax
10 has been paid directly to the county treasurer or
11 department of public safety to a retailer, or to the
12 department as hereinafter provided. An excise tax is
13 hereby imposed on the use in this state of services
14 enumerated in section 422.43 at the rate of [three] four
15 percent. Said tax shall be applicable where services
16 are rendered, furnished, or performed in this state
17 or where the product or result of such service is used
18 in this state. Such tax is imposed on every person
19 using such services or the product of such services
20 in this state until such user has paid such tax either
21 to an Iowa use tax permit holder or has paid such tax
22 to the department of revenue.
23 Sec. 24. The tax imposed under sections twenty-two

24 (22) and twenty-three (23) of this Act shall be at the
25 rate of three percent on the sales and use of tangible

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1 personal property and the sale of taxable services,
2 either of which is used in the performance of a building
3 or construction contract executed prior to the effective
4 date of this Act.

DIVISION 3

6 Sec. 25. Chapter four hundred twenty-two (422),
7 Code 1971, is amended by adding the following new
8 section:

9 "Commencing January 1, 1972, every resident individual
10 shall be entitled to a sales tax credit against any
11 tax due resulting from income earned in the year 1971
12 and each year thereafter with respect to himself and
13 each of the persons for whom he is entitled to claim
14 as a personal exemption for purposes of the personal
15 income tax imposed under division two (2) of this
16 chapter, whether or not the resident individual is
17 required to file a personal income tax return or pay
18 the tax. If no tax is due, the amount of the sales
19 tax credit shall be refunded.

20 The amount of the sales tax credit shall be computed
21 in accordance with the following table:

22 If the net income of the	The credit allowed to resident
23 resident individual is	individual for himself and for
24	each person for whom he is
25	entitled to claim a personal

Page 23

1	exemption is:	
2 Under \$1,000		\$12
3 \$1,000 or over and less than \$2,000		10
4 \$2,000 or over and less than \$3,000		7
5 \$3,000 or over and less than \$4,000		5
6 \$4,000 or over and less than \$5,000		3

7 The amount of the sales tax credit shall be allowed
8 as a credit against the personal income tax imposed
9 under the provisions of this chapter, provided the
10 resident individual claims the sales tax credit on his
11 personal income tax return filed under section four
12 hundred twenty-two point thirteen (422.13) of the Code.
13 If the income tax due a resident individual shown by
14 personal income tax return is less than the full amount
15 of the sales tax credit to which he entitled pursuant
16 to this section, the excess of the sales tax credit
17 over the income tax due shall be refunded to him by
18 the department of revenue.

19 No resident individual shall be eligible to claim
20 a sales tax refund if the individual has been claimed
21 as a dependent on another resident individual's income
22 tax return.

23 If any resident individual entitled to a sale tax

24 credit under this section is not otherwise required
25 to file an income tax return, the sales tax credit to

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1 which he is entitled shall be refunded to him upon
2 furnishing proof of his personal income and the number
3 of his personal exemptions to the department of revenue.
4 For the purposes of this section, 'resident
5 individual' means any person who has resided in this
6 state for a full taxable year."

7 **Sec. 26.** The provisions of section twenty-five (25)
8 of this Act shall become effective January 1, 1972.

DIVISION 4

10 **Sec. 27.** Section four hundred twenty-two point
11 sixty-nine (422.69), Code 1971, is amended by adding
12 the following new subsection:

13 "A 'municipal assistance fund' is created in the
14 office of the treasurer of state. Annually, prior to
15 December thirty-first, the treasurer of state shall
16 transfer an amount equal to one-fourth of the net
17 receipts of one cent of the sales tax collected under
18 division four (IV) of this chapter during the last
19 preceding fiscal year into the municipal assistance
20 fund for distribution to cities and towns. On or before
21 December thirty-first, the state comptroller shall
22 distribute the moneys in the municipal assistance fund
23 to each city and town in the state in the proportion
24 that the population of each city and town is to the
25 total population of all cities and towns in the state.

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1 The moneys in the municipal assistance fund are
2 appropriated for this purpose."

DIVISION 5

4 **Sec. 28.** Section four hundred twenty-two point five
5 (422.5), Code 1971, is amended by striking subsections
6 five (5), six (6), and seven (7), and inserting in lieu
7 thereof the following:

8 5. On the fifth thousand dollars of taxable income,
9 or any part thereof, three and three-quarters percent.

10 6. On the sixth thousand dollars of taxable income,
11 or any part thereof, four and one-quarter percent.

12 7. On the seventh thousand dollars of taxable income,
13 or any part thereof, five percent.

14 8. On the eighth thousand dollars of taxable income,
15 or any part thereof, five and three-quarters percent.

16 9. On the ninth thousand dollars of taxable income,
17 or any part thereof, six and one-half percent.

18 10. On the tenth thousand dollars of taxable income,
19 of any part thereof, seven percent.

20 11. On the eleventh and twelfth thousand dollars
21 of taxable income, or any part thereof, seven and one-
22 half percent.

23 12. On the thirteenth and fourteenth thousand dollars
24 of taxable income, or any part thereof, eight and one-
25 half percent.

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1 13. On the fifteenth and sixteenth thousand dollars
2 of taxable income, or any part thereof, nine percent.

3 14. On all taxable income over sixteen thousand
4 dollars, nine and one-half percent.

5 Sec. 29. Section four hundred twenty-two point nine
6 (422.9), subsection two (2), paragraph "b", Code 1971,
7 is amended as follows:

8 b. Add the amount of federal income taxes paid or
9 accrued as the case may be, during the tax year, adjusted
10 by any federal income tax refunds *and limited to twenty*
11 *percent of the taxpayer's net income*. Provided, however,
12 that where married persons, who have filed a joint
13 federal income tax return, file separately, such total
14 shall be divided between them according to the portion
15 thereof paid or accrued, as the case may be, by each;
16 and provided further that where a taxpayer has used
17 an optional standard deduction on his federal return,
18 he shall use the optional standard deduction provided
19 for above.

20 Sec. 30. Section four hundred twenty-two point
21 thirty-three (422.33), unnumbered paragraph one (1),
22 Code 1971, is amended as follows:

23 A tax is hereby imposed upon each corporation
24 organized under the laws of this state, and upon every
25 foreign corporation doing business in this state,

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1 annually in an amount computed by applying the following
2 rates of taxation to the net income received by the
3 corporation during the income year:

4 On the first twenty-five thousand dollars of taxable
5 income, or any part thereof, the rate of [four] *five*
6 percent.

7 On taxable income between twenty-five thousand dollars
8 and one hundred thousand dollars or any part thereof,
9 the rate of [six] *seven* percent.

10 On taxable income of one hundred thousand dollars
11 or more, the rate of [eight] *nine* percent.

12 Sec. 31. Section four hundred twenty-two point
13 sixty-nine (422.69), Code 1971, is amended by striking
14 subsection two (2).

15 Sec. 32. Section four hundred twenty-two point
16 seventy-eight (422.78), Code 1971, is repealed.

17 Sec. 33. The provisions of section thirty (30) of
18 this Act shall be effective January 1, 1971, for all
19 taxable years commencing on or after January 1, 1971,
20 and to this extent section thirty (30) of this Act is
21 retroactive.

22 Sec. 34. The provisions of sections twenty-eight
23 (28), twenty-nine (29), thirty-one (31), and thirty-
24 two (32) of this Act shall be effective January 1, 1972.

25 DIVISION 6

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1 Sec. 35. Section four hundred twenty-five point
2 one (425.1), subsection five (5), unnumbered paragraph
3 one (1) and paragraph "b", Code 1971, are amended as
4 follows:

5 5. [In addition to the homestead credit of twenty-
6 five mills on twenty-five hundred dollars of assessed
7 valuation allowable under this chapter, in the event]
8 *In lieu of the homestead tax credit allowed pursuant*
9 *to subsections 1 through 4 of this section, if the*
10 owner, as defined in this chapter, is over sixty-five
11 years of age, or is totally disabled, and provided that
12 his Iowa net income, as defined in section 422.7, plus
13 interest and dividends from federal securities and
14 income from social security and other tax-exempt
15 retirement or pension plans, when included with that
16 of the spouse, brother, sister, son, daughter, if any,
17 living with the claimant, is less than [three thousand
18 five hundred] *four thousand* dollars for the last twelve-
19 month income tax accounting period, there shall be
20 credited by the county auditor on such owner's eligible
21 homestead, an amount equal to [but not exceeding the
22 amount calculated as provided in this section] *one hundred*
23 *twenty-five dollars.*

24 b. His Iowa net income, plus interest and dividends
25 from federal securities and income from social security

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1 and other tax-exempt retirement or pension plans when
2 included with that of his spouse, if any, during the
3 last preceding twelve-month income tax accounting period
4 is less than [three thousand five hundred] *four thousand*
5 dollars.

6 Sec. 36. The provisions of section thirty-five (35)
7 of this Act shall become effective January 1, 1972.

DIVISION 7

9 Sec. 37. There is appropriated from the general
10 fund of the state to the department of public instruction
11 for the fiscal year beginning July 1, 1972 and ending
12 June 30, 1973, the sum of two hundred forty-six million
13 (246,000,000) dollars, or so much thereof as may be
14 necessary, to be distributed to public school districts
15 as general state aid in the manner provided by the
16 general assembly.

17 Sec. 38. The total amount of general state aid to
18 be paid to each school district shall be increased
19 annually by the dollar amount of the percentage growth
20 factor for the state, which the state comptroller shall
21 compute each year as follows:

22 1. Determine the percent of increase or decrease
23 in state revenue from taxes other than any school
24 district income surtax, adjusted for changes in rates
25 or basis, for each year of the last three calendar years

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- 1 for which accurate figures are available, and divide
- 2 the total by three.
- 3 2. The total general state aid for the last preceding
- 4 school year multiplied by the percentage growth factor
- 5 gives the additional amount of general state aid which
- 6 shall be added to the last preceding appropriation to
- 7 determine the appropriation for the current school year.
- 8 There is appropriated annually, for the fiscal year
- 9 beginning July 1, 1973, and each fiscal year thereafter,
- 10 from the general fund of the state to the department
- 11 of public instruction for general state aid to public
- 12 school districts, an amount sufficient to carry out
- 13 the provisions of this section.
- 14 2. Amend the title, page 1, by striking all after
- 15 the word "to" in line 1 and inserting in lieu thereof
- 16 the words: "financing of governmental programs by pro-
- 17 viding state aid to schools, school district property
- 18 taxes, imposing a school district income tax including
- 19 administration by the director of revenue and adoption
- 20 of administrative provisions for the state individual
- 21 income tax including interest and penalties, providing
- 22 for an increase in the rate of sales and use taxes, pro-
- 23 viding for a sales tax credit, providing aid to cities
- 24 and towns from sales tax receipts, relating to the state
- 25 individual and corporate income taxes and providing that

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- 1 the corporation income tax rates are retroactive, pro-
- 2 viding property tax relief for the elderly and totally
- 3 disabled, and appropriating moneys from the general
- 4 fund of the state for aid to public schools."

ROGER J. SHAFF, Chairman

Ordered passed on file.

SPECIAL ORDER

Senator Lamborn asked and received unanimous consent that **House File 654** be made a **special order** of business for Monday, May 17, 1971, at 10:00 a.m.

AMENDMENTS FILED

- 1 Amend Senate File 446 as follows:
- 2 1. Page 1, by inserting after line 3 the following
- 3 section:
- 4 "Section 1. Section three hundred twenty-one point
- 5 four hundred fifty-seven (321.457), Code 1971, is amended
- 6 by striking subsection five (5) and inserting in lieu
- 7 thereof the following:
- 8 5. No combination of vehicles consisting of a truck-
- 9 tractor and semitrailer coupled together which are being

10 used exclusively for the transportation of vehicles or
11 boats, unladen or with load, shall have an overall length
12 inclusive of front and rear bumpers, in excess of sixty
13 feet."

14 2. Page 1, line 4, by striking the figure "1" and
15 inserting in lieu thereof the figure "2".

16 3. Page 1, by adding after line 19 the following:

17 "Sec. 3. Section three hundred twenty-one point
18 four hundred fifty-seven (321.457), Code 1971, is amended
19 by adding the following new subsections:

20 7. No combination of vehicles consisting of a motor
21 truck and semitrailer coupled together which are being
22 used exclusively for the transportation of vehicles or
23 boats, unladen or with load, shall have an overall length
24 inclusive of front and rear bumpers in excess of sixty-
25 five feet.

Page 2

1 8. No combination of motor vehicles, wholly or
2 partially assembled, connected by towbar, saddle mount or
3 full mount mechanisms or a combination thereof in full
4 compliance with all applicable federal laws, rules and
5 regulations and all applicable laws, rules and regulations
6 of the state of Iowa shall have an overall length inclu-
7 sive of front and rear bumpers, in excess of sixty-five
8 feet."

JAMES W. GRIFFIN
JOHN M. WALSH

1 Amend the Ollenburg, et al., amendment to Senate File
2 513, filed May 6, 1971, and appearing on pages 1164
3 through 1167, inclusive, of the Senate Journal, as follows:

4 1. Page 2, line 11, by inserting after the word "Code"
5 the words "and including boats, mobile homes, and
6 snowmobiles".

7 2. Page 3, line 9, by inserting after the word
8 "treasurer" the words "*or the county recorder*".

9 3. Page 3, line 19, by inserting after the word
10 "treasurer" the words "*, the county recorder*".

11 4. Page 3, line 25, by inserting after the word
12 "treasurer" the words "*, the county recorder*".

G. WILLIAM GROSS
EUGENE M. HILL

1 Amend House File 63, page 1, line 19, by striking the
2 word "*forty*" and by inserting in lieu thereof the word
3 "*thirty*".

CLIFTON C. LAMBORN
LEE H. GAUDINEER, JR.

1 Amend House File 287, page 1, by adding the
2 following new section after line 11:

3 Sec. 2. Section one hundred ninety-nine point
4 fifteen (199.15), Code 1971, is amended as follows:

5 199.15 PERMIT NUMBER—FEE—FRAUD. No person

6 shall distribute, solicit orders for, offer or expose
7 for sale, any agricultural seed without first obtaining
8 from the department a permit number to engage in such
9 business[, which permit number shall be listed on the label
10 or container in such a manner that they do not obscure or
11 confuse the other label information]. No permit number
12 shall be required of persons selling seeds, including
13 seed corn, which has been packed and distributed by a seedsman
14 holding and having in force a permit number as herein provided.
15 No permit number shall be required of persons selling, offering
16 or exposing for sale seed of their own production, provided
17 that such seed is stored or delivered to purchaser only on or from
18 the farm or premises where grown. The fee for each permit number
19 shall be five dollars per annum, and all permit numbers shall expire
20 on the first day of July following date of issue. After due
21 notice given at least ten days prior to a date of hearing
22 fixed by the secretary of agriculture, the department may
23 revoke or refuse to renew any permit issued under the authority
24 of this section, if intent to defraud is established. The
25 failure to fulfill any contract to repurchase the seed crop

Page 2

1 produced from any agricultural seed, other than hybrid
2 seed corn, if the same meets the requirements set forth
3 in the contract and the standards specified in this chapter,
4 shall be prima-facie evidence of intent to defraud the
5 purchaser at the time of entering into the contract.

CHARLES O. LAVERTY

On motion of Senator Lamborn, the Senate adjourned until 8:30
a.m., Friday, May 14, 1971.

JOURNAL OF THE SENATE

ONE HUNDRED TWENTY-FOURTH DAY

SENATE CHAMBER

DES MOINES, IOWA, FRIDAY, MAY 14, 1971

The Senate met in regular session, President Jepsen presiding.

Prayer was offered by the Reverend Rupert E. Laphorn, associate pastor of the First Presbyterian Church, Marion, Iowa.

The Senate pledged allegiance to the flag.

The Journal of Thursday, May 13, 1971, was approved.

PRESENTATION OF VISITORS

The Chair announced that the following visitors were present in the Senate gallery:

Twenty-seven students from Holy Rosary School, Fort Dodge, Iowa, accompanied by Father Ries. The group included Bruce and David Coleman, nephews of Senator Coleman.

Thirty students from Brooklyn Community School, Brooklyn, Iowa, accompanied by their instructors, Miss Holtz and Mrs. Hall.

Twenty-nine students from St. Peter's School, Des Moines, Iowa, accompanied by their instructor, Kathy Letz.

Twenty-seven students from Twin-Cedars Community School, Bussey, Iowa, accompanied by their instructor, Mrs. Keeton.

Thirty-four students from Delta Elementary School, Delta, Iowa, accompanied by their instructors, Mrs. Janet Lee, Mrs. Karen Kliver and Gordon Cook.

Eleven students from Mount Ayr Community School, Mount Ayr, Iowa, accompanied by their instructor, Mrs. Willis Hood.

PETITION

The following petition was presented and placed on file:

By Senator Gilley, from a group of students of Luther College, Decorah, Winneshiek County, Iowa, favoring an increase in the funding of the Iowa Tuition Grant Program.

MESSAGE FROM THE HOUSE

The following message was received from the House:

Mr. PRESIDENT: I am directed to inform your honorable body that the House has taken the following action on the Senate amendments to House File 522, a bill for an act relating to the regulation of the manufacture, sale, transportation, storage, possession and use of explosive material, in which the concurrence of the House was asked:

1. The House has refused to concur in Senate amendments 10, 14, 21, 22, 25, 34 and 35.

2. The House concurred in the remainder of the Senate amendments.

WILLIAM R. KENDRICK, Chief Clerk

SENATE CONCURRENT RESOLUTION 40 FAILED

Senator Arbuckle called up for consideration **Senate Concurrent Resolution 40**, found on page 1110 of the Senate Journal, and moved its adoption.

Division was called for.

The motion lost and the resolution failed to be adopted.

CONSIDERATION OF BILLS

Senate File 485

On motion of Senator Anderson, Senate File 485, a bill for an act relating to elections to fill vacancies in the General Assembly, was taken up and considered.

Senator Anderson moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass " (S.F. 485) the vote was:

Ayes, 39:

Anderson	Erskine	Messerly	Robinson
Arbuckle	Gaudineer	Miller	Schaben
Balloun	Gilley	Milligan	Shawver
Bass	Glenn	Mowry	Smith
Briles	Graham	Nicholson	Stephens
Brownlee	Griffin	Palmer	Tapscott
Conklin	Gross	Potgeter	Thordsen
Curran	Hill	Rabedeaux	Van Gilst
Davis	Kennedy	Rhodes	Walsh
Doderer	Lamborn	Riley	

Nays, none.

Absent or not voting, 11:

Carlson	Keith	Neu	Shaff
Coleman	Kyhl	Ollenburg	Van Drie
DeKoster	Laverty	Potter	

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

Senate File 530

On motion of Senator Kennedy, Senate File 530, a bill for an act relating to conditions of withdrawal from a county library district, was taken up and considered.

Senator Kennedy moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 530) the vote was:

Ayes, 39:

Anderson	Gilley	Miller	Robinson
Arbuckle	Glenn	Milligan	Schaben
Balloun	Graham	Mowry	Shawver
Briles	Griffin	Nicholson	Smith
Brownlee	Gross	Palmer	Stephens
Coleman	Hill	Potgeter	Tapscott
Curran	Kennedy	Potter	Thordsen
Doderer	Lamborn	Rabedeaux	Van Gilst
Erskine	Laverty	Rhodes	Walsh
Gaudineer	Messerly	Riley	

Nays, 2:

Bass Conklin

Absent or not voting, 9:

Carlson	Keith	Neu	Shaff
Davis	Kyhl	Ollenburg	Van Drie
DeKoster			

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

Senate File 533

On motion of Senator Riley, Senate File 533, a bill for an act to legalize the purchase of real estate by the state historical society of Iowa, for the use and benefit of the State of Iowa, was taken up and considered.

Senator Riley moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 533) the vote was:

Ayes, 38:

Anderson	Gaudineer	Messerly	Riley
Arbuckle	Gilley	Miller	Robinson
Bass	Glenn	Milligan	Schaben
Briles	Graham	Mowry	Shawver
Brownlee	Griffin	Nicholson	Smith
Coleman	Gross	Palmer	Tapscott
Conklin	Hill	Potter	Thordsen
Curran	Kennedy	Rabedeaux	Van Gilst
Doderer	Lamborn	Rhodes	Walsh
Erskine	Laverty		

Nays, 1:

Balloun

Absent or not voting, 11:

Carlson
Davis
DeKoster

Keith
Kyhl
Neu

Ollenburg
Potgeter
Shaff

Stephens
Van Drie

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

HOUSE AMENDMENT TO SENATE AMENDMENT CONSIDERED

House File 172

Senator Griffin called up for consideration House File 172, a bill for an act relating to a reorganization of the Iowa liquor control commission, amended by the Senate, further amended by the House, and moved that the Senate concur in the following House amendment to the Senate amendment:

- 1 Amend the Senate amendment to House File 172 as
- 2 follows:
- 3 1. By striking lines 127 through 130.
- 4 2. By inserting in line 225 after the word "licensee"
- 5 the following: "and class 'B' beer permittee."
- 6 3. By inserting in line 263 after the word "division"
- 7 the words ", who shall be an attorney licensed to practice
- 8 in this state,".
- 9 4. By striking lines 275 and 276 and inserting in lieu
- 10 thereof the words "Sec. All agents of the".
- 11 5. By inserting in line 284 after the word "Act"
- 12 the words ", however, those agents who do not qualify as
- 13 such under chapter eighty (80) of the Code shall remain
- 14 members of the Iowa public employees retirement system".
- 15 6. By adding to House File 172 the following sections
- 16 after line 16, page 49:
- 17 (1) Within six months of the occurrence of an injury,
- 18 the injured person shall give written notice to the licensee
- 19 or permittee or such licensee's or permittee's insurance
- 20 carrier of his intentions to bring an action under this section,
- 21 indicating the time, place and circumstances causing the
- 22 injury. Such six months period shall be extended if the
- 23 injured party is incapacitated at the expiration thereof or
- 24 unable, through reasonable diligence, to discover the name
- 25 of the licensee, permittee, or person causing the injury or

Page 2

- 1 until such time as such incapacity is removed or such person
- 2 has had a reasonable time to discover the name of the
- 3 licensee, permittee or person causing the injury.
- 4 (2) No right of action for contribution or indemnity
- 5 shall accrue to any insurer, guarantor or indemnitor of any
- 6 intoxicated person for any act of such intoxicated person
- 7 against any licensee or permittee as defined in this Act.

- 8 7. By adding to House File 172 the following section
 9 after line 13, page 68:
 10 Section ninety-seven A point three (97A.3), subsection
 11 one (1), Code 1971, is amended as follows:
 12 1. All members of the division of highway safety and
 13 uniformed force and division of criminal investigation
 14 and bureau of identification in the department of public
 15 safety, excepting the members of the clerical force, who are
 16 employed by the state of Iowa when this chapter becomes
 17 effective, and all persons thereafter employed as members of
 18 such divisions in the department of public safety or division
 19 of drug law enforcement or qualified members of the division
 20 of beer and liquor law enforcement in said department except
 21 the members of the clerical force, shall be members of this
 22 system. Such members shall not be required to make contributions
 23 under any other pension or retirement system of the state of Iowa,
 24 anything to the contrary notwithstanding.

Roll call was requested.

On the question "Shall the Senate concur in the House amendment to the Senate amendment?" (H.F. 172) the vote was:

Rule 24 was invoked.

Ayes, 23:

Anderson	Curran	Lamborn	Rhodes
Arbuckle	Davis	Laverty	Riley
Balloun	Erskine	Messerly	Schaben
Bass	Gilley	Nicholson	Shawver
Brownlee	Griffin	Potgeter	Walsh
Carlson	Keith	Rabedeaux	

Nays, 21:

Briles	Graham	Milligan	Smith
Coleman	Gross	Mowry	Stephens
Conklin	Hill	Palmer	Tapscott
Doderer	Kennedy	Potter	Thordsen
Gaudineer	Miller	Robinson	Van Gilst
Glenn			

Absent or not voting, 6:

DeKoster	Neu	Shaff	Van Drie
Kyhl	Ollenburg		

The Senate concurred in the House amendment to the Senate amendment.

Senator Griffin moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 172) the vote was:

Rule 24 was invoked.

Ayes, 19:

Anderson	Carlson	Lamborn	Rabedaux
Arbuckle	Curran	Laverty	Rhodes
Balloun	Davis	Messerly	Shawver
Bass	Gaudineer	Milligan	Walsh
Brownlee	Keith	Potgeter	

Nays, 25:

Briles	Graham	Mowry	Schaben
Coleman	Griffin	Nicholson	Smith
Conklin	Gross	Palmer	Stephens
Doderer	Hill	Potter	Tapscott
Erskine	Kennedy	Riley	Thordsen
Gilley	Miller	Robinson	Van Gilst
Glenn			

Absent or not voting, 6:

DeKoster	Neu	Shaff	Van Drie
Kyhl	Ollenburg		

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which House File 172 failed to pass the Senate.

JAMES W. GRIFFIN, SR.

MR. PRESIDENT: I move to reconsider the vote by which House File 172 failed to pass the Senate.

TOM RILEY

CONSIDERATION OF BILLS

Senate File 85

On motion of Senator Laverty, Senate File 85, a bill for an act creating a department of environmental quality, specifying its powers, duties, and functions, and providing penalties for violations thereof, with report of the committee on appropriations recommending passage, and report of the committee on state government without recommendation, was taken up, considered, and the reports of the committees adopted.

Senator Brownlee took the chair at 10:45 a.m.

Senator Milligan offered the amendment by the committee on appropriations filed April 26, 1971, and found on pages 973-974 of the Senate Journal.

On motion of Senator Milligan, the committee amendment was adopted.

Senator Laverty offered the following amendment filed by him on May 5, 1971, and moved its adoption:

- 1 Amend Senate File 85, page 48, line 32, by striking
- 2 the period and inserting in lieu thereof the following:
- 3 "and may, by rule, restrict or prohibit the sale,
- 4 distribution, or use of any agricultural chemical. In
- 5 determining whether to restrict or prohibit the sale,
- 6 distribution, or use of any agricultural chemical, the
- 7 board shall consider any official reports, academic
- 8 studies, expert opinions or testimony, or other matter
- 9 deemed to have probative value. Any such evidence shall
- 10 be received at a public hearing held for such purpose."

The amendment was adopted.

Senator Gaudineer offered the amendment filed by Senators Gaudineer and Potgeter April 30, 1971, and found on pages 1070-1078, inclusive, of the Senate Journal.

Senator Stephens offered the following amendment to the amendment by Senators Stephens, Graham and Briles:

- 1 Amend the Gaudineer-Potgeter amendment, filed April 30,
- 2 1971, to Senate File 85, as follows:
- 3 1. Page 1, by striking in line 12 the words "the chemical"
- 4 and lines 13 and 14, inclusive.
- 5 2. Page 4, by striking lines 20 through 25, inclusive.
- 6 3. Page 5, line 11, by striking the words "and the
- 7 chemical technology review board,".
- 8 4. Page 5, line 21, by striking the words "the chemical
- 9 technology review board,".
- 10 5. Page 6, by striking line 25.
- 11 6. Page 7, by striking lines 1 through 8, inclusive.

Senator Stephens moved the adoption of the amendment to the amendment and requested a roll call.

On the question "Shall the amendment to the amendment be adopted?" (S.F. 85) the vote was:

Rule 24 was invoked.

Ayes, 19:

Anderson	Brownlee	Mowry	Stephens
Arbuckle	Gilley	Nicholson	Thordsen
Balloun	Graham	Potgeter	Van Gilst
Bass	Keith	Potter	Walsh
Briles	Messerly	Rabedaux	

Nays, 20:

Coleman	Glenn	Lamborn	Riley
Curran	Griffin	Laverty	Robinson
Doderer	Gross	Milligan	Schaben
Erskine	Hill	Palmer	Shawver
Gaudineer	Kennedy	Rhodes	Tapscott

Absent or not voting, 11:

Carlson	DeKoster	Neu	Smith
Conklin	Kyhl	Ollenburg	Van Drie
Davis	Miller	Shaff	

The amendment to the amendment lost.

Senator Gaudineer moved the adoption of the amendment.

Roll call was requested.

On the question "Shall the Gaudineer-Potgeter amendment be adopted?" (S.F. 85) the vote was:

Ayes, 24:

Anderson	Glenn	Miller	Robinson
Balloun	Griffin	Mowry	Stephens
Briles	Gross	Potgeter	Tapscott
Coleman	Hill	Rabedeaux	Thordsen
Gaudineer	Kennedy	Rhodes	Van Gilst
Gilley	Messerly	Riley	Walsh

Nays, 15:

Arbuckle	Doderer	Laverty	Schaben
Bass	Erschine	Milligan	Shawver
Brownlee	Keith	Nicholson	Smith
Curran	Lamborn	Potter	

Absent or not voting, 11:

Carlson	DeKoster	Neu	Shaff
Conklin	Graham	Ollenburg	Van Drie
Davis	Kyhl	Palmer	

The amendment was adopted.

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which the Gaudineer and Potgeter amendment filed April 30, 1971, to Senate File 85 was adopted by the Senate.

TOM RILEY

MR. PRESIDENT: I move to reconsider the vote by which the Stephens, et al., amendment, filed May 13, 1971, to the Gaudineer-Potgeter amendment, filed April 30, 1971, to Senate File 85 failed to be adopted by the Senate.

JAMES W. GRIFFIN, SR.

(Senate File 85 pending.)

MOTION TO RECONSIDER WITHDRAWN

Senator Walsh withdrew the following motion to reconsider filed by him on May 13, 1971:

MR. PRESIDENT: I move to reconsider the vote by which House File 605 passed the Senate.

JOHN M. WALSH

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has concurred in Senate amendment to and repassed the following bill in which the concurrence of the House was asked:

House File 399, a bill for an act relating to exemptions from the merit system.

Also: That the House has concurred in Senate amendment to and repassed the following bill in which the concurrence of the House was asked:

House File 420, a bill for an act relating to reduction of sentence for prisoners held in the county jails.

Also: That the House has concurred in Senate amendment to and repassed the following bill in which the concurrence of the House was asked:

House File 479, a bill for an act relating to the extension of operators' and chauffeurs' licenses for persons separated from military service.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 687, a bill for an act relating to the authority of the auditor of state.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 138, a bill for an act to establish a chiropractic examining board fund and to increase the fee for renewal of license.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 289, a bill for an act relating to providing protective eyeglass lens and frames.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 345, a bill for an act to provide protection for the institutional officers at the Iowa security medical facility.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 449, a bill for an act relating to the purchase and use of state-owned automobiles.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 460, a bill for an act to provide for enactment of the uniform partnership act.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 468, a bill for an act relating to the regulation and control of certain drugs.

WILLIAM R. KENDRICK, Chief Clerk

HOUSE MESSAGE CONSIDERED

House File 687, a bill for an act relating to the authority of the auditor of state.

Read first time and **passed on file**.

BILLS ASSIGNED TO COMMITTEE

President Jepsen announced the assignment of the following bills to committee:

H. F. 367 State government

H. F. 687 County government

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on May 14, 1971, the Governor approved and transmitted to the Secretary of State the following bills:

S. F. 349—Relating to the penalty and interest for the sales tax.

S. F. 361—Relating to the taxation of private and professional libraries.

S. F. 462—Relating to property tax levies for the basic school tax in Ida, Johnson and Kossuth Counties.

AMENDMENTS FILED

1 Amend Senate File 85 as follows:

2 1. Page 22, by striking lines 26 and 27 and insert-

3 ing in lieu thereof the following:

4 "2. Establish, modify, or repeal quality standards
5 and effluent standards for the water of the state. The
6 effluent standards may provide for maintaining the exist-
7 ing quality of the water of the state where the quality
8 thereof exceeds the requirements of the water quality
9 standards."

10 2. Page 24, by striking lines 11 and 12 and insert-

11 ing in lieu thereof the following:

12 "Sec. 36. In establishing, modifying, or repealing
13 quality standards for the water of the state, or in estab-
14 lishing, modifying, or repealing effluent standards for
15 disposal systems, the commission shall consider:"

16 3. Page 24, line 15, by striking the word "water"
17 and inserting in lieu thereof the words "affected water of
18 the state".

19 4. Page 24, lines 16 and 17, by striking the words
20 "said waters" and inserting in lieu thereof the words "the
21 affected water of the state".

22 5. Page 24, line 19, by striking the words "said
23 waters" and inserting in lieu thereof the words "the
24 affected water of the state".

25 6. Page 25, by striking lines 3 and 4.

GEORGE L. SHAWVER

1 Amend Senate File 85 as follows:

2 1. Page 60, by striking lines 22 through 35, inclusive.

3 2. By striking pages 61 through 73, inclusive.

4 3. Page 74, by striking lines 1 through 10, inclusive.

5 4. Page 74, line 13, by striking the words "one hundred
6 thirteen (113)" and inserting in lieu thereof the words
7 "ninety-six (96)".

8 5. Page 76, line 7, by striking the words "two hundred
9 (200)".

10 6. By renumbering the sections and internal references
11 to sections to conform to this amendment.

EARL G. BASS

1 Amend the Senate committee on ways and means amend-
2 ment to House File 654, as amended, passed, and re-
3 printed by the House, filed May 13, 1971, commencing
4 on page 1258 of the Journal of the Senate, as follows:

5 1. Page 1, line 10, by adding after the period the
6 following:

7 "For the purpose of this Act a school district is
8 defined as a school corporation organized under chap-
9 ter two hundred seventy-four (274), of the Iowa Code."

10 2. Page 1, line 17, by striking the word "June"
11 and inserting the word "February".

12 3. Page 1, line 18, by inserting after the word
13 "property" the words "for the preceding year".

14 4. Page 2, line 7, by inserting after the word
15 "valuation" the words "for the preceding year".

16 5. Page 2, line 8, by striking the words "adjusted
17 gross income" and inserting the words "net income as
18 defined in section four hundred twenty-two point seven
19 (422.7), of the Code, for the most recently completed
20 years".

21 6. Page 2, line 12, by inserting after the word
22 "property" the words "for the preceding year".

23 7. Page 2, line 13, by striking the words "adjusted
24 gross income" and inserting the words "net income for
25 the most recently completed year".

Page 2

1 8. Page 3, by striking all of line 4, and in line
2 5 the words "eighty-five percent".

3 9. Page 3, line 6, by striking the words ", which-
4 ever is smaller".

5 10. Page 3, line 7, by striking the word "July"
6 and inserting the word "April".

7 11. Page 3, line 8, by striking the word "accurate".

8 12. Page 3, line 8, by inserting after the word
9 "approximation" the words "based on the previous year's
10 fall enrollment".

11 13. Page 3, line 25, by striking the words "of a
12 school district" and inserting the words "for the pur-

13 pose set forth in section two (2) of this Act".

14 14. Page 6, line 12, by inserting after the word

15 "increased" the words "or decreased".

16 15. Page 6, line 17, by inserting after the word

17 "state", the words "general fund".

18 16. Page 6, line 24, by inserting after the word

19 "added" the words "or subtracted".

20 17. Page 7, line 10, by inserting after the word

21 "budget" the words "per pupil".

22 18. Page 7, line 11, by striking the word "three"

23 and inserting the word "five".

24 19. Page 7, line 12, by inserting after the word

25 "budget" the words "per pupil".

Page 3

1 20. Page 7, by adding after the period in line 12,
2 the following:

3 "However, the general fund budget of a school dis-
4 trict for 1972-1973 shall not increase by more than
5 forty-six dollars per pupil."

6 21. Page 7, line 15, by inserting after the second
7 word "tax" the words "as provided in section six (6)
8 of this Act".

9 22. Page 7, line 24, by striking the word "or" and
10 inserting the words "and if its application is refused,".

11 23. Page 8, line 9, by striking the words "The su-
12 perintendent of public" and all of lines 10 and 11 and
13 the words "representative on the committee" in line
14 12.

15 24. Page 8, by striking in line 13 the words "each
16 year".

17 25. Page 8, by striking lines 14 and 15 and in line
18 16 the words "provided in" and inserting the words "to
19 carry out the provisions of".

20 26. Page 8, lines 21 and 22, by striking the words
21 "or his representative".

22 27. Page 8, by striking in line 23, the words "or
23 his representative".

24 28. Page 9, by striking in line 11 the words "which
25 the committee prescribes" and inserting the words "so

Page 4

1 prescribed".

2 29. Page 9, line 21, by inserting after the word
3 "instruction" the words "and the state comptroller".

4 30. Page 10, line 22, by striking the words "and
5 shall grant" and all of lines 23 and 24, and inserting
6 in lieu thereof a period.

7 31. Page 11, by striking in lines 11, 12, and 13
8 the words "or on the last day of a tax year falling
9 within that calendar year" and inserting the words "or
10 for fiscal year taxpayers, on the last day of their
11 tax year falling after the adoption of the income sur-
12 tax".

13 32. Page 11, line 20, by striking everything after

14 the comma and all of line 21 and inserting in lieu
15 thereof "or for fiscal year taxpayers on the last day
16 of their tax year falling after the adoption of the
17 income surtax. For purposes of this Act the words
18 'state individual tax paid' shall mean the tax computed
19 under section four hundred twenty-two point five (422.5),
20 Code of Iowa, less the deductions allowed in section
21 four hundred twenty-two point twelve (422.12), Code
22 of Iowa."

23 33. Page 12, line 10, by adding after the period
24 the following:

25 "The school board shall publish in an official news-

Page 5

1 paper the income surtax rate."

2 34. Page 12, by striking lines 18 and 19, and in-
3 serting in lieu thereof "of the current year, or for
4 fiscal year taxpayers, on the last day of their tax
5 year falling after the adoption of the income surtax."

6 35. Page 12, line 20, by inserting after the word
7 "surtax" the words "or as much thereof as may be neces-
8 sary,".

9 36. Page 12, line 22, by inserting after the word
10 "until" the words "the school board finds that the sur-
11 tax or a part thereof is unnecessary, or until the
12 amount of the surtax is".

13 37. Page 13, line 4, by striking the word "increase"
14 and inserting the word "alter".

15 38. Page 13, line 6, by inserting after the word
16 "years," the words "if a school district income surtax
17 is found to be necessary,".

18 39. Page 13, line 23, by striking the word "tax"
19 and inserting the word "surtax".

20 40. Page 14, line 4, by striking the word "tax"
21 and inserting the word "surtax".

22 41. Page 14, line 6, by striking the words "tax
23 return" and inserting the word "surtax".

24 42. Page 14, line 11, by striking the word "TAX"
25 and inserting the word "SURTAX".

Page 6

1 43. Page 14, line 13, by striking the word "tax"
2 and inserting the word "surtax".

3 44. Page 14, line 15, by striking the word "tax"
4 and inserting the word "surtax".

5 45. Page 14, line 17, by striking the word "TAX"
6 and inserting the word "SURTAX".

7 46. Page 14, line 20, by striking the word "tax"
8 and inserting the word "surtax".

9 47. Page 14, by striking in lines 22 and 23 the
10 words "a taxpayer's tax year ending within that calendar
11 year" and inserting in lieu thereof the words "for fis-
12 cal year taxpayers, on the last day of their tax year
13 falling after the adoption of the income surtax".

14 48. Page 15, line 2, by striking the word "tax"

- 15 and inserting the word "surtax".
16 49. Page 15, line 5, by striking the word "tax"
17 and inserting the word "surtax".
18 50. Page 15, line 9, by striking the word "TAX"
19 and inserting the word "SURTAX".

COMMITTEE ON SCHOOLS**W. CHARLENE CONKLIN, Chairman**

- 1 Amend the ways and means committee amendment
2 filed May 13, 1971, to House File 654, page 2, line 15,
3 by inserting after the period the following:
4 "For the purpose of determining a school district's
5 relative wealth only, per pupil enrollment includes the
6 number of students residing in the district or the state
7 and attending nonpublic schools, as well as the students
8 attending public schools, and shared-time students shall
9 not be separately counted."

ARTHUR A. NEU

- 1 Amend the Senate committee on ways and means amendment
2 to House File 654, as amended, passed, and reprinted by
3 the House, filed May 13, 1971, commencing on page 1258 of
4 the Senate Journal, page 2, line 25, by adding after the
5 word "enrollment" the words ", and the total prorated by
6 the state comptroller so that the total to be paid to all
7 school districts equals but does not exceed the total
8 amount of money appropriated for state aid under this
9 section".

ROGER J. SHAFF

- 1 Amend the committee on ways and means amendment to
2 House File 654, as amended, passed, and reprinted by
3 the House, filed May 13, 1971, commencing on page 1258
4 of the Senate Journal, as follows:
5 1. Page 22, by striking lines 5 through 25, inclu-
6 sive.
7 2. Page 23, by striking lines 1 through 25, inclu-
8 sive.
9 3. Page 24, by striking lines 1 through 8, inclu-
10 sive.
11 4. Page 28, by striking lines 1 through 25, inclu-
12 sive.
13 5. Page 29, by striking lines 1 through 7, inclu-
14 sive, and inserting in lieu thereof the following:
15 "Section 1. SHORT TITLE. This Act may be cited as
16 the 'Tax Relief Act for Elderly and Totally Disabled Homeowners'.
17 Sec. 2. PURPOSE. The purpose of this Act is to
18 provide relief, through a system of income tax credits
19 and refunds and appropriations from the general fund,
20 to certain persons who own their homestead.
21 Sec. 3. DEFINITIONS. As used in this Act:
22 1. 'Income' means the sum of federal adjusted gross
23 income as defined in the Internal Revenue Code of the
24 United States (1954), the amount of capital gains
25 excluded from adjusted gross income, alimony, support

Page 2

1 money, nontaxable strike benefits, cash public assistance
2 and relief (not including relief granted under this
3 Act), the gross amount of any pension or annuity
4 (including railroad retirement benefits, all payments
5 received under the federal social security act, state
6 unemployment insurance laws, and veteran's disability
7 pensions), nontaxable interest received from the federal
8 government or any of its instrumentalities, workman's
9 compensation, and the gross amount of 'loss of time'
10 insurance. It does not include gifts from nongovern-
11 mental sources, or surplus foods or other relief in
12 kind supplied by a governmental agency.

13 2. 'Household' means a claimant and spouse.

14 3. 'Household income' means all income received
15 by all persons of a household in a calendar year while
16 members of the household.

17 4. 'Homestead' means the dwelling, whether owned
18 or rented, and so much of the land surrounding it, not
19 exceeding one acre, as is reasonably necessary for use
20 of the dwelling as a home, and may consist of a part
21 of a multi-dwelling or multi-purpose building and a
22 part of the land upon which it is built. ('Owned'
23 includes a vendee in possession under a land contract
24 and of one or more joint tenants or tenants in common.)
25 It does not include personal property such as furniture,

Page 3

1 furnishings or appliances, but a mobile home may be
2 a homestead.

3 5. 'Claimant' means a person who is sixty-five years
4 of age or older or is totally disabled and has filed
5 a claim under this Act and was domiciled in this state
6 during the entire calendar year preceding the year in
7 which he files claim for relief under this Act. When
8 two individuals of a household are able to meet the
9 qualifications for a claimant, they may determine between
10 them as to whom the claimant shall be. If they are
11 unable to agree, the matter shall be referred to the
12 director of the department of revenue and his decision
13 shall be final. If a homestead is occupied by two or
14 more individuals, and more than one individual is able
15 to qualify as a claimant, and some or all the qualified
16 individuals are not related, the individuals may
17 determine among them as to whom the claimant shall be.
18 If they are unable to agree, the matter shall be referred
19 to the director of the department of revenue, and his
20 decision shall be final.

21 6. 'Property taxes accrued' means property taxes
22 (exclusive of special assessments, penalties and
23 interest) levied on a claimant's homestead in this state
24 in 1971 or any calendar year thereafter. If a homestead
25 is owned by two or more persons or entities as joint

Page 4

1 tenants or tenants in common, and one or more persons
2 or entities are not a member of claimant's household,
3 'property taxes accrued' is that part of property taxes
4 levied on the homestead which reflects the ownership
5 percentage of the claimant and his household. If a
6 claimant and spouse own their homestead part of the
7 preceding calendar year and rent it or a different
8 homestead for part of the same year, 'property taxes
9 accrued' means only taxes levied on the homestead when
10 both owned and occupied by the claimant at the time
11 of the levy, multiplied by the percentage of twelve
12 months that such property was owned and occupied by
13 the household as its homestead during the preceding
14 year. When a household owns and occupies two or more
15 different homesteads in this state in the same cal-
16 endar year, 'property taxes accrued' shall relate only
17 to that property occupied by the household as a homestead
18 on the levy date. If a homestead is an integral part
19 of a larger unit such as a farm, or a multi-purpose
20 or multi-dwelling building, property taxes accrued shall
21 be that percentage of the total property taxes accrued
22 as the value of the homestead is of the total value.
23 For purposes of this subsection 'unit' refers to the
24 parcel of property covered by a single tax statement
25 of which the homestead is a part.

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1 Sec. 4. CLAIM IN PERSONAL. The right to file claim
2 under this Act shall be personal to the claimant and
3 shall not survive his death, but such right may be
4 exercised on behalf of a claimant by his conservator
5 or attorney-in-fact. If a claimant dies after having
6 filed a timely claim, the amount thereof shall be
7 disbursed to another member of the household as
8 determined by the director of the department of revenue.
9 If the claimant was the only member of his household,
10 the claim may be paid to his executor or administrator,
11 but if neither is appointed and qualified within two
12 years of the filing of the claim, the amount of the
13 claim shall escheat to the state.

14 Sec. 5. CLAIM AS INCOME TAX CREDIT OR REBATE.
15 Subject to the limitations provided in this Act, a
16 claimant may claim in any year as a credit against Iowa
17 income taxes otherwise due on his income, property taxes
18 accrued. If the allowable amount of such claim ex-
19 ceeds the income taxes otherwise due on claimant's
20 income, or if there are no Iowa income taxes due on
21 claimant's income, the amount of the claim not used
22 as an offset against income taxes, after certification
23 by the director of the department of revenue, shall
24 be paid to claimant from the general fund. No interest
25 shall be allowed on any payment made to a claimant

Page 6

1 pursuant to this Act.

2 Sec. 6. FILING DATE. A claim shall be filed with
3 the director of revenue no later than April thirtieth
4 of the year property taxes accrued are due and payable.

5 Sec. 7. SATISFACTION OF OUTSTANDING TAX LIABILITIES.

6 The amount of any claim otherwise payable under this
7 Act may be applied by the department of revenue against
8 any debt owing the state of Iowa by the claimant, or
9 his or her spouse who was a member of the claimant's
10 household in the year to which the claim relates.

11 Sec. 8. ONE CLAIM PER HOUSEHOLD. Only one claimant
12 per household per year shall be entitled to relief under
13 this Act.

14 Sec. 9. LIMITS. The amount of any claim pursuant
15 to this Act shall be determined to the nearest dollar
16 amount in accordance with the following schedule:

Household Income Range	Percent of Tax	(Property Tax Accrued)
0-1,000	(75) percent	
1,001-2,000	(60) percent	
2,001-3,000	(45) percent	
3,001-4,000	(30) percent	
4,001-5,000	(15) percent	
Over 5,000	not eligible	

25 Sec. 10. ADMINISTRATION. The director of the

Page 7

1 department of revenue shall make available suitable
2 forms with instructions for claimants, including a form
3 which may be included with or as a part of the individual
4 income tax blank. The claim shall be in such form as
5 the director of the department of revenue may prescribe.

6 Sec. 11. PROOF OF CLAIM. Every claimant under this
7 Act shall supply to the department of revenue, in support
8 of his claim, a verified statement showing that he was
9 sixty-five years of age or totally disabled on or before
10 the date of filing the claim, property taxes accrued,
11 changes of homestead, household membership, household
12 income, size and nature of property claimed as the
13 homestead and a statement that the property taxes accrued
14 and used for purposes of this Act have been or will
15 be paid by him and that there are no delinquent property
16 taxes on the homestead. All persons living in the
17 household who have attained their majority shall join
18 in the signing and verification of said statement or
19 the claim shall be denied.

20 Sec. 12. AUDIT OF CLAIM. If on the audit of any
21 claim filed under this Act the director of the department
22 of revenue determines the amount to have been incorrectly
23 determined, he shall redetermine the claim and notify
24 the claimant of the redetermination and his reasons
25 for it. The redetermination shall be final unless

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1 appealed within thirty days of notice to the district
2 court of the county wherein the property was situated
3 on which property taxes accrued or rent constituting
4 property taxes was paid.
5 Sec. 13. DENIAL OF CLAIM. If it is determined that
6 a claim is excessive and was filed with fraudulent
7 intent, the claim shall be disallowed in full, and,
8 if the claim has been paid or a credit has been allowed
9 against income taxes otherwise payable, the credit shall
10 be canceled and the amount paid may be recovered by
11 assessment (as income taxes are assessed), and the
12 assessment shall bear interest from the date of payment
13 or credit of the claim, until refunded or paid, at the
14 rate of one percent per month. The claimant in such
15 case, and any person who assisted in the preparation
16 or filing of such excessive claim or supplied information
17 upon which such excessive claim was prepared, with
18 fraudulent intent, is guilty of a misdemeanor. If it
19 is determined that a claim is excessive and was
20 negligently prepared, ten percent of the corrected claim
21 shall be disallowed, and if the claim has been paid
22 or credited against income taxes otherwise payable,
23 the credit shall be reduced or canceled, and the proper
24 portion of any amount paid shall be similarly recovered
25 by assessment as provided in section four hundred twenty-

Page 9

1 two point thirty (422.30) of the Code, and the assess-
2 ment shall bear interest at one percent per month from
3 the date of payment until refunded or paid.
4 Sec. 14. APPEALS. Any person aggrieved by the
5 denial in whole or in part of relief claimed under this
6 Act, may appeal by filing a petition within thirty days
7 after such denial to the district court as provided
8 in section twelve (12) of this Act.
9 Sec. 15. PUBLIC WELFARE RECIPIENTS EXCLUDED. No
10 claim for relief under this Act shall be allowed to
11 any person who is a recipient of public funds for the
12 payment of the taxes during the period for which the
13 claim is filed.
14 Sec. 16. DISALLOWANCE OF CERTAIN CLAIMS. A claim
15 shall be disallowed, if the department finds that the
16 claimant received title to his homestead primarily for
17 the purpose of receiving benefits under this Act.
18 Sec. 17. EXTENSION OF TIME FOR FILING CLAIMS. In
19 case of sickness, absence, or other disability, or if,
20 in his judgment, good cause exists, the director of
21 the department of revenue may extend for a period not
22 to exceed six months the time for filing a claim."
23 6. Renumber sections and correct internal references
24 as necessary in accordance with this amendment.
25 7. Amend the title, page 31, line 3, by inserting

Page 10

- 1 after the word "disabled" the words "including penal-
- 2 ties for filing fraudulent claims,".

TOM RILEY
HAROLD A. THORSEN
ALDEN J. ERSKINE
JAMES A. POTGETER
JOHN C. RHODES

- 1 Amend the Senate committee on ways and means amendment
- 2 to House File 654, as amended, passed, and reprinted by
- 3 the House, filed May 13, 1971, commencing on page 1258
- 4 of the Senate Journal, as follows:

- 5 1. Page 23, by inserting after line 22 the following
- 6 new paragraph:

7 "No resident individual may receive more than one
8 sales tax refund. The sales tax refund must be claimed
9 by the individual on his income tax return and such
10 individual must claim the sales tax refund for all
11 dependents claimed on the return."

- 12 2. Page 24, line 2, by inserting after the word
- 13 "proof" the words "as required by the director of
- 14 revenue,".

- 15 3. Page 24, by inserting after line 3 the following
- 16 new paragraph:

17 "The department of revenue shall promulgate rules and
18 regulations with respect to refunds for this section
19 including the manner and requirements for claiming the
20 credit for or refund of the amount thereof in the same
21 manner as state income tax refunds, and in accordance
22 with the provisions of sections four hundred twenty-two
23 point sixteen (422.16) and four hundred twenty-two point
24 seventy-four (422.74) of the Code."

ROGER J. SHAFF

- 1 Amend the Senate committee on ways and means amendment
- 2 to House File 654, as amended, passed, and reprinted by
- 3 the House, filed May 13, 1971, commencing on page 1258
- 4 of the Senate Journal, as follows:

- 5 1. Page 25, by striking lines 4 through 25, inclusive,
- 6 and inserting in lieu thereof the following:

7 "Sec. 28. Section four hundred twenty-two point
8 five (422.5), Code 1971, is amended by striking subsec-
9 tions four (4) through seven (7), inclusive, and inserting
10 in lieu thereof the following:

- 11 4. On the fourth thousand dollars of taxable income,
- 12 or any part thereof, three and one-quarter percent.

- 13 5. On the fifth, sixth, and seventh thousand dollars
- 14 of taxable income, or any part thereof, four and six-
- 15 tenths percent.

- 16 6. On the eighth and ninth thousand dollars of tax-
- 17 able income, or any part thereof, six percent.

- 18 7. On all taxable income over nine thousand dollars
- 19 and not exceeding twenty-five thousand dollars, seven
- 20 percent.

- 21 8. On all taxable income over twenty-five thousand

22 dollars and not exceeding fifty thousand dollars, eight
23 percent.
24 9. On all taxable income over fifty thousand dollars,
25 nine percent."

ROGER J. SHAFF

1 2. Page 26, by striking lines 1 through 4, inclusive.

Page 2

1 Amend the Senate committee on ways and means amendment
2 to House File 654, as amended, passed, and reprinted by
3 the House, filed May 13, 1971, commencing on page 1258
4 of the Senate Journal, is amended as follows:

5 1. Page 27, by inserting after line 11 the following
6 new section:

7 "Section four hundred twenty-two point thirty-three
8 (422.33), subsection one (1), paragraph 'b', unnumbered
9 paragraph four (4) is amended as follows:

10 The gross sales of the corporation within the state
11 shall be taken to be the gross sales from goods [sold and]
12 delivered within the state[, excluding deliveries for
13 transportation out of the state]."

14 2. Renumber sections and correct internal references
15 as necessary in accordance with this amendment.

ROGER J. SHAFF

1 Amend the Senate committee on ways and means amendment
2 to House File 654, as amended, passed, and reprinted by the
3 House, filed May 13, 1971, commencing on page 1258 of the
4 Senate Journal, page 28, line 23, by inserting after the
5 word "dollars" the words "*except that the credit shall*
6 *not exceed the amount of the property taxes levied and*
7 *collectible on the homestead for that year*".

ROGER J. SHAFF

On motion of Senator Lamborn, the Senate adjourned until 9:00
a.m., Monday, May 17, 1971.

JOURNAL OF THE SENATE

ONE HUNDRED TWENTY-SEVENTH DAY

SENATE CHAMBER
DES MOINES, IOWA, MONDAY, MAY 17, 1971

The Senate met in regular session, President Jepsen presiding.

Prayer was offered by the Reverend John McCallum, pastor of the United Methodist Church, Osceola, Iowa.

The Senate pledged allegiance to the flag.

The Journal of Friday, May 14, 1971, was approved.

PRESENTATION OF VISITORS

The Chair announced that the following visitors were present in the Senate gallery:

Thirty-one students from Hudson Community School, Hudson, Iowa.

PETITIONS

The following petitions were presented and placed on file:

By Senator Kennedy, from ninety-four students of the University of Dubuque, Dubuque, Dubuque County, Iowa, favoring an increase in the funding of the Iowa Tuition Grant Program.

By Senator Potgeter, from twenty-four residents of Hardin County opposing repeal of the Iowa Meat and Poultry Inspection law.

By Senator Balloun, from fifty residents of Benton County opposing repeal of the Iowa Meat and Poultry Inspection law.

COMMUNICATION

The following communication was presented:

Mr. Carroll Lane
Secretary of the Senate

Dear Carroll:

Please extend my sincere thanks to the entire Senate for the beautiful flowers I received. It is hard to express how one misses being away. I feel fine and I think I should be back, but Doc doesn't seem to think so, so guess I had better obey.

My kindest regards to all.

Sincerely,
VERNON H. KYHL

SUPPLEMENTAL REPORT OF
COMMITTEE ON MEMORIAL RESOLUTIONS

Senator Stephens submitted the following report and moved its adoption:

MR. PRESIDENT: Your committee on memorial resolutions begs leave to report that a committee should be appointed to prepare a suitable memorial resolution for the following deceased member of the Senate:

Kenneth A. Evans, Mills County.

RICHARD L. STEPHENS, Chairman
RUDY VAN DRIE
CHARLES P. MILLER

The motion prevailed and the report was adopted.

INTRODUCTION OF BILL

Senate File 540, by committee on transportation, a bill for an act relating to the computation of fines for violations of the maximum gross weight law for motor vehicles.

Read first time and placed on calendar.

CONSIDERATION OF BILLS

Senate File 205

On motion of Senator Neu, Senate File 205, a bill for an act relating to assessments levied by drainage and levee districts, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Neu offered the following amendment filed by him and moved its adoption:

- 1 Amend Senate File 205 as follows:
- 2 1. By striking from lines 9, 10 and 11 the words
- 3 *"the assessment shall not be less than two dollars on*
- 4 *any tract, parcel or lot within the district"* and
- 5 inserting in lieu thereof the words *"any assessment on*
- 6 *any tract, parcel or lot within the district which is*
- 7 *computed at less than two dollars shall be fixed at the*
- 8 *sum of two dollars"*.
- 9 2. By adding after line 14 the following new section:
- 10 Sec. 2. Section four hundred fifty-five point fifty-
- 11 nine (455.59), Code 1971, is amended as follows:
- 12 455.59 LEVY FOR DEFICIENCY. If the first assess-
- 13 ment made by the board for the original cost or for re-
- 14 pairs of any improvement is insufficient, the board shall
- 15 make an additional assessment and levy in the same ratio
- 16 as the first for either purpose, payable at the next
- 17 taxpaying period after such indebtedness is incurred
- 18 subject, however, to the provisions of section 455.64.
- 19 *Any assessment made under this section on any tract,*
- 20 *parcel or lot within the district which is computed at*

21 *less than two dollars shall be fixed at the sum of two*
22 *dollars.*

Page 2

1 Sec. 3. Section four hundred fifty-five point one
2 hundred thirty-six (455.136), unnumbered paragraph
3 one, Code 1971, is amended as follows:
4 455.136 PAYMENT. The costs of the repair or im-
5 provements provided for in section 455.135 shall be paid
6 for out of the funds of the levee or drainage
7 district. If the funds on hand are not sufficient to
8 pay such expenses, the board within two years shall levy
9 an assessment sufficient to pay the outstanding indebt-
10 edness and leave the balance which the board determines
11 is desirable as a sinking fund to pay maintenance and
12 repair expenses. *Any assessment made under this section*
13 *on any tract, parcel or lot within the district which is*
14 *computed at less than two dollars shall be fixed at the*
15 *sum of two dollars.*

16 Sec. 4. Section four hundred fifty-five point one
17 hundred forty-six (455.146), Code 1971, is amended as
18 follows:

19 455.146 LEVY UNDER ORIGINAL CLASSIFICATION. If the
20 amount finally charged against a district does not exceed
21 twenty-five percent of the original cost of the improve-
22 ment in said district, the board shall proceed to levy

Page 3

1 said amount against all lands, highways, and railway
2 rights of way and property within the district, in
3 accordance with the original classification and appor-
4 tionment. *Any assessment made under this section on*
5 *any tract, parcel or lot within the district which is*
6 *computed at less than two dollars shall be fixed at the*
7 *sum of two dollars.*

8 Sec. 5. Section four hundred fifty-five point one
9 hundred forty-seven (455.147), Code 1971, is amended as
10 follows:

11 455.147 LEVY UNDER RECLASSIFICATION. If the amount
12 finally charged against a district exceeds twenty-five
13 percent of the original cost of the improvement, the
14 board shall order a reclassification as provided for
15 the original classification of a district and upon the
16 final adoption of the new classification and apportion-
17 ment shall proceed to levy said amount upon all lands,
18 highways, and railway rights of way and property within
19 the district, in accordance with said new classification
20 and apportionment. *Any assessment made under this section*
21 *on any tract, parcel or lot within the district which is*
22 *computed at less than two dollars shall be fixed at the*

Page 4

1 *sum of two dollars.*

The amendment was adopted.

Senator Potgeter offered the following amendment filed by him and moved its adoption:

- 1 Amend Senate File 205 as follows:
- 2 1. Page 1, by adding the following new sections after
- 3 line 14:
- 4 Sec. Section four hundred fifty-five point seventy-
- 5 nine (455.79), Code 1971, is amended as follows:
- 6 455.79 INTEREST—PLACE OF PAYMENT. Such certificates
- 7 shall bear interest not to exceed [five] *seven* percent per annum,
- 8 payable annually, and shall be paid by the taxpayer to the
- 9 county treasurer, who shall receipt for the same and cause the
- 10 amount to be credited on the certificate issued therefor.
- 11 Sec. This Act deemed of immediate importance
- 12 shall take effect and be in force from and after its publication
- 13 in the Hardin County Index, a newspaper published in Eldora,
- 14 Iowa, and in The Daily Freeman-Journal, a newspaper published
- 15 in Webster City, Iowa.
- 16 2. Page 1, line 2, by inserting after the word "district"
- 17 the words "and to interest rates".

The amendment was adopted.

Senator Neu moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 205) the vote was:

Ayes, 44:

Anderson	Doderer	Laverty	Rhodes
Arbuckle	Erschine	Messerly	Riley
Balloun	Gaudineer	Milligan	Robinson
Briles	Glenn	Mowry	Shaff
Brownlee	Graham	Neu	Shawver
Carlson	Griffin	Nicholson	Smith
Coleman	Gross	Ollenburg	Stephens
Conklin	Hill	Palmer	Tapscott
Curran	Keith	Potgeter	Thordsen
Davis	Kennedy	Potter	Van Drie
DeKoster	Lamborn	Rabedaux	Van Gilst

Nays, 2:

Gilley Miller

Absent or not voting, 4:

Bass Kyhl Schaben Walsh

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

MOTION TO RECONSIDER PENDING

House File 172

Senator Griffin called up the following motion to reconsider filed by him on May 14, 1971:

MR. PRESIDENT: I move to reconsider the vote by which House File 172 failed to pass the Senate.

(Motion to reconsider pending.)

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Rhodes, from the joint committee on enrolled bills, submitted the following report and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate Files 325, 326, 386, 502, 507 and 526.

JOHN C. RHODES
Chairman, Senate Committee
ELIZABETH R. MILLER
Chairman, House Committee

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, the following bills: Senate Files 325, 326, 386, 502, 507 and 526.

BILLS SENT TO THE GOVERNOR

Senator Rhodes, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 17th day of May, 1971, sent to the Governor for his approval: Senate Files 325, 326, 386, 502, 507 and 526.

JOHN C. RHODES, Chairman

Passed on file.

SPECIAL ORDER OF BUSINESS

House File 654

The hour having arrived, the Chair announced the special order of business for the consideration of House File 654.

On motion of Senator Shaff, House File 654, a bill for an act relating to state aid for schools, school district property taxes, imposing a school district income tax, providing administration by the director of revenue, adopting provisions relating to the state individual income tax, relating to the corporate income tax, and providing aid to cities, towns and counties from sales tax receipts, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Shaff offered the amendment by the committee on ways and means filed May 13, 1971, and found on pages 1258-1273, inclusive, of the Senate Journal.

Senator Shaff called for a division of the amendment into the seven divisions already incorporated in the amendment and requested that the divisions be considered in the following sequence:

First— Division 2

Second— Division 5

Third— Division 3

Fourth— Division 1

Fifth— Division 6

Sixth— Division 4

Seventh— Division 7

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

The Senate resumed session, President Jepsen presiding.

Division 2 of the committee amendment was taken up for consideration:

13

DIVISION 2

14 Sec. 22. Section four hundred twenty-two point
15 forty-three (422.43), unnumbered paragraphs one (1),
16 two (2), seven (7), and eight (8), Code 1971, are amended
17 as follows:

18 There is hereby imposed a tax of [three] *four* percent
19 upon the gross receipts from all sales of tangible
20 personal property, consisting of goods, wares, or mer-
21 chandise, except as otherwise provided in this division,
22 sold at retail in the state to consumers or users; a
23 like rate of tax upon the gross receipts from the sales,
24 furnishing or service of gas, electricity, water, heat,
25 and communication service, including the gross receipts

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1 from such sales by any municipal corporation furnishing
2 gas, electricity, water, heat, and communication service
3 to the public in its proprietary capacity, except as
4 otherwise provided in this division, when sold at retail
5 in the state to consumers or users; and a like rate
6 of tax upon the gross receipts from all sales of tickets
7 or admissions to places of amusement, athletic events
8 including those of educational institutions, fairs;
9 and a like rate of tax upon that part of private club
10 membership fees or charges paid for the privilege of
11 participating in any athletic sports provided club
12 members.

13 There is hereby imposed a tax of [three] *four* percent
14 upon the gross receipts derived from the operation of
15 all forms of amusement devices and commercial amuse-
16 ment enterprises operated or conducted within the state
17 of Iowa, such tax to be collected from the operator
18 in the same manner as is provided for the collection
19 of taxes upon the gross receipts of tickets or admission
20 as provided in this section.

21 The tax herein levied shall be computed and collected
22 as hereinafter provided. The tax herein imposed shall
23 be at the rate of [three] *four* percent.

24 There is hereby imposed, a tax of [three] *four* percent
25 upon the gross receipts from the rendering, furnishing,

Page 21

1 or performing of services as defined in section 422.42.
2 Sec. 23. Section four hundred twenty-three point
3 two (423.2), Code 1971, is amended as follows:
4 423.2 IMPOSITION OF TAX. An excise tax is hereby
5 imposed on the use in this state of tangible personal
6 property purchased for use in this state, at the rate
7 of [three] *four* percent of the purchase price of such
8 property. Said tax is hereby imposed upon every person
9 using such property within this state until such tax
10 has been paid directly to the county treasurer or
11 department of public safety to a retailer, or to the
12 department as hereinafter provided. An excise tax is
13 hereby imposed on the use in this state of services
14 enumerated in section 422.43 at the rate of [three] *four*
15 percent. Said tax shall be applicable where services
16 are rendered, furnished, or performed in this state
17 or where the product or result of such service is used
18 in this state. Such tax is imposed on every person
19 using such services or the product of such services
20 in this state until such user has paid such tax either
21 to an Iowa use tax permit holder or has paid such tax
22 to the department of revenue.
23 Sec. 24. The tax imposed under sections twenty-two
24 (22) and twenty-three (23) of this Act shall be at the
25 rate of three percent on the sales and use of tangible

Page 22

1 personal property and the sale of taxable services,
2 either of which is used in the performance of a building
3 or construction contract executed prior to the effective
4 date of this Act.

Senator Griffin offered the following amendment to division 2 and moved its adoption:

1 Amend the Senate committee on ways and means amendment filed
2 May 14, 1971, to House File 654 as follows:
3 1. Page 20, line 20, by striking the period and adding the
4 following:
5 “; provided, however, that no tax shall be collected from
6 the gross receipts from the sale of tangible personal property

7 when sold through coin operated vending machines below a sum
8 of fifteen cents."

Roll call was requested.

On the question "Shall the amendment to division 2 be adopted?"
(H.F. 654) the vote was:

Ayes, 14:

Arbuckle	Griffin	Rhodes	Tapscott
Briles	Kennedy	Riley	Thordsen
Coleman	Milligan	Robinson	Van Drie
Glenn	Palmer		

Nays, 34:

Anderson	Doderer	Laverty	Potter
Balloun	Erskine	Messerly	Rabedeaux
Bass	Gaudineer	Miller	Shaff
Brownlee	Gilley	Mowry	Shawver
Carlson	Graham	Neu	Smith
Conklin	Gross	Nicholson	Stephens
Curran	Hill	Ollenburg	Van Gilst
Davis	Keith	Potgeter	Walsh
DeKoster	Lamborn		

Absent or not voting, 2:

Kyhl	Schaben
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The amendment to division 2 lost.

Senator Griffin offered the following amendment to divisions 2 and 7 by Senators Griffin, Walsh and Riley:

Division 1

- 1 Amend the Senate committee on ways and means amendment filed
- 2 May 14, 1971, to House File 654 as follows:
- 3 1. Page 21, by inserting after line 1 the following new
- 4 section and renumbering the remaining sections to conform with
- 5 this amendment:
- 6 Sec. 23. "Section four hundred twenty-two point forty-five
- 7 (422.45), Code 1971, is amended by adding the following new
- 8 subsection:
- 9 Gross receipts from the sales of prescription drugs."

Division 2

- 10 2. Page 30, line 22, by inserting after the word "taxes,"
- 11 the words ", and exempting prescription drugs from the sales
- 12 and use tax,".

The Chair called for a division of the amendment, lines 3 through 9 to be considered as division 1, and lines 10, 11 and 12 to be considered as division 2.

Senator Griffin moved the adoption of division 1 of the amendment to division 2.

Roll call was requested.

On the question "Shall division 1 of the amendment to division 2 be adopted?" (H.F. 654) the vote was:

Rule 24 was invoked.

Ayes, 27:

Anderson	Gaudineer	Milligan	Shawver
Balloun	Glenn	Palmer	Tapscott
Briles	Griffin	Potgeter	Thordsen
Carlson	Gross	Rabedaux	Van Drie
Coleman	Hill	Rhodes	Van Gilst
Conklin	Kennedy	Riley	Walsh
DeKoster	Miller	Robinson	

Nays, 19:

Arbuckle	Erskine	Messerly	Potter
Bass	Gilley	Mowry	Shaff
Brownlee	Graham	Neu	Smith
Curran	Keith	Nicholson	Stephens
Davis	Lamborn	Ollenburg	

Absent or not voting, 4:

Doderer	Kyhl	Laverty	Schaben
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Division 1 of the amendment to division 2 was adopted.

On motion of Senator Lamborn, the Senate recessed until 1:15 p.m.

AFTERNOON SESSION

The Senate reconvened, President Jepsen presiding.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which division 1 of the May 17, 1971, Griffin-Walsh-Riley amendment to the ways and means committee amendment to House File 654 was adopted by the Senate.

CHARLES F. BALLOUN

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has amended Senate amendment to, concurred in Senate amendment as amended and repassed the following bill in which the concurrence of the House was asked:

House File 73, a bill for an act relating to conservation of soil and water resources of the state.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 696, a bill for an act to appropriate from the IPERS fund to the employment security commission for costs of the administration of the IPERS system.

WILLIAM R. KENDRICK, Chief Clerk

HOUSE AMENDMENT TO SENATE AMENDMENT
TO HOUSE FILE 73

- 1 Amend the Senate amendment to House File 73, as amended,
- 2 passed and reprinted by the House, as follows:
- 3 1. By striking Senate amendments 1 and 9.
- 4 2. Line 15, by striking the numerals "21" and
- 5 inserting in lieu thereof the numerals "24".
- 6 3. Line 22, by inserting after the word "*complete*"
- 7 the word "*six-year*".
- 8 4. Line 35, by inserting after the period the following:
- 9 "However, fall plowing of soil which is commonly known
- 10 as gumbo shall always be permitted."
- 11 5. By adding thereto the following amendment:
- 12 Page 44, line 23, by inserting after the word
- 13 "practices" the words "as defined in section 29, sub-
- 14 section 3, of this Act".

HOUSE MESSAGE CONSIDERED

House File 696, a bill for an act to appropriate from the Iowa public employees' retirement system fund to the employment security commission for costs of the administration of the Iowa public employees' retirement system.

Read first time and **passed on file.**

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

The Senate resumed session, President Jepsen presiding.

SPECIAL ORDER CONTINUED

House File 654

The Senate resumed consideration of House File 654, division 2 of the ways and means committee amendment, and the Griffin, et al., amendment to the amendment.

Action on division 2 of the Griffin, et al., amendment to the amendment was temporarily deferred.

Senator Arbuckle offered the following amendment to division 2 of the committee amendment by Senators Arbuckle and Messerly and called for a division of the amendment, all of pages 1, 2 and 3, and lines 1 through 12 of page 4 to be considered as division 1, and lines 13, 14 and 15 of page 4 to be considered as division 2:

Division 1

- 1 Amend the Senate committee on ways and means amendment
- 2 to House File 654, as amended, passed, and reprinted,
- 3 filed May 13, 1971, commencing on page 1258 of the
- 4 Senate Journal, as follows:

1. Page 22, by inserting after line 4 the following new section:

"After approval by the voters, a local sales and use tax at a rate of not more than one percent may be imposed by a city on the gross receipts from the sale or use of tangible personal property or services subject to the state sales and use tax.

Upon its own motion, or upon receipt of a valid petition signed by voters of the city equal in number to ten percent of the persons who voted at the last preceding regular city election, but no less than ten persons, requesting that an election be held, the city council shall submit to the voters of the city, at a special election called for that purpose, the question of imposing a local sales and use tax at a specified rate of not more than one percent. If a majority of those voting favors the imposition of the tax, the council shall impose the tax by ordinance, and shall continue to impose the tax for a minimum of four years. After the four-year period, the tax may be discontinued by the council or by petition and election in the same

Page 2

manner as it was imposed.

If a majority of those voting does not favor the imposition of a local sales and use tax, the council shall not submit the question of imposition of the same rate of tax within one year following the election.

The special election may not be held within thirty days of a general election. Prior to the special election, the city council shall publish notice of the election in a newspaper published at least once a week and having general circulation in the city, except that the notice shall be published twice. If the city has a population of two hundred or less, a publication may be made by posting notice in three public places in the city which have been permanently designated by ordinance.

A local sales and use tax shall be imposed on the same basis as the state sales and use tax and may not be imposed on the sale or use of any tangible personal property or services not taxed by the state. A local sales and use tax is applicable only within the territorial limits of the city imposing it and shall be collected by all persons required to collect state sales and use taxes. The amount of the sale, for purposes of determining the amount of the local sales and use tax, does not include the amount of the state sales

Page 3

1 and use tax. No sales and use tax permit, other than
2 the state sales and use tax permits, may be required.
3 A local sales and use tax may be imposed either January
4 first or July first following a favorable election.
5 The director of revenue shall administer the provi-
6 sions of a local sales and use tax as nearly as possible
7 in conjunction with the administration of state tax
8 laws. He shall provide appropriate forms, or provide
9 on the regular state tax forms, for reporting local
10 sales and use tax liability.
11 An ordinance imposing a local sales and use tax shall
12 adopt by reference the applicable provisions of the
13 appropriate sections of chapters four hundred twenty-
14 two (422) and four hundred twenty-three (423) of the
15 Code, and all powers of the director to administer the
16 state sales and use tax law are applicable to his
17 administration of a local sales and use tax ordinance.
18 Local officials shall confer with the director of revenue
19 and obtain his assistance in drafting the ordinance
20 imposing a local sales and use tax. A certified copy
21 of the ordinance shall be filed with the director as
22 soon as possible after passage.
23 The director, in consultation with local officials,
24 shall collect and account for a local sales and use
25 tax. The director shall retain for the use of the

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1 department one percent of all local sales and use tax
2 receipts, to cover administrative expense, and shall
3 credit remaining local sales and use tax receipts to
4 a local sales and use tax fund hereby established in
5 the office of the treasurer of state.
6 The treasurer of state shall remit quarterly to the
7 cities which have imposed a local sales and use tax
8 their share of the balance in the local sales and use
9 tax fund. Local sales and use tax moneys received by
10 a city may be expended for any lawful city purpose."
11 2. Renumber sections and correct internal references
12 as necessary in accordance with this amendment.

Division 2

13 3. Amend the title, page 30, line 22, by inserting
14 after the word "taxes," the words "providing for a
15 local option sales tax".

Action on the Arbuckle-Messery amendment to division 2 was temporarily deferred.

Senator Mowry offered the following amendment to division 2 by Senators Mowry, et al.:

Amend the Senate ways and means amendment to House File 654, filed May 13, 1971, page 21, by adding the following new sections after line 22, and renumbering the remaining sections:

1. Section four hundred twenty-two point forty-five (422.45), Code 1971, is amended by adding the following new subsection:

"The gross receipts from sales of tangible personal property used or to be used as railroad rolling stock for transporting persons or property, or as materials or parts therefor."

2. Section four hundred twenty-three point four (423.4), Code 1971, is amended by adding the following new subsection:

"Tangible personal property used or to be used as railroad rolling stock for transporting persons or property, or as materials or parts therefor."

Senator Mowry moved the adoption of the amendment to division 2 and requested a roll call.

On the question "Shall the Mowry, et al., amendment to division 2 be adopted?" (H.F. 654) the vote was:

Ayes, 26:

Anderson	Glenn	Miller	Schaben
Arbuckle	Graham	Milligan	Shaff
Briles	Griffin	Mowry	Shawver
Carlson	Keith	Nicholson	Smith
Conklin	Kennedy	Palmer	Van Drie
Davis	Lamborn	Rabedeaux	Walsh
DeKoster	Messerly		

Nays, 18:

Balloun	Erschine	Neu	Robinson
Bass	Gaudineer	Ollenburg	Stephens
Brownlee	Gilley	Potter	Tapscott
Coleman	Gross	Rhodes	Van Gilst
Doderer	Hill		

Absent or not voting, 6:

Curran	Laverty	Riley	Thordsen
Kyhl	Potgeter		

The amendment to division 2 was adopted.

Senator Palmer offered the following amendment to division 2 and moved its adoption:

- 1 Amend the Senate committee on ways and means amendment
- 2 to House File 654, as amended, passed, and reprinted by
- 3 the House, filed May 13, 1971, commencing on page 1258
- 4 of the Senate Journal, as follows:
- 5 1. Page 19, line 18, by striking the words "[three]
- 6 four" and inserting in lieu thereof the word "three".
- 7 2. Page 20, line 13, by striking the words "[three]
- 8 four" and inserting in lieu thereof the word "three".
- 9 3. Page 20, line 23, by striking the words "[three]

10 *four*" and inserting in lieu thereof the word "three".

11 4. Page 20, line 24, by striking the words "[three]
12 *four*" and inserting in lieu thereof the word "three".

13 5. Page 21, by inserting after line 1 the following
14 new section:

15 "Section four hundred twenty-two point forty-three
16 (422.43), Code 1971, is amended by adding the following
17 new paragraph:

18 In addition to the tax imposed under the provisions
19 of this section, there is imposed an additional tax of
20 one percent upon the gross receipts from all sales
21 services subject to the tax under this division, except
22 food products for human consumption which
23 are not prepared for immediate consumption on or off the
24 premises."

25 6. Page 21, line 7, by striking the words "[three]

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1 *four*" and inserting in lieu thereof the word "three".

2 7. Page 21, line 14, by striking the words "[three]
3 *four*" and inserting in lieu thereof the word "three".

4 8. Page 21, by inserting after line 22, the following
5 new paragraph:

6 "In addition to the tax imposed under the provisions
7 of this section, there is imposed an additional tax of
8 one percent upon the use in this state of tangible
9 personal property purchased for use in this state and
10 subject to the tax under this chapter, except
11 food products for human consumption which are not
12 prepared for immediate consumption on or off the premises."

13 9. Renumber the sections and correct internal
14 references as necessary in accordance with this amendment.

Roll call was requested.

On the question "Shall the Palmer amendment to division 2 be adopted" (H.F. 654) the vote was:

Ayes, 9:

Coleman
Gaudineer
Glenn

Gross
Hill

Kennedy
Miller

Palmer
Tapscott

Nays, 38:

Anderson
Balloun
Bass
Briles
Brownlee
Carlson
Conklin
Curran
Davis
De Koster

Doderer
Erskine
Gilley
Graham
Griffin
Keith
Lamborn
Laverty
Messerly
Milligan

Mowry
Neu
Nicholson
Ollenburg
Potter
Rabedeaux
Rhodes
Riley
Robinson

Schaben
Shaff
Shawver
Smith
Stephens
Thordsen
Van Drie
Van Gilst
Walsh

Absent or not voting, 3:

Arbuckle

Kyhl

Potgeter

The amendment to division 2 lost.

Senator Van Drie offered the following amendment to division 2 and moved its adoption:

1 Amend the Senate committee on ways and means amendment,
2 filed May 13, 1971, to House File 654, page 21, by inserting the
3 following new section after line 22 and renumber the remaining
4 sections to conform with this amendment:

5 Section four hundred twenty-two point fifty-two (422.52),
6 subsection 1, Code 1971, is amended as follows:

7 1. The tax levied hereunder shall be due and payable in
8 quarterly installments on or before the last day of the month
9 next succeeding each quarterly period, the first of such quarterly
10 periods being the period commencing with April 1, 1937, and ending
11 on the thirtieth day of June, 1937; provided, however, commencing
12 with the period beginning January 1, 1966, every retailer who
13 collects more than five hundred dollars in retail sales taxes in
14 any one month commencing with January 1, 1966, shall deposit with
15 the department or in a depository bank designated by the director,
16 said sum, made out on a deposit form for the month in such form
17 and manner as may be prescribed by the director, said deposit form
18 being due on or before the [twentieth] last day of the month next
19 succeeding the month of collection, except no deposit will be re-
20 quired for the third month of the calendar quarter and the total
21 quarterly amount, less the amounts deposited for the first two
22 months of the quarter, will be due with the quarterly report on
23 the last day of the month next succeeding the month of collection.
24 Said monthly remittance procedure shall be optional for any sales
25 tax permit holder whose average monthly collection of tax amounts

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1 to more than twenty-five dollars and less than five hundred
2 dollars. If the exact amounts of the taxes due on the monthly
3 deposit form are not ascertainable by the retailer, or would
4 work undue hardship in the computation of the taxes due by the
5 retailer, the director may provide by rules and regulations
6 alternative procedures for estimating the amounts (but not the
7 dates) so due by the retailers. The form so prescribed by the
8 director shall be referred to as "retailers monthly tax deposit".
9 Deposit forms shall be signed by the retailer or his duly au-
10 thorized agent, and must be duly certified by him to be correct.
11 The director may authorize incorporated banks and trust companies
12 which are depositories or financial agents of the United States,
13 or of this state, to receive any tax imposed under this chapter,
14 in such manner, at such times and under such conditions as the
15 director may prescribe. The director shall prescribe the manner,
16 times, and conditions under which the receipt of such tax by such
17 banks and trust companies is to be treated as payment of such tax
18 to the department.

The amendment to division 2 was adopted.

Senator Anderson offered the following amendment to division 2:

- 1 Amend the committee on ways and means amendment to
- 2 House File 654, filed Thursday, May 13, 1971, as follows:
- 3 1. Page 21, by adding before section 23 the following
- 4 section:
- 5 "Sec. 23. Section four hundred twenty-two point
- 6 forty-five (422.45), Code 1971, is amended by adding the
- 7 following new subsection:
- 8 "The gross receipts from the sales of tangible personal
- 9 property which are necessary and are used in the trade,
- 10 business, occupation, or profession of the person making
- 11 the purchase.'"
- 12 2. By renumbering the remaining sections.

Senator Anderson moved the adoption of his amendment to division 2 and requested a roll call.

On the question "Shall the Anderson amendment to division 2 be adopted?" (H.F. 654) the vote was:

Ayes, 7:

Anderson	Briles	Glenn	Mowry
Arbuckle	Coleman	Graham	

Nays, 39:

Balloun	Gaudineer	Miller	Shaff
Bass	Gilley	Neu	Shawver
Brownlee	Griffin	Nicholson	Smith
Carlson	Gross	Ollenburg	Stephens
Conklin	Hill	Palmer	Tapscott
Curran	Keith	Potter	Thordsen
Davis	Kennedy	Rabedeaux	Van Drie
DeKoster	Lamborn	Rhodes	Van Gilst
Doderer	Laverty	Riley	Walsh
Erskine	Messerly	Robinson	

Voting present, 1:

Schaben

Absent or not voting, 3:

Kyhl	Milligan	Potgeter
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The amendment to division 2 lost.

(House File 654 pending.)

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate File 302, a bill for an act relating to the reporting of motor vehicle accidents.

WILLIAM R. KENDRICK, Chief Clerk

INTRODUCTION OF BILL

Senate File 541, by committee on cities and towns, a bill for an act relating to the commission form government in the city of Ottumwa.

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

The Senate recessed until the fall of the gavel.

The Senate reconvened, Senator Balloun presiding.

PROOFS OF PUBLICATION

Published copies of Senate File 539 and verified proofs of publication of said bill in The Iowa Falls Citizen, Iowa Falls, Iowa, and The Ackley World-Journal, Ackley, Iowa, for one week, commencing April 29, 1971, were filed with the Secretary of the Senate prior to the time said bill was placed on passage in the Senate.

REPORTS OF COMMITTEES

Senator Briles submitted the following report:

MR. PRESIDENT: Your committee on county government, to which was referred **House File 687**, a bill for an act relating to the authority of the auditor of state, begs leave to report it has had the same under consideration and recommends the same **do pass**.

JAMES E. BRILES, Chairman

Ordered passed on file.

Senator Shaff submitted the following report:

MR. PRESIDENT: Your committee on ways and means, to which was referred **House File 686**, a bill for an act relating to the review of school budgets for the school year commencing July 1, 1971, by the school budget review committee, and the filing of tentative budgets by individual school districts, begs leave to report it has had the same under consideration and recommends the same **be amended as follows; and when so amended the bill do pass**:

- 1 Amend House File 686, as passed by the House, page 2, by
- 2 inserting after the period in line 6 the following:
- 3 "In addition, the school budget review committee may
- 4 meet at any other time during the year, at the call of
- 5 the chairman."

ROGER J. SHAFF, Chairman

Ordered passed on file.

AMENDMENTS FILED

- 1 Amend the Senate committee on ways and means
- 2 amendment to House File 654, as amended, passed, and
- 3 reprinted by the House, filed May 13, 1971, commencing
- 4 on page 1258 of the Journal of the Senate, as follows:
- 5 1. Page 3, by adding after line 22 the following
- 6 new section:

7 **Sec. 3. NONPUBLIC SCHOOL FUND.**

8 1. As used in this section:

9 a. "Board" means the state board of public in-
10 struction.

11 b. "State approved course" means any course of
12 study which is substantially the same as any course
13 presented in the curricula of the public schools of
14 this state, including those courses and services
15 included in the minimum curriculum standards adopted
16 by the board pursuant to section two hundred fifty-
17 seven point twenty-five (257.25) of the Code, and
18 shall not include any course of instruction in
19 religion, or in denominational tenets, doctrine, or
20 worship, or where the primary purpose of the course
21 is to inculcate such tenets, doctrine, or worship.

22 c. "Lay teacher" means a person who is not an
23 ordained minister or a member of a religious order,
24 society, or community, who is employed by a nonpublic
25 school, and who renders educational services in one

Page 2

1 or more state approved courses in a nonpublic school.
2 To qualify under this Act after July 1, 1971, a lay
3 teacher shall hold a valid certificate and approval
4 statement issued by the board on the same basis as
5 for rendering educational services in the public
6 schools.

7 d. "Approved nonpublic school" means a nonprofit
8 elementary or secondary school within the state other
9 than a public school, which is approved by the board
10 pursuant to chapter two hundred fifty-seven (257)
11 of the Code and which carries out a policy of open
12 enrollment. Laboratory schools as authorized by
13 chapter two hundred sixty-five (265) of the Code shall
14 not be deemed approved nonpublic schools.

15 e. "Lay teacher salary supplement contracts" are
16 contracts between the board and lay teachers of
17 approved nonpublic schools, in which the board agrees
18 to pay a portion of the lay teacher's salary and the
19 lay teacher agrees to render educational services
20 in state approved courses in the approved nonpublic
21 school.

22 f. "Salaries of lay teachers" means the total
23 remuneration received from all sources by the teacher
24 for rendering educational services, but does not
25 include any of the following:

Page 3

- 1 (1) Expenses or allowances.
- 2 (2) Contributions or credits for medical, health,
3 hospitalization, or life insurance.
- 4 (3) Contributions for retirement or pension plans.
- 5 (4) The cost of additional teacher training or
6 education.
- 7 (5) Any other fringe benefit. Lay teachers shall
8 be awarded lay teachers' salary supplement contracts
9 only on the basis of the portion of time attributed

10 to rendering educational services in state approved
11 courses.

12 g. "Rendering educational services" includes both
13 classroom work and the time spent by a lay teacher
14 outside the classroom in work directly related to
15 teaching a state approved course.

16 h. "Open enrollment" means the offer by a nonpublic
17 school of equal opportunity of admission to all persons
18 meeting its reasonable academic and financial
19 requirements regardless of race or ethnic origin,
20 and also means an enrollment policy which is in
21 compliance with title six (VI) of the Civil Rights
22 Act of 1964.

23 2. So as to stabilize public school enrollments,
24 the state comptroller shall pay into a nonpublic
25 school fund a sum equal to forty-five dollars for

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1 each nonpublic school student in this state for the
2 fiscal year beginning July 1, 1971. For the fiscal
3 year beginning July 1, 1972, the state comptroller
4 shall pay into a nonpublic school fund a sum equal
5 to eighty-one dollars for each nonpublic school student
6 in this state.

7 3. There is hereby established a nonpublic school
8 fund to be administered by the state board of public
9 instruction. The board shall deposit in the nonpublic
10 school fund any money received for the benefit of
11 qualified lay teachers in qualified nonpublic schools
12 of this state, including gifts, bequests, and state
13 or federal appropriations. The nonpublic school fund
14 shall be used for the purpose of paying lay teacher
15 salary supplement contracts, and reasonable amounts,
16 to be approved by the state comptroller, for
17 administrative expenses of the state board of public
18 instruction. To the extent that funds are available
19 in the nonpublic school fund, the board shall enter
20 into lay teacher salary supplement contracts with
21 lay teachers. Such contracts shall not exceed that
22 portion of the lay teacher's time that is directly
23 related to rendering educational services in state
24 approved courses. The state board of public
25 instruction shall promulgate rules and regulations

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1 to carry out the provisions of this Act. These rules
2 shall provide for the equitable distribution of the
3 funds available in the nonpublic school fund, placing
4 initial emphasis on supplementing the salaries of
5 teachers engaged in educating disadvantaged children
6 in nonpublic schools. The board also shall base
7 distribution as nearly as possible upon all of the
8 following:

9 a. Total pupil enrollment in nonpublic schools.

10 b. Number of lay teachers teaching state approved
11 courses in nonpublic schools.

12 c. Number of state approved courses taught by

13 lay teachers in nonpublic schools.

14 d. The qualifications and salary level of nonpublic
15 school teachers who make application.

16 e. The number of applications made in relation
17 to the total amount of money available.

18 4. A lay teacher who enters into a lay teacher
19 salary supplement contract shall be an independent
20 contractor, and not an employee of the state. Nothing
21 in this Act shall be construed to permit a lay teacher
22 to participate in the state teachers retirement system,
23 to receive workmen's compensation benefits as a public
24 school teacher, or in any way to be considered an
25 employee of the state board of public instruction

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1 or of the state of Iowa.

2 2. Page 30, by adding after line 13 the following
3 new division:

DIVISION 8

5 Sec. 39. Section four hundred fifty point six
6 (450.6), Code 1971, is amended by striking the section
7 and inserting in lieu thereof the following:

8 450.6 ACCRUAL OF TAX-MATURITY — EXTENSION OF
TIME.

9 The tax hereby imposed shall be for the use of the
10 state, shall accrue at the death of the decedent
11 owner, and shall be paid to the department of revenue
12 within nine months after the death of the decedent
13 owner except when otherwise provided in this chapter.
14 The director of revenue may grant an extension of
15 time, not to exceed nine months, for filing any return
16 required by this chapter, but in case of any such
17 extension the tax shall bear six percent interest
18 from the expiration of nine months from decedent's
19 death.

20 Sec. 40. Section four hundred fifty point ten
21 (450.10), subsection one (1), Code 1971, is amended
22 as follows:

23 1. When such property, interest, or income passes
24 to the wife or the husband of the deceased, grantor,
25 donor, or vendor, or to the father or mother, or to

Page 7

1 any child or lineal descendant of such decedent,
2 grantor, donor or vendor, including a legally adopted
3 child or illegitimate child entitled to inherit under
4 the laws of this state, the tax imposed shall be on
5 the individual share [so passing in excess of the
6 exemptions herein allowed and shall be] as follows:

7 [One] Two percent of the first [five thousand dollars]
8 twelve thousand five hundred dollars.

9 [Two percent of any amount in excess of five thousand
10 dollars and up to twelve thousand five hundred dollars.]

11 Three percent on any amount in excess of twelve
12 thousand five hundred dollars and up to twenty-five
13 thousand dollars.

14 Four percent on any amount in excess of twenty-

15 five thousand dollars and up to fifty thousand dollars.
16 Five percent on any amount in excess of fifty
17 thousand dollars and up to seventy-five thousand
18 dollars.

19 Six percent on any amount in excess of seventy-
20 five thousand dollars and up to one hundred thousand
21 dollars.

22 Seven percent on any amount in excess of one hundred
23 thousand dollars and up to one hundred fifty thousand
24 dollars.

25 [Eight] Ten percent on all sums in excess of one

Page 8

1 hundred fifty thousand dollars.

2 *After computing the total tax on the individual*
3 *share of the estate passing to the surviving spouse,*
4 *heirs or beneficiaries of the deceased, the following*
5 *tax credits shall be allowed:*

6 *a. Surviving spouse, one thousand two hundred*
7 *twenty-five dollars.*

8 *b. Each minor son and daughter including legally*
9 *adopted sons and daughters, or minor illegitimate*
10 *sons and daughters entitled to inherit under the law*
11 *of this state, four hundred seventy-five dollars.*

12 *c. Each adult son and daughter including legally*
13 *adopted sons and daughters, or adult illegitimate*
14 *sons and daughters entitled to inherit under the law*
15 *of this state, two hundred dollars.*

16 *d. Any other lineal descendant of the deceased,*
17 *one hundred dollars.*

18 Sec. 41. Section four hundred fifty point sixty-
19 three (450.63), Code 1971, is amended as follows:

20 450.63 MATURITY OF TAX-INTEREST. All taxes imposed
21 by this chapter shall be payable to the department
22 of revenue and, except when otherwise provided in
23 this chapter, shall be paid within [eighteen] nine
24 months from the death of the testator or intestate.
25 All taxes not paid within the time prescribed in this

Page 9

1 chapter shall draw interest at the rate of [eight] six
2 percent per annum thereafter until paid. *If any tax*
3 *imposed by this chapter is not paid within the time*
4 *prescribed in this chapter, there shall be added to*
5 *the amount due a penalty for late payment equal to*
6 *two percent per month or each fraction thereof during*
7 *which such failure continues with a maximum penalty*
8 *of twenty-five percent of the tax due. Such penalty*
9 *shall be in addition to the interest provided by this*
10 *section.*

11 Sec. 42. Chapter four hundred fifty (450), Code
12 1971, is amended by adding the following new section:

13 "There is hereby imposed an administrative fee
14 of twenty-five dollars on the estate of every decedent
15 subject to the provisions of this chapter, except
16 that the administrative fee shall not be collected
17 from an estate exempt under the provisions of section

18 four hundred fifty point four (450.4), subsection
19 one (1), of the Code.

20 The administrative fee shall be collected by the
21 department of revenue before the department issues
22 any final receipt for payment of the taxes imposed
23 by this chapter, or before issuing any clearance of
24 inheritance tax when no tax is due."

25 Sec. 43. Section four hundred fifty point nine

Page 10

1 (450.9), Code 1971, is repealed.

2 3. Add at the end of the amendment the follow-
3 ing new section:

4 "If any provision of this Act or the application
5 thereof to any person shall be invalid, such invalidity
6 shall not affect the provisions or application of
7 this Act which can be given effect without the invalid
8 provisions or application, and to this end the
9 provisions of this Act are severable."

10 4. Page 31, line 3, insert after the comma the
11 words "providing moneys for nonpublic schools,".

JOHN M. WALSH
ARTHUR A. NEU
WILSON L. DAVIS
GENE V. KENNEDY
WILLIAM D. PALMER
CLOYD E. ROBINSON
JOHN E. TAPSCOTT
TOM RILEY
JAMES W. GRIFFIN, SR.

1 Amend the Senate committee on ways and means amendment,
2 dated May 14, 1971, to House File 654, page 8, line 1, by
3 adding after the word "surtax." the following:

4 "However the school budget review committee may authorize a
5 school district to increase the property tax millage levy up to
6 three mills for general fund purpose over the limitations pro-
7 vided in this section, if within the boundaries of that district
8 there has been a closing of a school resulting in substantial
9 increase in public school enrollment in that district."

H. L. OLLENBURG

1 Amend the Senate committee on ways and means amendment
2 to House File 654, filed May 13, 1971, as follows:

3 1. By striking from page 19, lines 13 through 25.

4 2. By striking pages 20 and 21.

5 3. By striking from page 22, lines 1 through 4 and
6 inserting in lieu thereof the following:

7 "After approval by the voters, a local sales and
8 use tax at a rate of not more than one percent may be
9 imposed by a city on the gross receipts from the sale
10 or use of tangible personal property or services subject
11 to the state sales and use tax.

12 Upon its own motion, or upon receipt of a valid peti-
13 tion signed by voters of the city equal in number to
14 ten percent of the persons who voted at the last
15 preceding regular city election, but no less than ten

16 persons, requesting that an election be held, the city
17 council shall submit to the voters of the city, at a
18 special election called for that purpose, the question
19 of imposing a local sales and use tax at a specified
20 rate of not more than one percent. If a majority of
21 those voting favors the imposition of the tax, the
22 council shall impose the tax by ordinance, and shall
23 continue to impose the tax for a minimum of four years.
24 After the four-year period, the tax may be discontinued
25 by the council or by petition and election in the same

Page 2

1 manner as it was imposed.
2 If a majority of those voting does not favor the
3 imposition of a local sales and use tax, the council
4 shall not submit the question of imposition of the same
5 rate of tax within one year following the election.
6 The special election may not be held within thirty
7 days of a general election. Prior to the special elec-
8 tion, the city council shall publish notice of the elec-
9 tion in a newspaper published at least once a week and
10 having general circulation in the city, except that
11 the notice shall be published twice. If the city has
12 a population of two hundred or less, a publication may
13 be made by posting notice in three public places in
14 the city which have been permanently designated by
15 ordinance.
16 A local sales and use tax shall be imposed on the
17 same basis as the state sales and use tax and may not
18 be imposed on the sale or use of any tangible personal
19 property or services not taxed by the state. A local
20 sales and use tax is applicable only within the terri-
21 torial limits of the city imposing it and shall be col-
22 lected by all persons required to collect state sales
23 and use taxes. The amount of the sale, for purposes
24 of determining the amount of the local sales and use
25 tax, does not include the amount of the state sales

Page 3

1 and use tax. No sales and use tax permit, other than
2 the state sales and use tax permits, may be required.
3 A local sales and use tax may be imposed either January
4 first or July first following a favorable election.
5 The director of revenue shall administer the provi-
6 sions of a local sales and use tax as nearly as possible
7 in conjunction with the administration of state tax
8 laws. He shall provide appropriate forms, or provide
9 on the regular state tax forms, for reporting local
10 sales and use tax liability.
11 An ordinance imposing a local sales and use tax shall
12 adopt by reference the applicable provisions of the
13 appropriate sections of chapters four hundred twenty-
14 two (422) and four hundred twenty-three (423) of the
15 Code, and all powers of the director to administer the
16 state sales and use tax law are applicable to his
17 administration of a local sales and use tax ordinance.
18 Local officials shall confer with the director of revenue
19 and obtain his assistance in drafting the ordinance

20 imposing a local sales and use tax. A certified copy
21 of the ordinance shall be filed with the director as
22 soon as possible after passage.

23 The director, in consultation with local officials,
24 shall collect and account for a local sales and use
25 tax. The director shall retain for the use of the

Page 4

1 department one percent of all local sales and use tax
2 receipts, to cover administrative expense, and shall
3 credit remaining local sales and use tax receipts to
4 a local sales and use tax fund hereby established in
5 the office of the treasurer of state.

6 The treasurer of state shall remit quarterly to the
7 cities which have imposed a local sales and use tax
8 their share of the balance in the local sales and use
9 tax fund. Local sales and use tax moneys received by
10 a city may be expended for any lawful city purpose."

11 4. By striking from page 24, lines 9 through 25.

12 5. By striking from page 25, lines 1 and 2.

13 6. Renumber sections and correct internal references
14 as necessary in accordance with this amendment.

15 7. Amend the title, page 30, line 22, by inserting
16 after the word "taxes," the words "providing for a local
17 option sales tax".

R. DEAN ARBUCKLE

1 Amend the Senate committee on ways and means amend-
2 ment to House File 654, as amended, passed, and re-
3 printed by the House, filed May 13, 1971, commencing
4 on page 1258 of the Senate Journal, as follows:

5 1. Strike page 22, lines 6 through 25, inclusive,
6 all of page 23, and lines 1 through 6, inclusive,
7 of page 24, and insert in lieu thereof the following
8 new section:

9 Chapter four hundred twenty-two (422), Code 1971,
10 is amended by adding the following new section:

11 "In addition to the other provisions of this
12 chapter, every resident individual shall be entitled
13 to a sales tax credit for each taxable year with
14 respect to himself and each of the persons for whom
15 he is entitled to claim as a personal exemption for
16 purposes of the individual income tax imposed under
17 division two (II) of this chapter, whether or not
18 the resident individual is required to file an
19 individual income tax return or pay the tax.

20 The amount of credit shall be computed in accordance
21 with the following table:

22 If the net income of the
23 resident individual for the
24 taxable year is:

The credit allowed to
resident individual for
himself and for each
person for whom he is

Page 2

1		entitled to claim a
2		personal exemption is:
3	Under \$1,000	\$16.
4	Over \$1,000, but under \$2,000	15.
5	Over \$2,000, but under \$2,500	14.
6	Over \$2,500, but under \$3,000	13.
7	Over \$3,000, but under \$3,500	12.
8	Over \$3,500, but under \$4,000	10.
9	Over \$4,000, but under \$5,000	8.
10	Over \$5,000, but under \$5,500	6.
11	No resident individual shall be eligible to claim	
12	the sales tax credit if the individual has a net	
13	income of over six thousand dollars.	
14	No resident individual shall be eligible to claim	
15	a sales tax credit if the individual has been claimed	
16	as a dependent on another resident individual's income	
17	tax return.	
18	No resident individual may receive more than one	
19	sales tax refund. The sales tax refund must be claimed	
20	by the individual on his income tax return and such	
21	individual must claim the sales tax refund for all	
22	dependents claimed on the return.	
23	No resident individual shall be eligible to claim	
24	a sales tax credit if the individual has filed a joint	
25	federal income tax return and the combined adjusted	

Page 3

1	gross income on the federal income tax return exceeds
2	nine thousand dollars.
3	The amount of the credit provided for in this
4	section shall be allowed as a credit against the
5	individual income tax imposed under this chapter,
6	provided the resident individual claims the credit
7	on his income tax return required to be filed under
8	section four hundred twenty-two point thirteen (422.13)
9	of the Code. If the income tax due a resident in-
10	dividual shown by his tax return is less than the
11	full amount of the credit to which he is entitled
12	under this section, the excess of the credit over
13	the income tax otherwise due shall be refunded to
14	him by the department of revenue.
15	If any resident individual entitled to a credit
16	under this section is not otherwise required by section
17	four hundred twenty-two point thirteen (422.13) of
18	the Code to file an income tax return, the credit
19	to which he is entitled shall be refunded to him upon
20	furnishing the department of revenue with proof, as
21	required by the director of revenue, of his taxable
22	income and the number of his personal exemptions.
23	For the purpose of this section, the term 'resident
24	individual' means a natural person who has resided
25	in the state for the full taxable year. The term

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1 'net income' means net income as defined in section
2 four hundred twenty-two point seven (422.7) of the
3 Code.
4 The department of revenue shall make all rules
5 and regulations with respect to the credits for this
6 section, including the manner and requirements for
7 claiming credit for or refund of the amount thereof
8 in the same manner as state income tax refunds, and
9 in accordance with the provisions of sections four
10 hundred twenty-two point sixteen (422.16) and four
11 hundred twenty-two point sixty-seven (422.67) of the
12 Code."
13 2. Renumber sections and correct internal
14 references as necessary in accordance with this
15 amendment.

MINNETTE DODERER
LEE H. GAUDINEER, JR.
CHARLES P. MILLER
C. JOSEPH COLEMAN
CLOYD E. ROBINSON
GENE V. KENNEDY
JOHN E. TAPSCOTT
GENE W. GLENN
G. WILLIAM GROSS
EUGENE M. HILL
BASS VAN GILST
WILLIAM D. PALMER

1 Amend the Senate committee on ways and means amend-
2 ment to House File 654, as amended, passed, and re-
3 printed by the House, filed May 13, 1971, commencing
4 on page 1258 of the Senate Journal, as follows:
5 1. Strike page 22, lines 6 through 25, inclusive,
6 all of page 23, and lines 1 through 6, inclusive,
7 of page 24, and insert in lieu thereof the following
8 new section:

9 Chapter four hundred twenty-two (422), Code 1971,
10 is amended by adding the following new section:

11 "In addition to the other provisions of this
12 chapter, every resident individual shall be entitled
13 to a sales tax credit for each taxable year with
14 respect to himself and each of the persons for whom
15 he is entitled to claim as a personal exemption for
16 purposes of the individual income tax imposed under
17 division two (II) of this chapter, whether or not
18 the resident individual is required to file an
19 individual income tax return or pay the tax.

20 The amount of credit shall be computed in accordance
21 with the following table:

22 If the net income of the
23 resident individual for the
24 taxable year is:

The credit allowed to
resident individual for
himself and for each
person for whom he is

25

Page 2

1		entitled to claim a
2		personal exemption is:
3	Under \$1,000	\$12.
4	Over \$1,000, but under \$2,000	11.
5	Over \$2,000, but under \$2,500	10.
6	Over \$2,500, but under \$3,000	9.
7	Over \$3,000, but under \$3,500	8.
8	Over \$3,500, but under \$4,000	7.
9	Over \$4,000, but under \$5,000	6.
10	Over \$5,000, but under \$5,500	5.
11	Over \$5,500, but under \$6,000	4.

12 No resident individual shall be eligible to claim
13 the sales tax credit if the individual has a net
14 income of over six thousand dollars.

15 No resident individual shall be eligible to claim
16 a sales tax credit if the individual has been claimed
17 as a dependent on another resident individual's income
18 tax return.

19 No resident individual may receive more than one
20 sales tax refund. The sales tax refund must be claimed
21 by the individual on his income tax return and such
22 individual must claim the sales tax refund for all
23 dependents claimed on the return.

24 No resident individual shall be eligible to claim
25 a sales tax credit if the individual has filed a joint

Page 3

1 federal income tax return and the combined adjusted
2 gross income on the federal income tax return exceeds
3 nine thousand dollars.

4 The amount of the credit provided for in this
5 section shall be allowed as a credit against the
6 individual income tax imposed under this chapter,
7 provided the resident individual claims the credit
8 on his income tax return required to be filed under
9 section four hundred twenty-two point thirteen (422.13)
10 of the Code. If the income tax due a resident in-
11 dividual shown by his tax return is less than the
12 full amount of the credit to which he is entitled
13 under this section, the excess of the credit over
14 the income tax otherwise due shall be refunded to
15 him by the department of revenue.

16 If any resident individual entitled to a credit
17 under this section is not otherwise required by section
18 four hundred twenty-two point thirteen (422.13) of
19 the Code to file an income tax return, the credit
20 to which he is entitled shall be refunded to him upon
21 furnishing the department of revenue with proof, as
22 required by the director of revenue, of his taxable
23 income and the number of his personal exemptions.

24 For the purpose of this section, the term 'resident
25 individual' means a natural person who has resided

Page 4

1 in the state for the full taxable year. The term
2 'net income' means net income as defined in section

3 four hundred twenty-two point seven (422.7) of the
4 Code.

5 The department of revenue shall make all rules
6 and regulations with respect to the credits for this
7 section, including the manner and requirements for
8 claiming credit for or refund of the amount thereof
9 in the same manner as state income tax refunds, and
10 in accordance with the provisions of sections four
11 hundred twenty-two point sixteen (422.16) and four
12 hundred twenty-two point sixty-seven (422.67) of the
13 Code."

14 2. Renumber sections and correct internal
15 references as necessary in accordance with this
16 amendment.

MINNETTE DODERER
JAMES F. SCHABEN
WILLIAM D. PALMER
LEE H. GAUDINEER, JR.
C. JOSEPH COLEMAN
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CLOYD E. ROBINSON
CHARLES P. MILLER
JOHN E. TAPSCOTT
EUGENE M. HILL
G. WILLIAM GROSS

1 Amend the Senate committee on ways and means amendment
2 to House File 654, as amended, passed, and reprinted by
3 the House, filed May 13, 1971, commencing on page 1258 of
4 the Senate Journal, as follows:

5 1. Page 22, line 22, by striking the word "net".

6 2. Page 24, by inserting after the period in line 6
7 the following new paragraph:

8 "For the purposes of this section 'income' includes
9 all income received, regardless of source, including but
10 not limited to wages, salaries, interest and dividends
11 from nontaxable bonds of the state and federal government
12 or any of its municipalities, social security and veter-
13 ans benefits, railroad retirement benefits, income from
14 all pensions and annuities, workmen's compensation bene-
15 fits, cost of living allowances paid to federal employees,
16 allowances received by dependents of servicemen, income
17 from loss of time insurance, and the amount of capital
18 gains excluded from adjusted gross income."

LUCAS J. DeKOSTER

1 Amend the Senate committee on ways and means amendment
2 to House File 654, as amended, passed, and reprinted by
3 the House, filed May 13, 1971, commencing on page 1258
4 of the Senate Journal, page 24, by inserting after line
5 3 the following new paragraph:

6 "If the combined net income of the husband and wife
7 exceeds five thousand dollars, neither the husband or
8 wife shall receive any benefits under the provisions of
9 this section. In computing net income, the net income

10 of the husband and wife shall be added together to deter-
11 mine the appropriate sales tax credit."

ROGER J. SHAFF

1 Amend the Senate ways and means committee amendment filed May
2 13, 1971, to House File 654, page 24, by inserting after the
3 period in line 25, the following:

4 However, the comptroller shall in no event distribute in
5 any year to any city or town an amount in excess of one-half
6 the amount to be collected from property tax levies by that
7 city or town for that year. Any moneys remaining in the munici-
8 pal assistance fund as a result of this limitation, or for any
9 other reason, shall be retained in the fund and be available for
10 distribution the following year."

RALPH W. POTTER

1 Amend the ways and means committee amendment, filed May 13, 1971,
2 to House File 654, page 25, line 2, by inserting after the period the
3 following:

4 Any city or town which receives financial assistance from this
5 fund and has a population of over two thousand shall implement a uni-
form
6 program—performance budgeting and accounting system. The deadline
7 for initiation of a uniform program—performance budgeting and
8 accounting shall be January 1973. As soon as practicable the cities
9 and towns of over two thousand population shall prepare and adopt a
10 tentative budget for a three-year period. The budget for the second
11 and third years may be less detailed than for the next following year.
12 The deadline for completing a program—performance budgeting
13 system shall be January 1975.

JOHN M. WALSH

1 Amend the Senate committee on ways and means amend-
2 ment to House File 654, as amended, passed, and re-
3 printed by the House, filed May 13, 1971, commencing
4 on page 1258 of the Journal of the Senate, as follows:

5 1. Page 25, strike lines 4 through 25, inclusive,
6 and strike lines 1 through 19, inclusive, of page 26,
7 and insert in lieu thereof the following:

8 Section 1. Section four hundred twenty-two point
9 four (422.4), Code 1971, is amended by striking
10 subsection one (1) and inserting in lieu thereof the
11 following:

12 1. The words "net income" mean that portion of
13 a person's base income for a tax year which is
14 allocable under the provisions of section four hundred
15 twenty-two point eight (422.8), of the Code, less
16 the standard exemption allowed by section four hundred
17 twenty-two point nine (422.9) of the Code.

18 Sec. 2. Section four hundred twenty-two point
19 four (422.4), subsections three (3), four (4), seven
20 (7), ten (10), and seventeen (17), Code 1971, are
21 amended as follows:

22 3. The words "income year" mean the calendar year
23 or the fiscal year upon the basis of which the [net]

24 *base* income is computed under this division.

25 4. The words "tax year" mean the calendar year,

Page 2

1 or the fiscal year ending during such calendar year,
2 upon the basis of which the [net] *base* income is computed
3 under this division.

4 7. The word "paid", for the purposes of the
5 deductions under this division, means "paid or accrued"
6 or "paid or incurred", and the terms "paid or incurred"
7 and "paid or accrued" shall be construed according
8 to the method of accounting upon the basis of which
9 the [net] *base* income is computed under this division.
10 The term "received", for the purpose of the computation
11 of [net] *base* income under this division, means "received
12 or accrued", and the term "received or accrued" shall
13 be construed according to the method of accounting
14 upon the basis of which the [net] *base* income is computed
15 under this division.

16 10. The word "individual" means a natural person;
17 and where an individual is permitted to file as a
18 corporation, under the provisions of the Internal
19 Revenue Code of 1954, such fictional status shall
20 not be recognized for purposes of this chapter, and
21 such individual's [taxable] *adjusted gross* income shall
22 be computed as required under the provisions of the
23 Internal Revenue Code of 1954 relating to individuals
24 not filing as a corporation, with the adjustments
25 allowed by this chapter.

Page 3

1 17. "Internal Revenue Code of 1954" means the
2 Internal Revenue Code of 1954, as amended to and
3 including January 1, [1970] 1971, and as further amended
4 by the *Tax Reform Act of 1969*, including provisions
5 therein to be later effective.

6 Sec. 3. Section four hundred twenty-two point
7 five (422.5), Code 1971, is amended by striking the
8 section and inserting in lieu thereof the following:

9 422.5 TAX IMPOSED. A tax is imposed upon every
10 resident of this state, and upon that part of the
11 net income of any nonresident which is derived from
12 any property, trust, or other source within this
13 state, including any business, trade, profession,
14 or occupation carried on within this state, which
15 tax shall be levied, collected, and paid annually
16 upon and with respect to the taxpayer's entire net
17 income at rates as follows:

18 1. On the first one thousand dollars of net income,
19 or any part thereof, one percent.

20 2. On the second thousand dollars of net income,
21 or any part thereof, two percent.

22 3. On the third thousand dollars of net income,
23 or any part thereof, three percent.

24 4. On the fourth and fifth thousand dollars of
25 net income, or any part thereof, four percent.

Page 4

1 5. On the sixth and seventh thousand dollars of
2 net income, or any part thereof, five percent.
3 6. On the eighth and ninth thousand dollars of
4 net income, or any part thereof, six percent.
5 7. On the tenth, eleventh, and twelfth thousand
6 dollars of net income, or any part thereof, seven
7 percent.
8 8. On the thirteenth, fourteenth, and fifteenth
9 thousand dollars of net income, or any part thereof,
10 eight percent.
11 9. On the sixteenth, seventeenth, and eighteenth
12 thousand dollars of net income, or any part thereof,
13 nine percent.
14 10. On the nineteenth, twentieth, and twenty-first
15 thousand dollars of net income, or any part thereof,
16 ten percent.
17 11. On the twenty-second thousand dollars of net
18 income, or any part thereof, eleven percent, and on
19 all net income in excess of twenty-two thousand
20 dollars, eleven percent.
21 However, no tax shall be imposed on any resident
22 or nonresident whose base income, as defined in section
23 four hundred twenty-two point seven (422.7) of the
24 Code, is three thousand dollars or less; but in the
25 event that the payment of tax under this division

Page 5

1 would reduce the base income to less than three
2 thousand dollars, then the tax shall be reduced to
3 that amount which would result in allowing the tax-
4 payer to retain a base income of three thousand
5 dollars. The preceding sentence does not apply to
6 estates or trusts. For the purpose of this paragraph,
7 the entire base income, including any part not
8 allocated to Iowa, shall be taken into account. If
9 the combined base income of a husband and wife exceeds
10 three thousand dollars, neither of them shall receive
11 the benefit of this paragraph, whether they file a
12 joint return or separate returns. An unmarried person
13 under twenty-one years of age who is a dependent of
14 his parent or parents as defined in the Internal
15 Revenue Code of 1954, shall not receive the benefit
16 of this paragraph if the combined base income of his
17 parents exceeds three thousand dollars.

18 The provisions of this division apply to all
19 salaries received by federal officials or employees
20 of the United States government.

21 Sec. 4. Section four hundred twenty-two point
22 six (422.6), Code 1971, is amended as follows:

23 422.6 INCOME FROM ESTATES OR TRUSTS. The tax
24 imposed by section 422.5 shall apply to and become
25 a charge against estates and trusts with respect to

Page 6

1 their [taxable] *net* income, and the rates shall be the
2 same as those applicable to individuals. The fiduciary
3 shall be responsible for making the return of income
4 for the estate or trust for which he acts, whether
5 such income be taxable to the estate or trust or to
6 the beneficiaries thereon.

7 Sec. 5. Section four hundred twenty-two point
8 seven (422.7), unnumbered paragraph one (1), Code
9 1971, is amended as follows:

10 422.7 "[NET] *BASE INCOME*"—HOW COMPUTED. The term
11 "[net] *base income*" means the adjusted gross income
12 as properly computed for federal income tax purposes
13 under the Internal Revenue Code of 1954, with the
14 following adjustments:

15 Sec. 6. Section four hundred twenty-two point
16 seven (422.7), Code 1971, is amended by adding the
17 following new subsections:

18 1. "Add an amount equal to fifty percent of the
19 excess of the net long-term capital gain for the tax
20 year over the net short-term capital loss for such
21 year, to the extent deducted from gross income in
22 the computation of adjusted gross income."

23 2. "Add an amount equal to the amount of tax
24 imposed by this chapter to the extent deducted from
25 gross income in the computation of adjusted gross

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1 income for the tax year."

2 3. "A resident of Iowa who is on active duty in
3 the armed forces of the United States, as defined
4 in the United States Code, title ten (10), section
5 one hundred one (101), for more than six continuous
6 months, shall not include any income received for
7 such service performed after the effective date of
8 this Act, in computing base income."

9 4. "Subtract an amount equal to all amounts
10 included in adjusted gross income which are exempt
11 from taxation by this state, either by reason of its
12 constitution or by reason of the constitution,
13 treaties, or statutes of the United States."

14 Sec. 7. Section four hundred twenty-two point
15 eight (422.8), unnumbered paragraph one (1) and
16 subsections two (2) and three (3), Code 1971, are
17 amended as follows:

18 422.8 ALLOCATION OF INCOME EARNED IN IOWA AND
19 OTHER STATES. Under rules and regulations prescribed
20 by the director, [net] *base income* of individuals,
21 estates and trusts shall be allocated as follows:

22 2. In the case of nonresident taxpayers, if any
23 [net] *base income* is received from a business, trade,
24 profession, or occupation carried on partly within
25 and partly without the state of Iowa, only such portion

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1 of said [net] *base income* as is fairly and equitably
2 attributable to that part of the business, trade,

3 profession, or occupation carried on within the state
4 of Iowa shall be allocated to Iowa; income from any
5 property, trust, estate or other source within Iowa
6 shall be allocated to Iowa, except that annuities,
7 interest on bank deposits and interest-bearing
8 obligations, and dividends shall be allocated to Iowa
9 only to the extent to which the same are derived from
10 a business, trade, profession, or occupation carried
11 on within the state of Iowa.

12 3. [Taxable] *Base* income of resident and nonresident
13 estates and trusts shall be allocated in the same
14 manner as individuals.

15 Sec. 8. Section four hundred twenty-two point
16 nine (422.9), Code 1971, is amended by striking the
17 section and inserting in lieu thereof the following:
18 "In computing net income under this chapter, there
19 shall be allowed as an exemption, the sum of the
20 amounts determined under subsections one (1) and two
21 (2) of this section, multiplied by a fraction, the
22 numerator of which is the amount of the person's base
23 income allocable to this state for the tax year, as
24 determined pursuant to section four hundred twenty-
25 two point eight (422.8) of the Code, and the

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1 denominator of which is the person's total base income
2 for the tax year.

3 1. Each person shall be allowed a basic exemption
4 of one thousand dollars.

5 2. Persons other than fiduciaries shall be allowed
6 an additional amount of one thousand dollars for each
7 exemption in excess of one allowable to such person
8 for the tax year under section one hundred fifty-one
9 (151) of the Internal Revenue Code of 1954.

10 3. If a husband and wife file separate state
11 returns, each must take at least his own basic
12 exemptions of one thousand dollars on his separate
13 return."

14 Sec. 9. Section four hundred twenty-two point
15 twelve (422.12), Code 1971, is repealed.

16 Sec. 10. Section four hundred twenty-two point
17 thirteen (422.13), subsections one (1) and two (2),
18 Code 1971, are amended as follows:

19 1. Every resident of Iowa who is required to file
20 a federal income tax return under the Internal Revenue
21 Code of 1954, or who has a [net] *base* income of one
22 thousand dollars or more for the tax year from sources
23 taxable under this division, shall make [and sign],
24 *sign, and file* a return.

25 2. Every nonresident who is required to file a

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1 federal income tax return under the Internal Revenue
2 Code of 1954 and who has a [net] *base* income of one
3 thousand dollars or more for the tax year from sources
4 taxable under this division, shall make [and sign],
5 *sign, and file* a return.

6 Sec. 11. Section four hundred twenty-two point
7 fourteen (422.14), subsection one (1), Code 1971,
8 is amended as follows:

9 1. Every fiduciary subject to taxation under the
10 provisions of this division, as provided in section
11 422.6, shall make [and sign], *sign and file* a return
12 for the individual, estate or trust for whom or for
13 which he acts, if the [taxable] *base* income thereof
14 amounts to [six hundred] *one thousand* dollars or more.
15 A nonresident fiduciary shall file a copy of the
16 federal income tax return for the current tax year
17 with the return required by this section.

18 Sec. 12. Section four hundred twenty-two point
19 twenty-one (422.21), unnumbered paragraph one (1),
20 Code 1971, is amended as follows:

21 422.21 FORM AND TIME OF RETURN. Returns shall
22 be in such form as the director may, from time to
23 time, prescribe, and shall be filed with the department
24 on or before the last day of the fourth month after
25 the expiration of the tax year. In case of sickness,

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1 absence, or other disability, or whenever good cause
2 exists, the director may allow further time for filing
3 returns. The director shall cause to be prepared
4 blank forms for said returns and shall cause them
5 to be distributed throughout the state and to be
6 furnished upon application, but failure to receive
7 or secure the form shall not relieve the taxpayer
8 from the obligations of making any returns herein
9 required. The department may as far as consistent
10 with the provisions of the Code so draft income tax
11 forms as to conform to the income tax forms of the
12 internal revenue department of the United States
13 government. Each return by a taxpayer upon whom a
14 tax is imposed by [subsection 7 of] section 422.5 shall
15 show the county of the residence of the taxpayer.

16 Sec. 13. Section four hundred twenty-two point
17 thirty-two (422.32), Code 1971, is amended by striking
18 the section and inserting in lieu thereof the
19 following:

20 422.32 DEFINITIONS. As used in this division,
21 unless otherwise required by the context:

22 1. "Corporation" includes joint stock companies,
23 and associations organized for pecuniary profit,
24 except limited partnerships organized under chapter
25 five hundred forty-five (545) of the Code.

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1 2. "Domestic corporation" means any corporation
2 organized under the laws of this state.

3 3. "Foreign corporation" means any corporation
4 other than a domestic corporation.

5 4. "Internal Revenue Code of 1954" means the
6 Internal Revenue Code of 1954, as amended to and
7 including January 1, 1970.

8 5. "Income year" means the calendar year or the
9 fiscal year upon the basis of which the net income
10 is computed under this division.

11 6. "Tax year" means the calendar year, or the
12 fiscal year ending during such calendar year, upon
13 the basis of which the net income is computed under
14 this division.

15 7. "Paid" means "paid or accrued" or "paid or
16 incurred", and "received" means "received or accrued",
17 which shall be construed according to the method of
18 accounting upon the basis of which the net income
19 is computed under this division.

20 8. The terms defined in section four hundred
21 twenty-two point four (422.4), subsections five (5),
22 six (6), eight (8), nine (9), and ten (10) of the
23 Code, shall have the same meanings in this division
24 unless the context clearly indicates a different
25 meaning.

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1 Sec. 14. Chapter for hundred twenty-two (422),
2 Code 1971, is amended by adding the following new
3 section:

4 "The director of revenue shall prepare bills
5 reflecting any amendments to the Code that are
6 necessary because of future amendments to the Internal
7 Revenue Code of 1954. These bills shall be filed
8 with the clerk of the house of representatives and
9 the secretary of the senate and in the name of the
10 committee on ways and means. If the legislature is
11 in session, the bills shall be immediately placed
12 on the calendar in both houses. If the legislature
13 is not in session, the bills shall be a first order
14 of business when the legislature next convenes. The
15 legislature shall commence legislative action on the
16 bills within not more than ten days after the bills
17 are placed on the calendar or designated as a first
18 order of business."

19 Sec. 15. Section one hundred thirty-five D point
20 twenty-two (135D.22), subsection one (1), Code 1971,
21 is amended as follows:

22 1. Multiply the number of square feet of floor
23 space each mobile home contains when parked and in
24 use by ten cents, except that if the owner of a mobile
25 home is sixty-five years of age or older and his [net

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1 [income as defined in section 422.7] *adjusted gross*
2 *income as determined for federal income tax purposes*,
3 plus interest and dividends from federal securities
4 and income from social security and other tax-exempt
5 retirement or pension plans, when included with that
6 of his spouse is less than thirty-five hundred dollars
7 per year, the semiannual tax shall be computed by
8 multiplying the number of square feet of floor space
9 the mobile home contains when parked and in use by

10 seven and one-half cents. In computing floor space
11 the exterior measurements of the mobile home shall
12 be used as shown on the certificate of registration
13 and title, but not including any area occupied by
14 any hitching device.

15 Sec. 16. Section one hundred thirty-five D point
16 twenty-eight (135D.28), unnumbered paragraph one (1),
17 Code 1971, is amended as follows:

18 **135D.28 OWNERS OVER SIXTY-FIVE YEARS OF AGE.**

19 If the owner of a mobile home is sixty-five years
20 of age or older and his [net income as defined in
21 section 422.7] *adjusted gross income as determined*
22 *for federal income tax purposes*, plus interest and
23 dividends from federal securities and income from
24 social security and other tax-exempt retirement or
25 pension plans, when included with that of his spouse

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1 is less than thirty-five hundred dollars per year,
2 the owner may apply for the lower tax rate.

3 Sec. 17. Section four hundred point three (400.3),
4 unnumbered paragraph two (2), Code 1971, is amended
5 as follows:

6 Such plan for group insurance may include insurance
7 coverage for an employee's dependents. The term
8 "dependent" shall have the same meaning as in section
9 [422.12, subsection 3] *152, Internal Revenue Code of*
10 *1954.*

11 Sec. 18. Section four hundred twenty-five point
12 one (425.1), subsection five (5), Code 1971, is amended
13 as follows:

14 5. In addition to the homestead credit of twenty-
15 five mills on twenty-five hundred dollars of assessed
16 valuation allowable under this chapter, in the event
17 the owner, as defined in this chapter, is over sixty-
18 five years of age, or is totally disabled, and provided
19 that his [Iowa net income, as defined in section 422.7]
20 *adjusted gross income as determined for federal income*
21 *tax purposes*, plus interest and dividends from federal
22 securities and income from social security and other
23 tax-exempt retirement or pension plans, when included
24 with that of the spouse, brother, sister, son,
25 daughter, if any, living with the claimant, is less

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1 than three thousand five hundred dollars for the last
2 twelve-month income tax accounting period, there shall
3 be credited by the county auditor on such owner's
4 eligible homestead, an amount equal to but not
5 exceeding the amount calculated as provided in this
6 section.

7 Sec. 19. Section four hundred fifty point four
8 (450.4), subsection five (5), Code 1971, is amended
9 as follows:

10 5. On the value of that portion of installment
11 payments which will be includable [as net income as

12 defined in section 422.7 as] *in adjusted gross income*
13 *as determined for federal income tax purposes*, received
14 by a beneficiary under an annuity which was purchased
15 under an employee's pension or retirement plan.

16 Sec. 20. Sections one (1) through nineteen (19),
17 inclusive, of this amendment shall take effect on
18 July 1, 1971, and shall apply to tax years beginning
19 on or after July 1, 1971.

20 2. Page 27, lines 22 and 23, strike the words
21 and figures "twenty-eight (28), twenty-nine (29).".

22 3. Renumber sections and correct internal
23 references as necessary in accordance with this
24 amendment.

JOHN E. TAPSCOTT
GENE V. KENNEDY
WILLIAM D. PALMER
LEE H. GAUDINEER, JR.
CLOYD E. ROBINSON
GENE W. GLENN
MINNETTE DODERER

1 Amend the Senate committee on ways and means amendment
2 to House File 654, as amended, passed, and reprinted by
3 the House, filed May 13, 1971, commencing on page 1258 of
4 the Senate Journal, as follows:

5 1. Page 26, by striking lines 5 through 19, inclusive.

6 2. Renumber sections and correct internal references
7 as necessary in accordance with this amendment.

ROGER J. SHAFF

1 Amend the Senate committee on ways and means amendment
2 to House File 654, as amended, passed, and reprinted
3 by the House, filed May 13, 1971, commencing on page
4 1258 of the Senate Journal, as follows:

5 1. Page 26, by striking lines 20 through 25, inclu-
6 sive, and page 27, by striking lines 1 through 11,
7 inclusive, and inserting in lieu thereof the following
8 new section:

9 Sec. 30. Section four hundred twenty-two point thirty-
10 three (422.33), Code 1971, is amended by striking
11 subsections one (1) and two (2) and inserting in lieu
12 thereof the following new subsections:

13 1. ALLOCATION OF BUSINESS INCOME. If the trade
14 or business of the taxpayer is carried on entirely
15 within the state, the tax shall be imposed on the entire
16 net income. Any taxpayer having income from business
17 activity which is taxable both within and without this
18 state, other than the rendering of purely personal
19 services by an individual, shall allocate and apportion
20 his net income as provided in this section.

21 2. DEFINITIONS. As used in this section, unless
22 the context otherwise requires:

23 a. "Business income" means income arising from
24 transactions and activity in the regular course of the
25 taxpayer's trade or business and includes income from

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- 1 tangible and intangible property if the acquisition,
- 2 management, and disposition of the property constitute
- 3 integral parts of the taxpayer's regular trade or
- 4 business operations.
- 5 b. "Commercial domicile" means the principal place
- 6 from which the trade or business of the taxpayer is
- 7 directed or managed.
- 8 c. "Compensation" means wages, salaries, commissions,
- 9 and any other form of remuneration paid to employees
- 10 for personal services.
- 11 d. "Nonbusiness income" means all income other than
- 12 business income.
- 13 e. "Sales" means all gross receipts of the taxpayer
- 14 not allocated under subsections four (4) through eight
- 15 (8) of this section.
- 16 f. "State" means any state of the United States,
- 17 the District of Columbia, the Commonwealth of Puerto
- 18 Rico, any territory or possession of the United States,
- 19 and any foreign country or political subdivision thereof.
- 20 3. NONRESIDENT TAXPAYER. For purposes of allocation
- 21 and apportionment of income under this chapter, a
- 22 taxpayer is taxable in another state if:
- 23 a. In that state he is subject to a net income tax,
- 24 a franchise tax measured by net income, a franchise
- 25 tax for the privilege of doing business, or a corporate

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- 1 stock tax; or
- 2 b. That state has jurisdiction to subject the
- 3 taxpayer to a net income tax regardless of whether,
- 4 in fact, the state does or does not.
- 5 4. ALLOCATION OF CERTAIN ITEMS. Rents and royalties
- 6 from real or tangible personal property, capital gains,
- 7 interest, dividends, or patents or copyright royalties,
- 8 to the extent that they constitute nonbusiness income,
- 9 shall be allocated as provided in subsections five (5)
- 10 through eight (8) of this section.
- 11 5. RENTS AND ROYALTIES.
- 12 a. Net rents and royalties from real property located
- 13 in this state are allocable to this state.
- 14 b. Net rents and royalties from tangible personal
- 15 property are allocable to this state:
- 16 (1) If and to the extent that the property is
- 17 utilized in this state; or
- 18 (2) In their entirety if the taxpayer's commercial
- 19 domicile is in this state and the taxpayer is not
- 20 organized under the laws of or taxable in the state
- 21 in which the property is utilized.
- 22 c. The extent of utilization of tangible personal
- 23 property in a state is determined by multiplying the
- 24 rents and royalties by a fraction, the numerator of
- 25 which is the number of days of physical location of

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1 the property in the state during the rental or royalty
2 period in the taxable year and the denominator of which
3 is the number of days of physical location of the
4 property everywhere during all rental or royalty periods
5 in the taxable year. If the physical location of the
6 property during the rental or royalty period is unknown
7 or unascertainable by the taxpayer tangible personal
8 property is utilized in the state in which the property
9 was located at the time the rental or royalty payer
10 obtained possession.

11 6. PROPERTY—CAPITAL GAINS AND LOSSES.

12 a. Capital gains and losses from sales of real
13 property located in this state are allocable to this
14 state.

15 b. Capital gains and losses from sales of tangible
16 personal property are allocable to this state if:

17 (1) The property had a situs in this state at the
18 time of the sale; or

19 (2) The taxpayer's commercial domicile is in this
20 state and the taxpayer is not taxable in the state in
21 which the property had a situs.

22 c. Capital gains and losses from sales of intangible
23 personal property are allocable to this state if the
24 taxpayer's commercial domicile is in this state.

25 7. INTEREST AND DIVIDENDS. Interest and dividends

Page 5

1 are allocable to this state if the taxpayer's commercial
2 domicile is in this state.

3 8. PATENTS AND COPYRIGHTS.

4 a. Patent and copyright royalties are allocable
5 to this state:

6 (1) If and to the extent that the patent or copyright
7 is utilized by the taxpayer in this state; or

8 (2) If and to the extent that the patent or copyright
9 is utilized by the taxpayer in a state in which the
10 taxpayer is not taxable and the taxpayer's commercial
11 domicile is in this state.

12 b. A patent is utilized in a state to the extent
13 that it is employed in production, fabrication,
14 manufacturing, or other processing in the state or to
15 the extent that a patented product is produced in the
16 state. If the basis of receipts from patent royalties
17 does not permit allocation to states or if the accounting
18 procedures do not reflect states of utilization, the
19 patent is utilized in the state in which the taxpayer's
20 commercial domicile is located.

21 c. A copyright is utilized in a state to the extent
22 that printing or other publication originates in the
23 state. If the basis of receipts from copyright royalties
24 does not permit allocation to states or if the accounting
25 procedures do not reflect states of utilization, the

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1 copyright is utilized in the state in which the
2 taxpayer's commercial domicile is located.

3 9. BUSINESS INCOME. All business income shall be
4 apportioned to this state by multiplying the income
5 by a fraction, the numerator of which is the property
6 factor plus the payroll factor plus the sales factor,
7 and the denominator of which is three.

8 10. PROPERTY FACTOR. The property factor is a
9 fraction, the numerator of which is the average value
10 of the taxpayer's real and tangible personal property
11 owned or rented and used in this state during the tax
12 period and the denominator of which is the average value
13 of all the taxpayer's real and tangible personal property
14 owned or rented and used during the tax period.

15 11. PROPERTY OWNED AND RENTED. Property owned by
16 the taxpayer is valued at its original cost. Property
17 rented by the taxpayer is valued at eight times the
18 net annual rental rate. Net annual rental rate is the
19 annual rental rate paid by the taxpayer less any annual
20 rental rate received by the taxpayer from subrentals.

21 12. AVERAGE VALUE OF PROPERTY. The average value
22 of property shall be determined by averaging the values
23 at the beginning and ending of the tax period but the
24 director of revenue may require the averaging of monthly
25 values during the tax period if reasonably required

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1 to reflect properly the average value of the taxpayer's
2 property.

3 13. PAYROLL FACTOR. The payroll factor is a
4 fraction, the numerator of which is the total amount
5 paid in this state during the tax period by the taxpayer
6 for compensation, and the denominator of which is the
7 total compensation paid everywhere during the tax period.

8 14. COMPENSATION. Compensation is paid in this
9 state if:

10 a. The individual's service is performed entirely
11 within the state; or

12 b. The individual's service is performed both within
13 and without the state, but the service performed without
14 the state is incidental to the individual's service
15 within the state; or

16 c. Some of the service is performed in the state
17 and:

18 (1) The base of operations or, if there is no base
19 of operations, the place from which the service is
20 directed or controlled is in the state; or

21 (2) The base of operations or the place from which
22 the service is directly or controlled is not in any
23 state in which some part of the service is performed,
24 but the individual's residence is in this state.

25 15. SALES FACTOR. The sales factor is a fraction,

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1 the numerator of which is the total sales of the taxpayer
2 in this state during the tax period, and the denominator
3 of which is the total sales of the taxpayer everywhere
4 during the tax period.

5 **16. LOCAL SALES OF TANGIBLE PERSONAL PROPERTY.**

6 Sales of tangible personal property are in this state
7 if:

8 a. The property is delivered or shipped to a
9 purchaser, other than the United States government,
10 within this state regardless of the f.o.b. point or
11 other conditions of the sale; or

12 b. The property is shipped from an office, store,
13 warehouse, factory, or other place of storage in this
14 state and:

15 (1) The purchaser is the United States government;
16 or

17 (2) The taxpayer is not taxable in the state of
18 the purchaser.

19 **17. OTHER SALES.** Sales, other than sales of tangible
20 personal property, are in this state if:

21 (a) The income-producing activity is performed in
22 this state; or

23 (b) The income-producing activity is performed both
24 in and outside this state and a greater proportion of
25 the income-producing activity is performed in this state

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1 than in any other state, based on costs of performance.

2 **18. ADDITIONAL METHODS OF DETERMINING BUSINESS
SITUS.**

3 If the allocation and apportionment provisions of this
4 section do not fairly represent the extent of the
5 taxpayer's business activity in this state, the taxpayer
6 may petition for or the director of revenue may require,
7 in respect to all or any part of the taxpayer's business
8 activity, if reasonable:

9 (a) Separate accounting except to a unitary business;

10 (b) The exclusion of any one or more of the factors;

11 (c) The inclusion of one or more additional factors

12 which will fairly represent the taxpayer's business
13 activity in this state; or

14 (d) The employment of any other method to effectuate
15 an equitable allocation and apportionment of the
16 taxpayer's income.

17 2. Page 30, line 25, by striking the word "that"
18 and page 31, line 1, by striking the words "the
19 corporation income tax rates are retroactive" and
20 inserting in lieu thereof the words "for a three-factor
21 formula for the allocation of corporate income for tax
22 purposes".

EUGENE M. HILL

1 Amend the ways and means committee amendment to
2 House File 654, page 27, lines 22 and 23, by striking the
3 words and figure "section twenty-eight (28)," and by in-

- 4 serting in lieu thereof the words and figures "section
5 twenty-eight (28) shall be effective for all taxable in-
6 come earned from and after July 1, 1972 and sections".

LEE H. GAUDINEER, JR.

On motion of Senator Lamborn, the Senate adjourned until 8:30 a.m., Tuesday, May 18, 1971.

JOURNAL OF THE SENATE

ONE HUNDRED TWENTY-EIGHTH DAY

SENATE CHAMBER

DES MOINES, IOWA, TUESDAY, MAY 18, 1971

The Senate met in regular session, Senator Potgeter presiding.

Prayer was offered by the Reverend Lloyd Gross, pastor of the Peace Reformed Church, Garner, Iowa.

The Senate pledged allegiance to the flag.

The Journal of Monday, May 17, 1971, was approved.

PRESENTATION OF VISITORS

The Chair announced that the following visitors were present in the Senate gallery:

Eighty students from Interstate 35 Community School, St. Charles, Iowa, accompanied by their instructor, Carl Sheets.

Nine students from Smouse Opportunity School, Des Moines, Iowa.

Thirteen students from Minden Community School, Minden, Iowa, accompanied by their instructor, Mrs. Dixie Felton.

Six students from Seventh Day Adventist School, Burlington, Iowa, accompanied by their instructor, W. G. Lamén.

Twenty-nine students from Keota-Harper Catholic School, Keota, Iowa, accompanied by Sister Mary Edgar and Mrs. Lucas.

Twenty-four students from Meeker Elementary School, Ames, Iowa, accompanied by their instructors, Miss Ruth Thalker, Mrs. Carlson and Mrs. Ellingson.

PETITIONS

The following petitions were presented and placed on file:

By Senator Van Drie, from eighty-nine residents of Story and Marshall Counties urging wage adjustments for merit plan employees and continued support for Iowa Highway Commission longevity pay for their employees.

By Senator Nicholson, from sixty-two residents of Scott County opposing the use of any public funds to provide financial or material support of any private school.

By Senator Anderson, from one hundred sixty-three students of Graceland College, Lamoni, Decatur County, Iowa, favoring an increase in funding of the Iowa Tuition Grant Program.

UNFINISHED BUSINESS

SPECIAL ORDER CONTINUED

House File 654

The Senate resumed consideration of House File 654, a bill for an act relating to state aid for schools, school district property taxes, imposing a school district income tax, providing administration by the director of revenue, adopting provisions relating to the state individual income tax, relating to the corporate income tax, and providing aid to cities, towns and counties from sales tax receipts, and Division 2 of the amendment by the committee on ways and means.

Action on Division 2 was deferred, and Division 5 of the committee amendment was taken up for consideration.

DIVISION 5

3 Sec. 28. Section four hundred twenty-two point five
4 (422.5), Code 1971, is amended by striking subsections
5 five (5), six (6), and seven (7), and inserting in lieu
6 thereof the following:
7

8 5. On the fifth thousand dollars of taxable income,
9 or any part thereof, three and three-quarters percent.

10 6. On the sixth thousand dollars of taxable income,
11 or any part thereof, four and one-quarter percent.

12 7. On the seventh thousand dollars of taxable income,
13 or any part thereof, five percent.

14 8. On the eighth thousand dollars of taxable income,
15 or any part thereof, five and three-quarters percent.

16 9. On the ninth thousand dollars of taxable income,
17 or any part thereof, six and one-half percent.

18 10. On the tenth thousand dollars of taxable income,
19 or any part thereof, seven percent.

20 11. On the eleventh and twelfth thousand dollars
21 of taxable income, or any part thereof, seven and one-
22 half percent.

23 12. On the thirteenth and fourteenth thousand dollars
24 of taxable income, or any part thereof, eight and one-
25 half percent.

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1 13. On the fifteenth and sixteenth thousand dollars
2 of taxable income, or any part thereof, nine percent.

3 14. On all taxable income over sixteen thousand

4 dollars, nine and one-half percent.

5 Sec. 29. Section four hundred twenty-two point nine
6 (422.9), subsection two (2), paragraph "b", Code 1971,
7 is amended as follows:

8 b. Add the amount of federal income taxes paid or
9 accrued as the case may be, during the tax year, adjusted
10 by any federal income tax refunds *and limited to twenty*
11 *percent of the taxpayer's net income*. Provided, however,
12 that where married persons, who have filed a joint
13 federal income tax return, file separately, such total
14 shall be divided between them according to the portion
15 thereof paid or accrued, as the case may be, by each;
16 and provided further that where a taxpayer has used
17 an optional standard deduction on his federal return,
18 he shall use the optional standard deduction provided
19 for above.

20 Sec. 30. Section four hundred twenty-two point
21 thirty-three (422.33), unnumbered paragraph one (1),
22 Code 1971, is amended as follows:

23 A tax is hereby imposed upon each corporation
24 organized under the laws of this state, and upon every
25 foreign corporation doing business in this state,

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1 annually in an amount computed by applying the following
2 rates of taxation to the net income received by the
3 corporation during the income year:

4 On the first twenty-five thousand dollars of taxable
5 income, or any part thereof, the rate of [four] *five*
6 percent.

7 On taxable income between twenty-five thousand dollars
8 and one hundred thousand dollars or any part thereof,
9 the rate of [six] *seven* percent.

10 On taxable income of one hundred thousand dollars
11 or more, the rate of [eight] *nine* percent.

12 Sec. 31. Section four hundred twenty-two point
13 sixty-nine (422.69), Code 1971, is amended by striking
14 subsection two (2).

15 Sec. 32. Section four hundred twenty-two point
16 seventy-eight (422.78), Code 1971, is repealed.

17 Sec. 33. The provisions of section thirty (30) of
18 this Act shall be effective January 1, 1971, for all
19 taxable years commencing on or after January 1, 1971,
20 and to this extent section thirty (30) of this Act is
21 retroactive.

22 Sec. 34. The provisions of sections twenty-eight
23 (28), twenty-nine (29), thirty-one (31), and thirty-
24 two (32) of this Act shall be effective January 1, 1972.

Senator Shaff offered the following amendment to Division 5 filed
by him on May 14 and moved its adoption:

1 Amend the Senate committee on ways and means amendment
2 to House File 654, as amended, passed, and reprinted by
3 the House, filed May 13, 1971, commencing on page 1258
4 of the Senate Journal, as follows:

5 1. Page 25, by striking lines 4 through 25, inclusive,

- 6 and inserting in lieu thereof the following:
 7 "Sec. 28. Section four hundred twenty-two point
 8 five (422.5), Code 1971, is amended by striking subsec-
 9 tions four (4) through seven (7), inclusive, and inserting
 10 in lieu thereof the following:
 11 4. On the fourth thousand dollars of taxable income,
 12 or any part thereof, three and one-quarter percent.
 13 5. On the fifth, sixth, and seventh thousand dollars
 14 of taxable income, or any part thereof, four and six-
 15 tenths percent.
 16 6. On the eighth and ninth thousand dollars of tax-
 17 able income, or any part thereof, six percent.
 18 7. On all taxable income over nine thousand dollars
 19 and not exceeding twenty-five thousand dollars, seven
 20 percent.
 21 8. On all taxable income over twenty-five thousand
 22 dollars and not exceeding fifty thousand dollars, eight
 23 percent.
 24 9. On all taxable income over fifty thousand dollars,
 25 nine percent."

Page 2

- 1 2. Page 26, by striking lines 1 through 4, inclusive.

Roll call was requested.

On the question "Shall the Shaff amendment filed May 14 to Division 5 be adopted?" (H.F. 654) the vote was:

Ayes, 28:

Anderson	Davis	Mowry	Riley
Balloun	Erschine	Nicholson	Shaff
Briles	Graham	Ollenburg	Shawver
Brownlee	Griffin	Potgeter	Smith
Coleman	Keith	Potter	Stephens
Conklin	Lamborn	Rabedaux	Van Gilst
Curran	Milligan	Rhodes	Walsh

Nays, 18:

Arbuckle	Gilley	Messerly	Schaben
Bass	Glenn	Miller	Tapscott
Carlson	Gross	Palmer	Thordsen
Doderer	Hill	Robinson	Van Drie
Gaudineer	Kennedy		

Absent or not voting, 4:

DeKoster	Kyhl	Laverty	Neu
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The amendment to Division 5 was adopted.

Senator Shaff offered the following amendment to Division 5 filed by him on May 17 and moved its adoption:

- 1 Amend the Senate committee on ways and means amendment
- 2 to House File 654, as amended, passed, and reprinted by
- 3 the House, filed May 13, 1971, commencing on page 1258 of
- 4 the Senate Journal, as follows:

- 5 1. Page 26, by striking lines 5 through 19, inclusive.
- 6 2. Renumber sections and correct internal references
- 7 as necessary in accordance with this amendment.

Roll call was requested.

On the question "Shall the Shaff amendment filed May 17 to Division 5 be adopted?" (H.F. 654) the vote was:

Ayes, 31:

Balloun	Erskine	Mowry	Shaff
Bass	Graham	Nicholson	Shawver
Brownlee	Griffin	Ollenburg	Smith
Carlson	Keith	Potgeter	Stephens
Coleman	Lamborn	Potter	Thordsen
Conklin	Lavery	Rabedeaux	Van Drie
Davis	Messerly	Rhodes	Walsh
DeKoster	Milligan	Riley	

Nays, 16:

Arbuckle	Gilley	Kennedy	Robinson
Briles	Glenn	Miller	Schaben
Doderer	Gross	Neu	Tapscott
Gaudineer	Hill	Palmer	Van Gilst

Absent or not voting, 3:

Anderson	Curran	Kyhl
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The amendment to Division 5 was adopted.

Senator Shaff withdrew the amendment to page 27 of Division 5 filed May 14, 1971, and found on page 1295 of the Senate Journal.

Senator Shaff offered the following amendment to Division 5 and moved its adoption:

- 1 Amend the Senate committee on ways and means amendment
- 2 to House File 654, as amended, passed, and reprinted by
- 3 the House, filed May 13, 1971, commencing on page 1258
- 4 of the Senate Journal, as follows:
- 5 1. Page 27, by inserting after line 11 the following
- 6 new section:
- 7 "Section four hundred twenty-two point thirty-three
- 8 (422.33), subsection one (1), paragraph 'b', unnumbered
- 9 paragraph four (4) is amended as follows:
- 10 The gross sales of the corporation within the state
- 11 shall be taken to be the gross sales from goods [sold and]
- 12 delivered within the state, excluding deliveries for
- 13 transportation out of the state."
- 14 2. Renumber sections and correct internal references
- 15 as necessary in accordance with this amendment.

The amendment to Division 5 was adopted.

Senator Tapscott offered the amendment to Division 5 filed by Senators Tapscott, et al., and found on pages 1325-1333, inclusive, of the Senate Journal.

President Jepsen took the chair at 11:15 a.m.

Senator Tapscott moved the adoption of the amendment to Division 5 and requested a roll call.

On the question "Shall the Tapscott, et al., amendment to Division 5 be adopted?" (H.F. 654) the vote was:

Ayes, 13:

Coleman	Gross	Miller	Schaben
Doderer	Hill	Palmer	Tapscott
Gaudineer	Kennedy	Robinson	Van Gilst
Glenn			

Nays, 36:

Anderson	Davis	Messerly	Rhodes
Arbuckle	DeKoster	Milligan	Riley
Balloun	Erskine	Mowry	Shaff
Bass	Gilley	Neu	Shawver
Briles	Graham	Nicholson	Smith
Brownlee	Griffin	Ollenburg	Stephens
Carlson	Keith	Potgeter	Thordsen
Conklin	Lamborn	Potter	Van Drie
Curran	Lavery	Rabedaux	Walsh

Absent or not voting, 1:

Kyhl

The amendment to Division 5 lost.

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

The Senate resumed session, President Jepsen presiding.

SPECIAL ORDER CONTINUED

House File 654

Senator Hill offered the amendment to Divisions 5 and 7 filed by him on May 17 and found on pages 1332-1336, inclusive, of the Senate Journal.

Senator Hill called for a division of his amendment, all of pages 1 through 8, and page 9, lines 1 through 16, to be considered as division 1; and lines 17 through 22 on page 9 to be considered as division 2.

Senator Miller took the chair at 11:50 a.m.

President Jepsen took the chair at 12:00 o'clock noon.

MOTION TO RECONSIDER WITHDRAWN

Senator Walsh asked and received unanimous consent to with-

draw the following motion to reconsider filed by him on May 13, 1971:

MR. PRESIDENT: I move to reconsider the vote by which Senate File 510 passed the Senate.

JOHN M. WALSH

On motion of Senator Lamborn, the Senate recessed until 1:15 p.m.

AFTERNOON SESSION

The Senate reconvened, Senator Neu presiding.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has amended Senate amendment to, concurred in Senate amendment as amended, and repassed the following bill in which the concurrence of the House was asked:

House File 14, a bill for an act relating to leasing of property by the state conservation commission.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 684, a bill for an act relating to enforcement of the motor fuel tax laws.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 402, a bill for an act relating to benefits under the peace officers' retirement system.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 433, a bill for an act to provide for annual validation of motor vehicle registration plates.

WILLIAM R. KENDRICK, Chief Clerk

HOUSE AMENDMENT TO SENATE AMENDMENT TO HOUSE FILE 14

- 1 Amend the Senate amendment to House File 14, line 14,
- 2 by inserting after the comma the words "*with the*
- 3 *exception of agricultural lands specifically dealt with*
- 4 *in Article I, Section 24 of the Constitution of Iowa*,".

INTRODUCTION OF BILLS

Senate File 542, by committee on appropriations, a bill for an act making an appropriation from the general fund of the state of Iowa to the department of public defense for various capital improve-

ments, repairs, replacements, alterations, equipment and rehabilitation purposes.

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

Senate File 543, by committee on appropriations, a bill for an act to appropriate from the general fund of the state for capital improvements for institutions under the department of social services, including construction of new buildings, repairs, improvements, replacements, or alterations.

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

Senate File 544, by committee on appropriations, a bill for an act making an appropriation from the general fund of the state to the commission on alcoholism.

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

Senate File 545, by committee on appropriations, a bill for an act to appropriate from the general fund of the state for capital improvements for physical plant and facilities and for the discharge of duties by the superintendent of public buildings and grounds.

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

HOUSE MESSAGE CONSIDERED

House File 684, a bill for an act relating to enforcement of the motor fuel tax laws.

Read first time and **passed on file.**

SPECIAL ORDER CONTINUED

House File 654

The Senate resumed consideration of division 1 of the Hill amendment to Division 5.

Senator Hill moved the adoption of division 1 of his amendment and requested a roll call.

On the question "Shall division 1 of the Hill amendment be adopted?" (H.F. 654) the vote was:

Ayes, 14:

Coleman
Doderer
Gaudineer
Glenn

Gross
Hill
Kennedy
Miller

Neu
Palmer
Robinson

Schaben
Tapscott
Van Gilst

Nays, 31:

Anderson	DeKoster	Milligan	Shaff
Arbuckle	Erskine	Mowry	Shawver
Bass	Gilley	Nicholson	Smith
Briles	Graham	Ollenburg	Stephens
Carlson	Griffin	Potgeter	Thorsen
Conklin	Keith	Potter	Van Drie
Curran	Lamborn	Rhodes	Walsh
Davis	Messerly	Riley	

Absent or not voting, 5:

Balloun	Kyhl	Laverty	Rabedeaux
Brownlee			

Division 1 of the amendment lost.

Action on division 2 of the Hill amendment was deferred.

Senator Gaudineer offered the following amendment to Division 5:

- 1 Amend the Senate committee on ways and means amend-
- 2 ment to House File 654, as amended, passed, and re-
- 3 printed by the House, filed May 13, 1971, commencing
- 4 on page 1258 of the Senate Journal, as follows:
- 5 1. Strike page 25, lines 4 through 25, inclusive,
- 6 and lines 1 through 19, inclusive, of page 26, and
- 7 insert in lieu thereof the following:
- 8 Sec. 28. Section four hundred twenty-two point five
- 9 (422.5), Code 1971, is amended by striking subsections
- 10 three (3) through seven (7), inclusive, and inserting
- 11 in lieu thereof the following:
- 12 3. On the third thousand dollars of taxable income,
- 13 or any part thereof, two and one-half percent.
- 14 4. On the fourth thousand dollars of taxable income,
- 15 or any part thereof, four percent.
- 16 5. On the fifth and sixth thousand dollars of tax-
- 17 able income, or any part thereof, five percent.
- 18 6. On the seventh and eighth thousand dollars of
- 19 taxable income, or any part thereof, six percent.
- 20 7. On the ninth and tenth thousand dollars of tax-
- 21 able income, or any part thereof, seven percent.
- 22 8. On the eleventh and twelfth thousand dollars
- 23 of taxable income, or any part thereof, eight percent.
- 24 9. On the thirteenth and fourteenth thousand dollars
- 25 of taxable income, or any part thereof, nine percent.

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- 1 10. On the fifteenth and sixteenth thousand dollars
- 2 of taxable income, or any part thereof, ten percent.
- 3 11. On the seventeenth and eighteenth thousand dol-
- 4 lars of taxable income, or any part thereof, eleven
- 5 percent.
- 6 12. On the nineteenth and twentieth thousand dol-
- 7 lars of taxable income, or any part thereof, twelve
- 8 percent.
- 9 13. On all taxable income over twenty thousand dol-
- 10 lars, thirteen percent.

11 Sec. 29. Section four hundred twenty-two point
12 sixty-nine (422.69), subsection two (2), Code 1971,
13 is amended by striking the subsection and inserting
14 in lieu thereof the following:

15 2. A "moneys and credits tax replacement fund" is
16 created in the office of the treasurer of state. An-
17 nually on December thirty-first the treasurer of state
18 shall transfer four million dollars of moneys credited
19 to the general fund under this section to the moneys
20 and credits tax replacement fund.

21 2. Page 27, line 24, strike the word and figures
22 "January 1, 1972" and insert in lieu thereof the word
23 and figures "July 1, 1971".

24 3. Renumber the remaining sections and correct in-
25 ternal references as necessary in accordance with this

Page 3

1 amendment.

Senator Gaudineer moved the adoption of his amendment to Division 5 and requested a roll call.

On the question "Shall the Gaudineer amendment to pages 25, 26 and 27, Division 5, be adopted?" (H.F. 654) the vote was:

Ayes, 17:

Arbuckle	Gaudineer	Kennedy	Robinson
Carlson	Glenn	Miller	Schaben
Coleman	Gross	Neu	Tapscott
DeKoster	Hill	Palmer	Van Gilst
Doderer			

Nays, 28:

Anderson	Gilley	Mowry	Shaff
Balloun	Graham	Nicholson	Shawver
Bass	Griffin	Ollenberg	Smith
Briles	Keith	Potgeter	Stephens
Conklin	Lamborn	Potter	Thordsen
Davis	Messerly	Rhodes	Van Drie
Erskine	Milligan	Riley	Walsh

Absent or not voting, 5:

Brownlee	Kyhl	Laverty	Rabedaux
Curran			

The amendment to Division 5 lost.

Senator Gaudineer offered the following amendment to Division 5:

1 Amend the ways and means committee amendment to House
2 File 654, page 26, by numbering properly and inserting after
3 line 4 the following new section:

4 "Sec. Section four hundred twenty-two point sixty-
5 nine (422.69), subsection two (2), Code 1971, is amended by
6 striking the subsection and inserting in lieu thereof the
7 following:

8 "A moneys and credits tax replacement fund is hereby
9 created in the office of the treasurer of state. Annually,

10 on December 31st, the treasurer of state shall transfer
 11 four million dollars (\$4,000,000.00) of moneys credited to
 12 the general fund under this section to the moneys and credits
 13 tax replacement fund.”.

Senator Gaudineer moved the adoption of his amendment to Division 5 and requested a roll call.

On the question “Shall the Gaudineer amendment to page 26, Division 5 be adopted?” (H.F. 654) the vote was:

Rule 24 was invoked.

Ayes, 20:

Arbuckle	DeKoster	Gross	Riley
Carlson	Doderer	Hill	Robinson
Coleman	Gaudineer	Kennedy	Schaben
Conklin	Glenn	Miller	Tapscott
Davis	Griffin	Palmer	Van Gilst

Nays, 29:

Anderson	Graham	Neu	Shaff
Balloun	Keith	Nicholson	Shawver
Bass	Lamborn	Ollenburg	Smith
Briles	Laverty	Potgeter	Stephens
Brownlee	Messerly	Potter	Thordsen
Curran	Milligan	Rabedeaux	Van Drie
Erskine	Mowry	Rhodes	Walsh
Gilley			

Absent or not voting, 1:

Kyhl

The amendment to Division 5 lost.

Senator Gaudineer offered the following amendment to Division 5 filed by him on May 17:

1 Amend the ways and means committee amendment to
 2 House File 654, page 27, lines 22 and 23, by striking the
 3 words and figure “section twenty-eight (28),” and by in-
 4 serting in lieu thereof the words and figures “section
 5 twenty-eight (28) shall be effective for all taxable in-
 6 come earned from and after July 1, 1972 and sections”.

Senator Gaudineer moved the adoption of his amendment to Division 5 and called for a division.

The amendment to Division 5 lost.

Senator Gaudineer offered the following amendment to Division 5:

1 Amend the Senate committee on ways and means amendment
 2 to House File 654, as amended, passed, and reprinted
 3 by the House, filed May 13, 1971, commencing on page
 4 1258 of the Journal of the Senate, as follows:
 5 1. Page 25, strike lines 4 through 25, inclusive,
 6 and strike lines 1 through 19, inclusive, on page 26,

7 and insert in lieu thereof the following:

8 Sec. 28. Section four hundred twenty-two point four
9 (422.4), Code 1971, is amended by striking subsection
10 one (1) and inserting in lieu thereof the following:

11 1. "Adjusted federal income tax due" means the amount
12 of income tax that would have been due the United States
13 if computed pursuant to the Internal Revenue Code of
14 1954, with all deductions and exemptions allowed by
15 the Internal Revenue Code of 1954, and including any
16 surtax imposed by the Internal Revenue Code of 1954,
17 all except as adjusted by section four hundred twenty-
18 two point seven (422.7) of the Code.

19 Sec. 29. Section four hundred twenty-two point four
20 (422.4), subsections four (4), seven (7), eight (8),
21 ten (10), and seventeen (17), Code 1971, are amended
22 as follows:

23 4. The words "tax year" mean the calendar year,
24 or the fiscal year ending during such calendar year,
25 upon the basis of which the [net] *adjusted gross income*

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1 is computed under this division.

2 7. The word "paid", for the purposes of the deduc-
3 tions under this division, means "paid or accrued" or
4 "paid or incurred", and the terms "paid or incurred"
5 and "paid or accrued" shall be construed according to
6 the method of accounting upon the basis of which the
7 net income is computed under this division. The term
8 "received", for the purpose of the computation of net
9 income under this division, means "received or accrued",
10 and the term "received or accrued" shall be construed
11 according to the method of accounting upon the basis
12 of which the net income is computed under this division.
13 *This subsection does not apply to individuals and*
14 *fiduciaries.*

15 8. The word "resident" applies only to individuals
16 and includes, for the purpose of determining liability
17 to the tax imposed by this division upon or with refer-
18 ence to the [income of] *adjusted federal income tax due*
19 *for any tax year*, any individual domiciled in the state,
20 and any other individual who maintains a permanent place
21 of abode within the state.

22 10. The word "individual" means a natural person;
23 and where an individual is permitted to file as a corpo-
24 ration, under the provisions of the Internal Revenue
25 Code of 1954, such fictional status shall not be recog-

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1 nized for purposes of this chapter, and such individual's
2 [taxable] *adjusted gross income* shall be computed as
3 required under the provisions of the Internal Revenue
4 Code of 1954 relating to individuals not filing as a
5 corporation, with the adjustments allowed by this chap-
6 ter.

7 17. "Internal Revenue Code of 1954" means the Inter-

8 nal Revenue Code of 1954, as amended to and including
9 January 1, [1970] 1971, and as further amended by the
10 Tax Reform Act of 1969 and subject to provisions therein
11 to be later effective, and as adopted by the general
12 assembly as herein provided.

13 Sec. 30. Section four hundred twenty-two point four
14 (422.4), Code 1971, is amended by striking subsection
15 eleven (11) and renumbering the remaining subsections.

16 Sec. 31. Section four hundred twenty-two point five
17 (422.5), Code 1971, is amended by striking unnumbered
18 paragraph one (1) and subsections one (1) through seven
19 (7), and inserting in lieu thereof the following:

20 A tax is hereby imposed upon every resident of the
21 state, and upon every nonresident or fiduciary having
22 income which is derived from any property, trust, or
23 other source within this state, including any business,
24 trade, profession, or occupation carried on within this
25 state. This tax shall be levied, collected, and paid

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1 annually. The amount of this tax shall be measured
2 by thirteen percent of the adjusted federal income tax
3 due from the individual or fiduciary for the tax year,
4 as adjusted by the allocation provisions of section
5 four hundred twenty-two point eight (422.8) of the Code.
6 However, if the resident, nonresident, or fiduciary
7 has adjusted gross income as determined pursuant to
8 the provisions of section four hundred twenty-two point
9 seven (422.7) of the Code, in the following amounts,
10 he shall pay the indicated percentage of adjusted federal
11 income tax due in place of the percentage set forth
12 above in this section:

13 1. Adjusted gross income of more than three thousand
14 dollars and not more than four thousand dollars, ten
15 percent of adjusted federal income tax due.

16 2. Adjusted gross income of one hundred thousand
17 dollars or more, fifteen percent of adjusted federal
18 income tax due.

19 Sec. 32. Section four hundred twenty-two point six
20 (422.6), Code 1971, is amended as follows:

21 422.6 INCOME FROM ESTATES OR TRUSTS. The tax imposed
22 by section 422.5 shall apply to and become a charge
23 against estates and trusts with respect to their [taxable
24 income] *adjusted federal income tax due*, and the rates
25 shall be the same as those applicable to individuals.

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1 The fiduciary shall be responsible for making the return
2 of income for the estate or trust for which he acts,
3 whether such income be taxable to the estate or trust
4 or to the beneficiaries thereon.

5 Sec. 33. Section four hundred twenty-two point seven
6 (422.7), Code 1971, is amended by striking unnumbered
7 paragraph one (1) and inserting in lieu thereof the
8 following:

9 In determining adjusted federal income tax due, the
10 following adjustments shall be made to the adjusted
11 gross income as properly determined for federal income
12 tax purposes pursuant to the Internal Revenue Code of
13 1954:

14 Sec. 34. Section four hundred twenty-two point eight
15 (422.8), unnumbered paragraph one (1), Code 1971, is
16 amended as follows:

17 Under rules and regulations prescribed by the direc-
18 tor, [net] *adjusted gross* income of individuals, estates
19 and trusts shall be allocated as follows:

20 Sec. 35. Section four hundred twenty-two point thir-
21 teen (422.13), Code 1971, is amended by striking subsec-
22 tions one (1) and two (2) and inserting in lieu thereof
23 the following new subsection, and by renumbering the
24 remaining subsections:

25 1. A return shall be made, signed, and filed by

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1 every resident of Iowa who is required to file a federal
2 income tax return under the Internal Revenue Code of
3 1954, and by every nonresident or fiduciary who is
4 required to file a federal income tax return under the
5 Internal Revenue Code of 1954 and who has income earned
6 in Iowa or derived from the sources referred to in
7 section four hundred twenty-two point five (422.5) of
8 the Code.

9 Sec. 36. Section four hundred twenty-two point
10 thirteen (422.13), subsection four (4), Code 1971, is
11 amended as follows:

12 4. A *resident or nonresident taxpayer* shall file
13 a copy of his federal income tax return for the current
14 tax year with the return required by this section.

15 Sec. 37. Chapter four hundred twenty-two (422),
16 division three (III), is amended by adding the following
17 new sections:

18 1. "The director of revenue is hereby directed to
19 prepare bills reflecting any necessary amendments or
20 additions to the Code that are necessary because of
21 future amendments to the Internal Revenue Code of 1954,
22 or the Tax Reform Act of 1969. These bills are to be
23 filed with the clerk of the house of representatives
24 and the secretary of the senate, in the name of the
25 ways and means committee. If the legislature is in

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1 session, the bills shall be immediately placed on the
2 calendar in both houses. If the legislature is not
3 in session, the bills shall be a first order of business
4 when the legislature next convenes. The legislature
5 shall commence legislative action of the bills within
6 not more than ten days after the bills are placed on
7 the calendar or designated as a first order of business."

8 2. "The following rules shall apply regarding the
9 filing of returns by married taxpayers:

10 1. If the federal income tax liability of husband
11 or wife is determined on separate federal returns, their
12 tax liabilities imposed by this division shall be
13 separately determined.

14 2. If the federal income tax liability of husband
15 and wife is determined on a joint federal return, their
16 tax liability imposed by this division shall be
17 determined on the basis of their joint federal tax
18 liability.

19 3. If a joint return is made, the liability of
20 husband and wife with respect to the tax payable under
21 this division shall be joint and several."

22 3. "If a person's federal income tax liability is
23 changed as a result of an amended return, adjustments
24 made to the return, or an audit by the federal
25 government, an Iowa return shall be made, signed, and

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1 filed indicating the corrected Iowa income tax liability.
2 If additional Iowa income tax is due, it shall be paid
3 or, if the Iowa income tax is reduced, a refund may
4 be claimed."

5 4. "For any tax year, the adjusted gross income
6 of a part-year resident is the sum of:

7 1. All adjusted gross income earned or received
8 during the period of taxpayer's residency in the
9 state.

10 2. All adjusted gross income allocable to Iowa pur-
11 suant to section four hundred twenty-two point eight
12 (422.8) of the Code, earned or received by the taxpayer
13 during the period of the taxpayer's nonresidency in
14 this state."

15 Sec. 38. Sections four hundred twenty-two point nine
16 (422.9) and four hundred twenty-two point twelve
17 (422.12), Code 1971, are repealed.

18 Sec. 39. The provisions of this amendment shall
19 apply to all of the following:

20 1. Tax years beginning June 1, 1972.

21 2. Fractions of fiscal years ending in 1972, and
22 computed from January 1, 1972.

23 3. Tax years beginning in 1972 and ending in 1973.

24 4. All ensuing tax years.

25 2. Page 27, strike lines 22, 23, and 24, inclusive.

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1 3. Renumber sections and correct internal references
2 in accordance with this amendment.

Senator Gaudineer moved the adoption of his amendment to Division 5 and requested a roll call.

On the question "Shall the Gaudineer amendment to Division 5, pages 25 and 26, be adopted?" (H.F. 654) the vote was:

Ayes, 17:

Arbuckle	Gaudineer	Kennedy	Schaben
Coleman	Glenn	Miller	Shawver
Conklin	Gross	Palmer	Tapscott
De Koster	Hill	Robinson	Van Gilst
Doderer			

Nays, 30:

Balloun	Graham	Neu	Riley
Bass	Griffin	Nicholson	Shaff
Briles	Keith	Ollenburg	Smith
Brownlee	Lamborn	Potgeter	Stephens
Carlson	Laverty	Potter	Thordsen
Curran	Messerly	Rabedeaux	Van Drie
Erschine	Milligan	Rhodes	Walsh
Gilley	Mowry		

Absent or not voting, 3:

Anderson	Davis	Kyhl
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The amendment to Division 5 lost.

MOTION TO RECONSIDER

MR. PRESIDENT: We move to reconsider the vote by which the Shaff amendment of May 14, 1971, to Division 5 of the ways and means amendment to House File 654, as passed and reprinted, was adopted by the Senate.

BASS VAN GILST
C. JOSEPH COLEMAN

(House File 654 pending.)

MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File 412, a bill for an act relating to administrative rules of departments of the state.

WILLIAM R. KENDRICK, Chief Clerk

INTRODUCTION OF BILL

Senate File 546, by committee on human and industrial relations, a bill for an act to extend and improve the federal-state unemployment compensation program.

Read first time and placed on calendar.

HOUSE MESSAGE CONSIDERED

House File 412, a bill for an act relating to administrative rules of departments of the state.

Read first time and passed on file.

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on May 17, 1971, the Governor approved and transmitted to the Secretary of State the following bills:

- S. F. 188—To define criminal trespass and to prescribe the penalty for such trespass.
- H. F. 39—Relating to the regulation of aerial application of pesticides and establishing damage and enforcement procedures.
- H. F. 209—Relating to county and city programs for senior citizens.
- H. F. 274—Relating to military leave of absence for civil employees.
- H. F. 473—Relating to part-time work in agriculture by minors.
- H. F. 614—Relating to the State Fair Board.

REPORT OF STEERING COMMITTEE

MR. PRESIDENT: Your steering committee begs leave to report it has had the following bills under consideration and recommends that they be placed on the noncontroversial calendar:

S. F. 150	H. F. 66	H. F. 514
S. F. 184	H. F. 317	H. F. 658
S. F. 541	H. F. 446	H.C.R. 22
H. F. 46	H. F. 463	

CLIFTON C. LAMBORN, Chairman

ANNOUNCEMENT BY THE PRESIDENT

President Jepsen announced the appointment of the following memorial resolution committee:

On Kenneth A. Evans:

Senator Bass, Chairman
Senator Briles
Senator Schaben

REPORT OF COMMITTEE

Senator Messerly submitted the following report:

MR. PRESIDENT: Your committee on appropriations, to which was referred **House File 373**, a bill for an act to appropriate funds to defray expenses of the inaugural ceremonies, begs leave to report it has had the same under consideration recommends the same **do pass**.

FRANCIS L. MESSERLY, Chairman

Ordered passed on file.

AMENDMENTS FILED

1 Amend the committee on ways and means amendment to
2 House File 654, as amended, passed, and reprinted by
3 the House, filed May 13, 1971, commencing on page 1258
4 of the Senate Journal, as follows:

5 1. Page 22, by striking lines 5 through 25, inclu-
6 sive.

7 2. Page 23, by striking lines 1 through 25, inclu-
8 sive.

9 3. Page 24, by striking lines 1 through 8, inclu-
10 sive.

11 4. Page 28, by striking lines 1 through 25, inclu-
12 sive.

13 5. Page 29, by striking lines 1 through 7, inclu-
14 sive, and inserting in lieu thereof the following:

15 "Sec. 35. SHORT TITLE. This Division may be cited
16 as the 'Tax Relief Act for Elderly and Totally Disabled
17 Homeowners'.

18 Sec. 36. PURPOSE. The purpose of this Division
19 is to provide relief, through a system of income tax
20 credits and refunds and appropriations from the general
21 fund, to certain persons who own their homestead.

22 Sec. 37. DEFINITIONS. As used in this Division:

23 1. 'Income' means the sum of federal adjusted gross
24 income as defined in the Internal Revenue Code of the
25 United States (1954), the amount of capital gains

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1 excluded from adjusted gross income, alimony, support
2 money, nontaxable strike benefits, cash public assistance
3 and relief (not including relief granted under this
4 Division), the gross amount of any pension or annuity
5 (including railroad retirement benefits, all payments
6 received under the federal social security act, state
7 unemployment insurance laws, and veteran's disability
8 pensions), nontaxable interest received from the federal
9 government or any of its instrumentalities, workmen's
10 compensation, and the gross amount of 'loss of time'
11 insurance. It does not include gifts from nongovern-
12 mental sources, or surplus foods or other relief in
13 kind supplied by a governmental agency.

14 2. 'Household' means a claimant and spouse.

15 3. 'Household income' means all income received
16 by all persons of a household in a calendar year while
17 members of the household.

18 4. 'Homestead' means the dwelling, owned by the
19 claimant, and so much of the land surrounding it, not
20 exceeding one acre, as is reasonably necessary for use
21 of the dwelling as a home, and may consist of a part
22 of a multi-dwelling or multi-purpose building and a
23 part of the land upon which it is built. ('Owned'
24 includes a vendee in possession under a land contract
25 and of one or more joint tenants or tenants in common.)

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1 It does not include personal property such as furniture,
2 furnishings or appliances.

3 5. 'Claimant' means a person who is sixty-five years
4 of age or older or is totally disabled and has filed
5 a claim under this Division and was domiciled in this
6 state during the entire calendar year preceding the
7 year in which he files claim for relief under this
8 Division. When two individuals of a household are able
9 to meet the qualifications for a claimant, they may
10 determine between them as to whom the claimant shall
11 be. If they are unable to agree, the matter shall be
12 referred to the director of the department of revenue
13 and his decision shall be final. If a homestead is
14 occupied by two or more individuals, and more than one
15 individual is able to qualify as a claimant, and some
16 or all the qualified individuals are not related, the
17 individuals may determine among them as to whom the
18 claimant shall be. If they are unable to agree, the
19 matter shall be referred to the director of the
20 department of revenue, and his decision shall be final.

21 6. 'Property taxes accrued' means property taxes
22 (exclusive of special assessments, penalties and
23 interest) levied on a claimant's homestead in this state
24 in 1971 or any calendar year thereafter, less any credits
25 allowed under chapter four hundred twenty-five (425)

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1 of the Code. If a homestead is owned by two or more
2 persons or entities as joint tenants or tenants in com-
3 mon, and one or more persons or entities are not a
4 member of claimant's household, 'property taxes accrued'
5 is that part of property taxes levied on the homestead
6 which reflects the ownership percentage of the claimant
7 and his household. If a claimant and spouse own their
8 homestead part of the preceding calendar year and rent
9 it or a different homestead for part of the same year,
10 'property taxes accrued' means only taxes levied on
11 the homestead when both owned and occupied by the
12 claimant at the time of the levy, multiplied by the
13 percentage of twelve months that such property was owned
14 and occupied by the household as its homestead during
15 the preceding year. When a household owns and occupies
16 two or more different homesteads in this state in the
17 same calendar year, 'property taxes accrued' shall
18 relate only to that property occupied by the household
19 as a homestead on the levy date. If a homestead is
20 an integral part of a larger unit such as a farm, or
21 a multi-purpose or multi-dwelling building, property
22 taxes accrued shall be that percentage of the total
23 property taxes accrued as the value of the homestead
24 is of the total value. For purposes of this subsection
25 'unit' refers to the parcel of property covered by a

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1 single tax statement of which the homestead is a part.
2 Sec. 38. CLAIM IN PERSONAL. The right to file claim
3 under this Division shall be personal to the claimant
4 and shall not survive his death, but such right may
5 be exercised on behalf of a claimant by his conservator
6 or attorney-in-fact. If a claimant dies after having
7 filed a timely claim, the amount thereof shall be
8 disbursed to another member of the household as
9 determined by the director of the department of revenue.
10 If the claimant was the only member of his household,
11 the claim may be paid to his executor or administrator,
12 but if neither is appointed and qualified within two
13 years of the filing of the claim, the amount of the
14 claim shall escheat to the state.

15 Sec. 39. CLAIM AS INCOME TAX CREDIT OR REBATE.
16 Subject to the limitations provided in this Division,
17 a claimant may claim in any year as a credit against
18 Iowa income taxes otherwise due on his income, property
19 taxes accrued. If the allowable amount of such claim
20 exceeds the income taxes otherwise due on claimant's
21 income, or if there are no Iowa income taxes due on
22 claimant's income, the amount of the claim not used
23 as an offset against income taxes, after certification
24 by the director of the department of revenue, shall
25 be paid to claimant from the general fund. No interest

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1 shall be allowed on any payment made to a claimant
2 pursuant to this Division.

3 Sec. 40. FILING DATE. A claim shall be filed with
4 the director of revenue no later than April thirtieth
5 of the year property taxes accrued are due and payable.

6 Sec. 41. SATISFACTION OF OUTSTANDING TAX LIABILITIES.
7 The amount of any claim otherwise payable under this
8 Division may be applied by the department of revenue
9 against any debt owing the state of Iowa by the claimant,
10 or his or her spouse who was a member of the claimant's
11 household in the year to which the claim relates.

12 Sec. 42. ONE CLAIM PER HOUSEHOLD. Only one claimant
13 per household per year shall be entitled to relief under
14 this Division.

15 Sec. 43. LIMITS. The amount of any claim pursuant
16 to this Division shall be determined to the nearest
17 dollar amount in accordance with the following schedule:

18	Household	Percent
19	Income Range	of Tax
20	0 - 1,000	(75) percent of property
21		taxes accrued
22	1,001- 2,000	(60) percent of property
23		taxes accrued
24	2,001 - 3,000	(45) percent of property
25		taxes accrued

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1	3,001 - 4,000	(30) percent of property
2		taxes accrued
3	4,001 - 5,000	(15) percent of property
4		taxes accrued
5	Over 5,000	not eligible

6 Sec. 44. ADMINISTRATION. The director of the
7 department of revenue shall make available suitable
8 forms with instructions for claimants, including a form
9 which may be included with or as a part of the individual
10 income tax blank. The claim shall be in such form as
11 the director of the department of revenue may prescribe.

12 Sec. 45. PROOF OF CLAIM. Every claimant under this
13 Division shall supply to the department of revenue,
14 in support of his claim, a verified statement showing
15 that he was sixty-five years of age or totally disabled
16 on or before the date of filing the claim, property
17 taxes accrued, changes of homestead, household
18 membership, household income, size and nature of property
19 claimed as the homestead and a statement that the
20 property taxes accrued and used for purposes of this
21 Division have been or will be paid by him and that there
22 are no delinquent property taxes on the homestead.
23 All persons living in the household who have attained
24 their majority shall join in the signing and verification
25 of said statement or the claim shall be denied.

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1 Sec. 46. AUDIT OF CLAIM. If on the audit of any
2 claim filed under this Division the director of the
3 department of revenue determines the amount to have
4 been incorrectly determined, he shall redetermine the
5 claim and notify the claimant of the redetermination
6 and his reasons for it. The redetermination shall be
7 final unless appealed within thirty days of notice to
8 the district court of the county wherein the property
9 was situated on which property taxes accrued or rent
10 constituting property taxes was paid.

11 Sec. 47. DENIAL OF CLAIM. If it is determined that
12 a claim is excessive and was filed with fraudulent
13 intent, the claim shall be disallowed in full, and,
14 if the claim has been paid or a credit has been allowed
15 against income taxes otherwise payable, the credit shall
16 be canceled and the amount paid may be recovered by
17 assessment (as income taxes are assessed), and the
18 assessment shall bear interest from the date of payment
19 or credit of the claim, until refunded or paid, at the
20 rate of one percent per month. The claimant in such
21 case, and any person who assisted in the preparation
22 or filing of such excessive claim or supplied information
23 upon which such excessive claim was prepared, with
24 fraudulent intent, is guilty of a misdemeanor. If it
25 is determined that a claim is excessive and was

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1 negligently prepared, ten percent of the corrected claim
2 shall be disallowed, and if the claim has been paid
3 or credited against income taxes otherwise payable,
4 the credit shall be reduced or canceled, and the proper
5 portion of any amount paid shall be similarly recovered
6 by assessment as provided in section four hundred twenty-
7 two point thirty (422.30) of the Code, and the assess-
8 ment shall bear interest at one percent per month from
9 the date of payment until refunded or paid.

10 Sec. 48. APPEALS. Any person aggrieved by the
11 denial in whole or in part of relief claimed under this
12 Division, may appeal by filing a petition within thirty
13 days after such denial to the district court as provided
14 in section twelve (12) of this Division.

15 Sec. 49. PUBLIC WELFARE RECIPIENTS EXCLUDED. No
16 claim for relief under this Division shall be allowed
17 to any person who is a recipient of public funds for
18 the payment of the taxes during the period for which
19 the claim is filed.

20 Sec. 50. DISALLOWANCE OF CERTAIN CLAIMS. A claim
21 shall be disallowed, if the department finds that the
22 claimant received title to his homestead primarily for
23 the purpose of receiving benefits under this Division.

24 Sec. 51. EXTENSION OF TIME FOR FILING CLAIMS. In
25 case of sickness, absence, or other disability, or if,

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1 in his judgment, good cause exists, the director of
2 the department of revenue may extend for a period not
3 to exceed six months the time for filing a claim."

4 Sec. 52. Section four hundred twenty-five point
5 one (425.1), Code 1971, is amended by striking subsec-
6 tion five (5).

7 6. Renumber sections and correct internal references
8 as necessary in accordance with this amendment.

9 7. Amend the title, page 31, line 3, by inserting
10 after the word "disabled" the words "including penal-
11 ties for filing fraudulent claims,".

TOM RILEY
WILSON L. DAVIS
JOHN C. RHODES
W. CHARLENE CONKLIN
JAMES A. POTGETER
ALDEN J. ERSKINE
JAMES W. GRIFFIN, SR.
HAROLD A. THORDSEN
LUCAS J. DeKOSTER

1 Amend the Senate committee on ways and means amend-
2 ment to House File 654, as amended, passed, and
3 reprinted by the House, filed May 13, 1971, commencing
4 on page 1258 of the Journal of the Senate, as follows:

5 1. Page 25, line 2, insert after the period the

6 following:

- 7 "a. The population of each city and town shall
8 be determined by the latest available federal census.
9 An incorporated city or town may have one special
10 federal census taken each decade, and the population
11 figure obtained shall be used in apportioning amounts
12 under this subsection beginning the calendar year
13 following the year in which the special census is
14 certified to the secretary of state.
15 b. In any case where an incorporated city or town
16 has been incorporated since the latest available
17 federal census, the mayor and council shall certify
18 to the treasurer of state the actual population of
19 the incorporated city or town as of the date of
20 incorporation and its apportionment of funds under
21 this subsection shall be based upon such certification
22 until the next federal census enumeration. Any
23 community which has dissolved its corporation shall
24 not receive any apportionment of funds under this
25 subsection after its dissolution.

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- 1 c. In any case where an incorporated city or town
2 has annexed any territory since the last regular or
3 special federal census, the mayor and council shall
4 certify to the treasurer of state the actual population
5 of the annexed territory as determined by the last
6 certified federal census of the territory and the
7 apportionment of funds under this subsection shall be
8 based upon the population of the city or town as modi-
9 fied by the certification of the population of the
10 annexed territory until the next regular or special
11 federal census enumeration.

- 12 d. In any case where two or more incorporated cities
13 or towns have consolidated, the apportionment of funds
14 under this subsection shall be based upon the population
15 of the incorporated city or town resulting from the
16 consolidation and shall be determined by combining the
17 population of all incorporated cities and towns involved
18 in the consolidation as determined by the last regular
19 or special federal census enumeration for the
20 consolidating city or town.

- 21 Sec. 28. Section twenty-six point six (26.6),
22 Code 1971, is amended as follows:

- 23 26.6 POPULATION OF COUNTIES, TOWNSHIPS, CITIES,
24 AND TOWNS. Whenever the population of any county,
25 township, city, or town is referred to in any law

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- 1 of this state, it shall be determined by the last
2 certified, or certified and published, official census
3 unless otherwise provided. However, the population
4 figure disclosed for any city or town as the result
5 of a special federal census as modified as the result
6 of consolidation or annexation in the manner provided
7 in sections 312.3, and 123.50, shall be considered

8 for no other purposes than the application of sections
9 123.50, [and] , 312.3 and the provisions of section 27
10 of this Act. Whenever a special federal census is
11 hereafter taken by any city or town, the mayor and
12 council shall certify the said census as soon as
13 possible to the secretary of state and to the treasurer
14 of state as otherwise herein provided, and failing
15 to do so, the treasurer of state shall, after six
16 months from the date of said special census, turn
17 over such moneys as authorized by sections 123.50
18 and 312.3 to the general fund of the state, and
19 continue to do so until such time as certification
20 by said mayor and council is made, or until the next
21 decennial federal census. If there be a difference
22 between the original certified record in the office
23 of the secretary of state and the published census
24 the former shall prevail."

25 2. Renumber sections and correct internal

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1 references as necessary in accordance with this
2 amendment.

LEE H. GAUDINEER, JR.

1 Amend the Senate committee on ways and means amend-
2 ment to House File 654, as amended, passed, and re-
3 printed by the House, filed May 13, 1971, commencing
4 on page 1258 of the Senate Journal, as follows:

5 1. Page 28, by striking lines 1 through 25, inclu-
6 sive, and inserting in lieu thereof the following:

7 Sec. 35. DEFINITIONS. For the purposes of this
8 Division, unless the context otherwise requires:

9 1. "Income" means the net income as defined in sec-
10 tion four hundred twenty-two point seven (422.7) of
11 the Code of the person claiming the credit, plus the
12 amount of capital gains excluded from the adjusted gross
13 income, interest and dividends from federal securities,
14 social security benefits, and income from other tax-
15 exempt retirement or pension plans and includes any
16 income of the spouse, brother, sister, son, and daughter
17 of the person claiming the credit, if living with the
18 person claiming the credit.

19 2. "Homestead" means homestead as defined in sec-
20 tion four hundred twenty-five point eleven (425.11)
21 of the Code, and in addition, includes a dwelling or
22 part of a multi-dwelling which is owned or rented and
23 in which the person claiming the credit actually resides
24 and a mobile home which is owned or rented by the person
25 claiming the credit and in which the person claiming

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1 the credit actually resides.

2 3. "Property taxes accrued" means property taxes
3 levied on the homestead in the preceding year, exclusive
4 of special assessments, delinquent interest and charges,

5 and collectible during the same year in which the credit
6 is claimed.

7 4. "Gross rent" means rental paid solely for the
8 right of occupancy of a homestead, exclusive of charges
9 for any utilities, services, furnishings, or personal
10 property appliances furnished by the landlord as a part
11 of the rental agreement.

12 5. "Rent constituting property taxes accrued" means
13 twenty percent of the gross rent actually paid on the
14 homestead during the preceding calendar year by the
15 person claiming the credit.

16 Sec. 36. CLAIM FOR PROPERTY TAXES ACCRUED. Any
17 person sixty-five years of age or older or totally
18 disabled shall be entitled to a credit against his state
19 income taxes for property taxes accrued based upon his
20 income. The amount of any credit shall be computed
21 in accordance with the following table:

22	He shall be entitled to a
23	credit against his state
24	income taxes equal to the
25	amount by which the prop-

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1	erty taxes accrued on his	
2	homestead exceeds the fol-	
3	lowing percentage of his	
4	income:	
5	Less than \$1,000	2%
6	\$1,000 or over and less than \$2,000	3%
7	\$2,000 or over and less than \$3,000	4%
8	\$3,000 or over and less than \$4,000	5%
9	\$4,000 or over and less than \$5,000	6%

10 Any person sixty-five years of age or older or to-
11 tally disabled with an income of five thousand dollars
12 or more shall receive no credit against his income taxes
13 for property taxes accrued.

14 When a homestead is owned by two or more persons
15 as joint tenants or tenants in common and one or more
16 of these persons does not reside in the homestead, the
17 property tax is the same proportion of the property
18 tax levied as the proportion of ownership of the home-
19 stead by the person claiming the credit.

20 When a person owns his homestead for part of the
21 preceding year and rents it or a different homestead
22 for a part of that year, property tax means only the
23 property tax on the homestead multiplied by the
24 percentage of twelve months that the property was owned
25 and occupied by the person claiming the credit.

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1 In no event shall the credit exceed the amount of
2 the property tax accrued.

3 Sec. 37. CLAIM FOR RENT CONSTITUTING PROPERTY TAXES
4 ACCRUED. Any person who is not eligible for the credit
5 provided in section thirty-six (36) of this Division

6 and who is sixty-five years of age or older or is totally
7 disabled shall be entitled to a credit against his state
8 income taxes for rent constituting property taxes ac-
9 crued based upon his income. The amount of any credit
10 shall be computed in accordance with the following table:

11 He shall be entitled to
12 a credit against his state
13 income taxes equal to the
14 amount by which the rent
15 constituting property taxes
16 accrued on his homestead
17 exceeds the following per-
18 centage of his income:

19 Less than \$1,000	2%
20 \$1,000 or over and less than \$2,000	3%
21 \$2,000 or over and less than \$3,000	4%
22 \$3,000 or over and less than \$4,000	5%
23 \$4,000 or over and less than \$5,000	6%

24 Any person sixty-five years of age or older or to-
25 tally disabled with an income of five thousand dollars

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1 or more shall receive no credit against his income taxes
2 for rent constituting property taxes accrued.

3 If a claim is based on rent constituting property
4 taxes accrued, the person filing the claim shall have
5 rented property during the entire preceding calendar
6 year for which he has filed a claim.

7 If two or more persons are qualified to file a claim
8 for the same homestead, the persons shall determine
9 which person shall file the claim.

10 Sec. 38. CLAIM AS INCOME TAX CREDIT OR REBATE.

11 If the allowable amount of a claim filed pursuant to
12 section thirty-six (36) or section thirty-seven (37)
13 of this Division exceeds the income tax due on the
14 person's income, or if there is no income tax due, the
15 amount of the claim not used as a credit against state
16 income taxes shall be paid to the person making the
17 claim from the state general fund.

18 No interest shall be paid on any payment made to
19 any person under the provisions of this Division.

20 Sec. 39. LIMITATIONS. The credit allowed under
21 the provisions of this Division shall be subject to
22 the following limitations:

- 23 1. Only one person shall be entitled to the credit
24 for a homestead for each taxable year.
- 25 2. The amount of the credit which shall be allowed

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1 in any taxable year for property taxes accrued or rent
2 constituting property taxes accrued shall not exceed
3 three hundred dollars.

4 Sec. 40. SATISFACTION OF OUTSTANDING TAX LIABILITIES.

5 The amount of any claim payable under the provisions
6 of this Division may be applied by the director of

- 7 revenue against any outstanding tax liability in the
8 name of the state against the person filing the claim.
- 9 Sec. 41. FILING DATE. No credit for property taxes
10 accrued or rent constituting property taxes accrued
11 shall be allowed or paid unless the claim is filed with
12 the director of revenue on or before April thirtieth
13 of each year.
- 14 In the case of illness, absence, or disability, or
15 when in the judgment of the director of revenue good
16 cause exists, he may extend the time for filing a claim
17 under the provisions of this Division for a period not
18 to exceed six months.
- 19 Sec. 42. PROOF OF CLAIM. Every person filing a
20 claim for a credit for property taxes accrued or rent
21 constituting property taxes accrued shall submit the
22 following proof to the director of revenue to support
23 his claim:
- 24 1. That he was sixty-five years of age or totally
25 disabled before midnight on December thirty-first of

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- 1 the year immediately preceding the year the tax was
2 levied or the rent was paid.
- 3 2. Statement of income.
- 4 3. Receipts for rent paid.
- 5 4. Name and address of the owner or manager of
6 property rented.
- 7 5. Property taxes accrued.
- 8 6. Description of the property claimed as a home-
9 stead.
- 10 7. A statement that the property taxes accrued have
11 been or will be paid.
- 12 8. A statement that there are no delinquent prop-
13 erty taxes on the homestead.
- 14 Sec. 43. ADMINISTRATION—RULES AND REGULATIONS.
- 15 The director of revenue shall prescribe and make avail-
16 able the necessary forms with instructions for persons
17 filing a claim for property taxes accrued or rent con-
18 stituting property taxes accrued, including forms which
19 may be filed as a part of the individual state income
20 tax return.
- 21 The director may promulgate rules and regulations
22 necessary to carry out the provisions of this Division.
- 23 Sec. 44. AUDIT OF CLAIM. The department of revenue
24 shall audit each claim and if the director of revenue
25 determines that the amount of the credit has been incor-

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- 1 rectly determined, he shall redetermine the claim and
2 give notice, in writing, to the person filing the claim
3 of the redetermination and his reasons for it. The
4 redetermination shall be final unless appealed to the
5 district court within thirty days of receipt of the
6 notice.
- 7 Sec. 45. DENIAL OF CLAIM. Any person who files
8 a claim for a credit which is excessive and was filed

9 with fraudulent intent shall be guilty of a misdemeanor.
10 Upon conviction of the person filing the excessive and
11 fraudulent claim, the director of revenue shall disallow
12 the credit in full. If the claim has been paid or the
13 credit allowed against income tax, the credit allowed
14 against the income tax shall be canceled and the amount
15 paid shall be recovered in the same manner as delinquent
16 income taxes.

17 Sec. 46. RENTAL DETERMINATION. If a homestead is
18 rented by a person from another person under circum-
19 stances deemed by the director of revenue not to be
20 at arm's length, the director may determine the rent
21 constituting property taxes accrued at arm's length,
22 and the determination shall be final.

23 Sec. 47. PUBLIC WELFARE RECIPIENTS EXCLUDED. Any
24 person who is a recipient of public funds for the pay-
25 ment of the taxes or rent during the period for which

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1 the claim is filed shall not be entitled to benefits
2 provided in sections thirty-five (35) through forty-
3 nine (49), inclusive, of this Division.

4 Sec. 48. APPEALS. If a claim for property taxes
5 accrued or rent constituting property taxes accrued
6 is filed and is disallowed in whole or in part, the
7 person making such claim may appeal the disallowance
8 by filing a petition in the district court within thirty
9 days from the date the claim was disallowed.

10 Sec. 49. Section four hundred twenty-five point
11 one (425.1), Code 1971, is amended by striking subsection
12 five (5).

13 2. Page 29, strike lines 1 through 5, inclusive.

14 3. Renumber remaining sections and correct internal
15 references in accordance with this amendment.

BASS VAN GILST
LEE H. GAUDINEER, JR.

1 Amend House File 654, as amended, passed, and re-
2 printed by the House, as follows:

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

DIVISION 1

6 Section 1. STATE SCHOOL FOUNDATION PROGRAM. This
7 Act establishes a state school foundation program.

8 Each school district in the state is entitled to receive
9 during each school year as state school foundation aid,
10 an amount per pupil in fall enrollment equal to the
11 amount by which the state foundation base for that
12 school year exceeds the amount per pupil in fall
13 enrollment in the district which will be raised by the
14 foundation property tax to be levied in the district
15 during that school year.

16 Sec. 2. STATE FOUNDATION BASE. The state founda-
17 tion base is approximately eighty percent of the state
18 average general fund per pupil expenditure and is

19 determined as follows:

- 20 1. Eighty percent of the state average per pupil
21 expenditure for the school year beginning July 1, 1969,
22 is determined to be six hundred forty dollars.
23 2. Prior to July first each year commencing in 1972,
24 the state comptroller shall compute a percentage growth
25 factor for the following school year. In 1972 he shall

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- 1 also compute the percentage growth factors for the
2 school years beginning July 1, 1970, and July 1, 1971.
3 To compute the percentage growth factor for each school
4 year, the state comptroller shall determine the percent
5 of increase or decrease in revenue computed on a state-
6 wide basis, for the total of the state sales and use
7 taxes and the individual and corporate income taxes;
8 and the percent of increase or decrease in the assessed
9 valuation of taxable property; both percentages to be
10 determined for each year of the last three preceding
11 calendar years for which accurate figures are available.
12 The sum of the percentages obtained shall be divided
13 by six to arrive at the percentage growth factor for
14 the following school fiscal year. If there is a decrease
15 in state revenue or assessed valuation, there may be
16 a negative growth factor. In making computations, the
17 comptroller shall adjust for changes in rates or basis
18 of the sales and use or income taxes and for statewide
19 changes in assessment practices.
20 3. For the school year beginning July 1, 1970, the
21 state comptroller shall multiply six hundred forty
22 dollars by the applicable percentage growth factor,
23 and add the product to six hundred forty dollars to
24 determine the state foundation base for that year.
25 4. For the school year beginning July 1, 1971, the

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- 1 state comptroller shall multiply the state foundation
2 base for the school year beginning July 1, 1970, by
3 the applicable percentage growth factor, and add the
4 product to the state foundation base for the school
5 year beginning July 1, 1970, to determine the state
6 foundation base for the school year beginning July 1,
7 1971.
8 5. For each subsequent school year, the state
9 comptroller shall multiply the current state founda-
10 tion base by the applicable percentage growth factor,
11 and add the product to the current state foundation
12 base, to determine the state foundation base for the
13 subsequent year.
14 Sec. 3. FOUNDATION PROPERTY TAX. Each school dis-
15 trict shall cause to be levied each year beginning in
16 1972 for the school general fund a foundation property
17 tax of twenty mills per dollar of assessed valuation
18 on all taxable property in the district. However, a
19 school district which can meet its general fund budget

20 by a levy of less than twenty mills per dollar of as-
21 sessed valuation on all taxable property in the dis-
22 trict, shall levy only the lesser amount needed. Each
23 county auditor shall certify to each school district
24 within the county and to the state comptroller not later
25 than June first each year the assessed valuation of

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1 taxable property in each school district within the
2 county.
3 Sec. 4. GENERAL FUND BUDGET. Subject to limitations
4 imposed by the school budget review committee or by
5 state law, the general fund budget of a school dis-
6 trict shall be determined as follows:
7 1. Determine estimated general fund expenditures
8 exclusive of gifts, and federal grants and aids, except
9 federal aids paid in anticipation of or reimbursement
10 for expenses caused by a federal activity in or near
11 a school district which would otherwise need to be paid
12 from local sources, by adding together the estimated
13 amounts to be expended for the school year, for
14 administration, instruction, attendance services, health
15 services, pupil transportation services, fixed charges,
16 operation and maintenance, community services, capital
17 outlay, debt service, and tuition paid other districts.
18 The cost of food services and student body activities
19 shall not be included in general fund costs.
20 2. From the total of the sums determined under
21 subsection one (1) of this section deduct the follow-
22 ing:
23 a. Estimated receipts from state appropriations
24 for handicapped children aid, vocational aid, driver
25 education aid, and junior college aid.

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1 b. Estimated general fund receipts from the fol-
2 lowing: Tuition paid by individuals or by the state;
3 transportation; services; rents; income on investment
4 securities; other general fund revenue receipts; gen-
5 eral fund nonrevenue receipts; and transfers to the
6 general fund other than those resulting from clearing
7 **accounts, reorganization and the return of principal**
8 of invested securities.
9 c. An estimate of the total amount determined on
10 the per pupil cost basis for children transported who
11 live within statutory walking distance from school.
12 Sec. 5. FALL ENROLLMENT. Fall enrollment shall
13 be determined by adding the resident pupils who are
14 enrolled on the second Friday of September of each year
15 in public elementary and secondary schools of the
16 district, and in special education schools for which
17 tuition is paid by the district whether the special
18 education school is conducted by a county board of
19 education or another school district.
20 Each school district shall certify its fall enroll-

21 ment to the state department of public instruction by
22 September twenty-fifth of each year, and the informa-
23 tion shall be promptly forwarded to the state comp-
24 troller.

25 Sec. 6. PAYMENT OF STATE SCHOOL FOUNDATION AID.

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1 Prior to July first each year beginning in 1972, the
2 department of public instruction shall certify to the
3 state comptroller each school district's estimated fall
4 enrollment, and other information necessary for
5 computation of state school foundation aid. The state
6 comptroller shall compute the estimated amount of state
7 school foundation aid to be paid to each school district,
8 and certify the amount to each school district for use
9 in preparing budgets. He shall compute the actual
10 amount and draw warrants in payment of the state school
11 foundation aid in three approximately equal installments
12 to be paid on approximately the first day of November,
13 February, and May of each school year.

14 Sec. 7. LOCAL BUSINESS PRIVILEGE TAX ON INDUSTRIAL
15 AND UTILITY PROPERTY. A local business privilege tax
16 on industries and utilities, measured by the value of
17 industrial and utility property, is hereby imposed,
18 to be determined each year by the state comptroller
19 as follows:

20 1. Determine for each school district the amount
21 needed to meet its general fund budget, after subtract-
22 ing the amounts which will be received by the district
23 from the school foundation property tax levied that
24 year, and from state school foundation aid for that
25 year.

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1 2. Add together the amounts determined under sub-
2 section one (1) of this section, for each school dis-
3 trict within a county school system.

4 3. Determine the millage rate necessary for each
5 county system, to raise the sum obtained under sub-
6 section two (2) of this section, if spread at a uni-
7 form rate over all taxable property within the county
8 school system, and certify the rates to each county
9 auditor.

10 4. The local business privilege tax due from each
11 industry and utility with property within the county
12 is determined by applying the millage rate determined
13 under subsection three (3) of this section to the as-
14 sessed valuation of taxable property of the industry
15 or utility within the county.

16 Sec. 8. COUNTY LEVY AND DISTRIBUTION. The county
17 board of supervisors shall impose the local business
18 privilege tax on all industries and utilities having
19 property within the county, by applying the rate de-
20 termined by the comptroller under section seven (7)
21 of this Act against all industrial and utility property
22 in the county. In the case of joint districts the tax
23 shall be apportioned in the same manner as previously

24 employed for the purpose of making school property tax
25 levies in such circumstances. The local business

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1 privilege tax on industries and utilities shall be im-
2 posed and collected in the same manner as property taxes
3 are levied and collected, and is subject to all laws
4 relating to general property taxes.

5 As used in this Act, "industrial property" means
6 property assessed under the provisions of sections four
7 hundred twenty-eight point twenty (428.20) through four
8 hundred twenty-eight point twenty-three (428.23),
9 inclusive, of the Code, and "utility property" means
10 property assessed by the director of revenue under the
11 provisions of sections four hundred twenty-eight point
12 twenty-four (428.24) through four hundred twenty-eight
13 point twenty-nine (428.29), inclusive, and chapters
14 four hundred thirty-three (433) through four hundred
15 forty (440), inclusive, of the Code.

16 On the tenth day of the month following the month
17 of collection, the county treasurer shall distribute
18 the moneys received from the business privilege tax
19 on industries and utilities to each school district
20 within the county school system on a per pupil basis
21 determined by dividing the amount of moneys received
22 by the total fall enrollment in the county.

23 Sec. 9. ADDITIONAL SCHOOL DISTRICT PROPERTY TAX
24 AND INCOME TAX—OTHER THAN INDUSTRIAL AND UTILITY
25 PROPERTY. The state comptroller shall determine the

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1 remaining additional school district property tax and
2 the school district income tax for each school dis-
3 trict in the state for each school year as follows:

4 1. Determine the total amount needed for the school
5 district's general fund budget for the 1970-1971 school
6 year, and subtract from that amount the receipts that
7 would have been brought in by the school foundation
8 property tax, the state school foundation aid, the local
9 business privilege tax on industries and utilities,
10 and all other receipts that would have been anticipated
11 except the additional school district property tax on
12 other than industrial and utility property and the
13 school district income tax provided in this section.
14 2. Determine the total assessed valuation of tax-
15 able property in the school district for the 1970
16 calendar year, the total Iowa net income as defined
17 in section four hundred twenty-two point seven (422.7)
18 of the Code, and the total amount of state individual
19 income tax, both as shown on the tax returns of in-
20 dividuals residing in the school district on December
21 31, 1969, or on the last day of their fiscal year end-
22 ing within 1969 and included in the department of revenue
23 1969 income tax annual statistical report. The director
24 of revenue shall certify these amounts to the state
25 comptroller on or before June 1, 1971.

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1 3. Add the total amounts of Iowa net income in a
2 district and the total assessed valuation of taxable
3 property in a district as determined in subsection two
4 (2) of this section, and divide the sum into the amount
5 obtained in subsection one (1) of this section. The
6 quotient is the surtax base rate. The base rate
7 multiplied by the total amount of Iowa net income and
8 the product divided by the total amount of state
9 individual income tax for the district as determined
10 in subsection two (2) of this section is the rate of
11 school district income tax and is hereby imposed as
12 a surtax on the amount of state individual income tax
13 paid on 1971 incomes for the 1972-1973 school year and
14 on state individual income tax paid on 1972 incomes
15 for the 1973-1974 school year. The surtax is imposed
16 on the state income tax paid for the calendar year or
17 a taxpayer's fiscal year ending within the calendar
18 year, by individuals residing in the school district
19 on December thirty-first of that calendar year or on
20 the last day of their fiscal year. The surtax on 1973
21 incomes for the 1974-1975 school year and every
22 succeeding school year, and the additional school
23 district property tax on other than industrial and
24 utility property for the 1972-1973 school year and every
25 succeeding school year shall be determined by the state

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1 comptroller in the manner provided in subsection four
2 (4) of this section.
3 4. a. Determine the total amount needed for the
4 school district's general fund budget for the current
5 year and subtract anticipated receipts from all sources
6 except the additional school district property tax on
7 other than industrial and utility property and the
8 school district income tax.
9 b. Determine the total assessed valuation of tax-
10 able property in the school district for the current
11 calendar year, and the total amount of Iowa net income,
12 state individual income tax, and school district in-
13 come tax as shown on the returns of individuals resid-
14 ing in the school district on December thirty-first
15 of the last preceding calendar year or on the last day
16 of their fiscal year ending within the last preceding
17 calendar year. The director of revenue shall report
18 these amounts to the state comptroller as estimates
19 in time for school budget preparation, and as actual
20 amounts according to the figures available on October
21 twentieth each year, to permit final computation and
22 certification of taxes.
23 c. Subtract the school district income tax from
24 the amount obtained in paragraph a of this subsection
25 and divide the result by the total assessed valuation

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1 of taxable property for the current calendar year.
2 The quotient is the surtax and millage base rate. The
3 base rate multiplied by one thousand is the millage
4 rate to be certified and levied on the assessed valua-
5 tion of taxable property in the district, other than
6 industrial and utility property, in addition to the
7 school foundation property tax, for school general fund
8 purposes for the current school year. Beginning in
9 1973, the base rate multiplied by the total amount of
10 Iowa net income and the product divided by the total
11 amount of state individual income tax is the rate of
12 school district income tax and is hereby imposed as
13 a surtax on the amount of state individual income tax
14 paid for the current calendar year during which the
15 determination is made or a taxpayer's fiscal year ending
16 within that calendar year, by individuals residing in
17 the school district on December thirty-first of that
18 calendar year or on the last day of their fiscal year.

19 **Sec. 10. FORM AND TIME OF RETURN.** The school
20 district income tax return shall be a part of the Iowa
21 individual income tax return subject to the conditions
22 and restrictions set forth in section four hundred
23 twenty-two point twenty-one (422.21) of the Code.

24 **Sec. 11. DEPOSIT OF SCHOOL DISTRICT INCOME TAX.**
25 The director of revenue shall deposit all moneys received

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1 as school district income tax to the credit of each
2 district from which the moneys are received, in a "school
3 district income tax fund" which is established in the
4 office of the treasurer of state.

5 **Sec. 12. SCHOOL DISTRICT INCOME TAX CERTIFICATION.**

6 On or before October 20, 1972, and each year thereafter
7 the director of revenue shall make an accounting of
8 the school district income tax collected under this
9 Act applicable to tax returns for the last preceding
10 calendar year or a taxpayer's fiscal year ending within
11 that calendar year, from taxpayers in each of the various
12 school districts in the state and certify to the state
13 comptroller and the state department of public
14 instruction the amount of total school district income
15 tax credited from the taxpayers of each school district.
16 Additional returns in process, if any, at the time of
17 certification shall be completed and the additional
18 amount of school district income tax reported to the
19 state comptroller for distribution back to the school
20 district with the February first installment.

21 **Sec. 13. SCHOOL DISTRICT INCOME TAX DISTRIBUTION.**
22 The state comptroller shall certify to the state
23 department of public instruction the amount of school
24 district income tax payable to each school district,
25 and the state comptroller shall draw warrants in payment

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1 of the amount of tax payable to each of the school
2 districts in two installments to be paid on approximately
3 the first day of December and the first day of February,
4 and cause the same to be delivered to the respective
5 school districts.

6 Sec. 14. DEPOSIT IN GENERAL FUND. All amounts
7 received by a school district under the provisions of
8 sections one (1) through thirteen (13), inclusive,
9 of this Act shall be deposited in the school general
10 fund, and may be used for any school general fund
11 purpose.

12 Sec. 15. WITHHOLDING OF SCHOOL DISTRICT INCOME TAX
13 AT SOURCE. The director of revenue shall provide by
14 rule for the withholding of revenues which may be due,
15 based upon the school district income tax imposed under
16 section nine (9) of this Act. The school district tax
17 withholding shall begin July 1, 1971, and the rate
18 withheld for the period beginning July 1, 1971, and
19 ending December 31, 1971, shall be based upon the
20 approximate average of all the school district income
21 tax rates imposed by all school districts in the state
22 on incomes earned in 1971, or in a taxpayer's tax year
23 ending during 1971. The school district tax withholding
24 rate for each subsequent calendar year beginning January
25 1, 1972, shall be based upon the average of all the

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1 school district income tax rates imposed by all school
2 districts in the state on incomes earned in the last
3 preceding calendar year, or in a taxpayer's tax year
4 ending during that calendar year. The director of
5 revenue shall determine the annual rate based upon the
6 average of the most recent school district income tax
7 rate figures available to him at the time of
8 determination.

9 Every withholding agent as defined in section four
10 hundred twenty-two point sixteen (422.16), subsection
11 one (1), of the Code, making payment of wages as defined
12 in section four hundred twenty-two point sixteen (422.16)
13 of the Code to a resident employee or employees shall
14 deduct and withhold from the wages an amount which will
15 approximate the employee's annual school district income
16 tax liability if computed according to the average as
17 provided in this section on a calendar year basis,
18 calculated on the basis of tables to be prepared by
19 the department of revenue, and schedules or percentage
20 rates based on the wages, to be prescribed by the
21 department.

22 All requirements, restrictions, and penalties imposed
23 on withholding agents under section four hundred twenty-
24 two point sixteen (422.16) of the Code are applicable
25 to withholding agents under the provisions of this

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1 section.

2 Sec. 16. STATUTES APPLICABLE. The director of
3 revenue shall administer the school district income
4 tax, and the school district withholding tax, and all
5 the provisions of sections four hundred twenty-two point
6 twenty-two (422.22) through four hundred twenty-two
7 point thirty-one (422.31), inclusive, and four hundred
8 twenty-two point seventy-three (422.73) of the Code,
9 including interest and penalties, shall apply in respect
10 to administration of the school district tax.

11 Sec. 17. SCHOOL BUDGET REVIEW COMMITTEE. A school
12 budget review committee is established, which consists
13 of the superintendent of public instruction, the state
14 comptroller, and three members appointed by the governor
15 to represent the public and to serve three-year staggered
16 terms. Those serving immediately prior to the effective
17 date of this Act as public members of the school budget
18 review committee established under prior law shall
19 continue to serve out their unexpired terms. The
20 superintendent of public instruction and the state
21 comptroller may each appoint a member of their staffs
22 to serve as their regular representative on the
23 committee. The school budget review committee shall
24 meet and hold hearings each year in Des Moines in May,
25 and shall continue in session until it has reviewed

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1 budgets of school districts, as provided in section
2 eighteen (18) of this Act. It may call in school board
3 members and employees as necessary for the hearings.
4 Legislators shall be notified of hearings concerning
5 school districts in their constituencies.

6 The committee shall adopt its own rules of procedure.
7 The superintendent of public instruction or his
8 representative shall serve as chairman, and the state
9 comptroller or his representative shall serve as
10 secretary. The committee members representing the
11 public are entitled to receive a per diem equal to the
12 per diem of members of the board of public instruction,
13 and their necessary travel and other expenses while
14 engaged in their official duties. Expense payments
15 shall be made from appropriations to the department
16 of public instruction.

17 Sec. 18. DUTIES OF COMMITTEE. The school budget
18 review committee may recommend to the state board of
19 public instruction the revision of any rules,
20 regulations, directives, or forms relating to school
21 district budgeting and accounting, confer with local
22 school boards or their representatives and make
23 recommendations relating to any budgeting or accounting
24 matters, and may direct the superintendent of public
25 instruction or the state comptroller to make studies

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1 and investigations of school costs in any school district
2 whose budget has been submitted to the committee. The
3 committee shall report to each session of the general
4 assembly, which report shall include any recommended
5 changes in laws relating to school districts, and shall
6 set out the number of hearings held pursuant to this
7 Act, the reasons for any authorized increases in school
8 costs, and other information as the committee deems
9 advisable.

10 The school budget review committee may review the
11 budgets of any school district as follows:

12 1. If the budget shows general fund expenditures
13 per pupil in average daily membership of more than one
14 hundred ten percent of the average cost per pupil in
15 average daily membership in the state.

16 2. If the total general fund budget has increased
17 over the previous year's general fund expenditures by
18 a percent greater than the percentage growth factor
19 for the budget year computed by the state comptroller
20 as provided in section two (2) of this Act.

21 3. If in the judgment of the committee, the budget
22 shows total general fund expenditures which are
23 unreasonably high in relation to the comparative costs
24 of other school districts of similar size and situation,
25 even if the expenditures do not exceed the average cost

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1 per pupil in average daily membership in the state.
2 If the school budget review committee does not approve
3 a school budget, it shall state its recommendations
4 in terms of a specific recommended reduction in the
5 general fund expenditures included in the budget, and
6 in terms of the projected reduction in the additional
7 school district property tax rate and school district
8 income tax rate of the school district, as determined
9 under section nine (9) of this Act, and shall notify
10 the appropriate county auditor and the state comptroller
11 of its recommendations.

12 If the school budget review committee makes a
13 recommendation for reduction, the school board shall
14 follow the recommendation or shall submit to the voters
15 of the school district, at a special election called
16 for that purpose, the question of whether the board
17 shall adopt the recommendations of the school budget
18 review committee, or shall adopt the budget as proposed.
19 The question submitted to the voters shall state clearly
20 the difference in the additional school district property
21 tax rate and the school district income tax rate which
22 will result if the board adopts the recommendations
23 of the school budget review committee, or if it adopts
24 the budget as proposed.

25 If a majority of those voting favors adoption of

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1 the recommendation of the school budget review committee,
2 the board of directors of the school district shall
3 alter its budget as recommended, and shall certify the
4 corrected budget to the county auditor and the state
5 comptroller.

6 If a majority of those voting favors adoption of
7 the budget as proposed, the board may certify the
8 proposed budget to the county auditor and the state
9 comptroller.

10 Sec. 19. Section two hundred ninety-eight point
11 one (298.1), Code 1971, is amended as follows:

12 298.1 SCHOOL TAXES. The board of each school
13 corporation shall estimate the amount of the proposed
14 expenditures and proposed receipts for the general
15 school purposes at a time and in a manner to effectuate
16 the provisions of [chapter 442] *sections 1 through 18,*
17 *inclusive, of this Act.* Compliance with chapter 24
18 shall be observed.

19 [Prior to compliance with section 24.9, the
20 superintendent of the county school systems shall call
21 a joint meeting of school superintendents and school
22 board members for all of the local districts within
23 the county basic school tax unit. The time and place
24 for such joint meetings shall be set by the
25 superintendent of the county school systems.]

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1 [The purpose of the joint meeting shall be for a
2 review of the budgets of the several school districts
3 within the county basic school tax units, and for the
4 discussion of common problems within the county basic
5 unit.]

6 Sec. 20. Section four hundred twenty-two point
7 sixty-five (422.65), subsection one (1) and unnumbered
8 paragraph three (3), are amended as follows:

9 1. Fifty percent to the [basic school tax equalization
10 fund of the basic school tax unit] *general fund of the*
11 *school district* from which the tax is collected[, to
12 be distributed in the same manner as other funds in
13 the basic school tax equalization fund].

14 Quarterly, the director of revenue shall certify
15 to the treasurer of state the amounts to be paid to
16 each [basic school tax unit] *school district*, city, town,
17 and county from the franchise tax fund. All moneys
18 received from the franchise tax are hereby appropriated
19 according to the provisions of this section.

20 Sec. 21. Section four hundred twenty-two point
21 seventy-eight (422.78), Code 1971, is amended as follows:

22 422.78 ALLOCATION TO MONEYS AND CREDITS REPLACE-
23 FUND IN EACH COUNTY. The director shall determine the
24 percentage which the aggregate taxable value for the
25 year 1965 of the property described in and subject to
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1 taxation under section 429.2 owned or held by
2 individuals, administrators, executors, guardians,
3 conservators, trustees or an agent or nominee thereof,
4 and the aggregate taxable value for the year 1965 of
5 the property described in and subject to taxation under
6 section 431.1 for the year 1965 but not subject to
7 taxation under said section for the year 1966, in each
8 county bears to the total aggregate taxable value of
9 such property reported from all of the counties in the
10 state and shall certify the percentage for each county
11 to the state comptroller prior to January 1, 1967.
12 In January of 1967 and in January of each succeeding
13 year thereafter, the state comptroller shall apply said
14 percentage to the money which shall have accumulated
15 in the moneys and credits tax replacement fund prior
16 to such January and thereby determine the amount thereof
17 due to each county. The state comptroller shall draw
18 warrants on the moneys and credits tax replacement fund
19 in such amounts payable to the county treasurer of each
20 county and transmit them. The county treasurer shall
21 apportion these amounts twenty percent to the county
22 general fund, fifty percent to the [basic school tax
23 equalization fund] *general funds of each school district*
24 *in the proportion that the taxable value for each*
25 *district for 1965 of property subject to taxation in*

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1 *1965 under sections 429.2 and 431.1 is the total*
2 *of such taxable values for all school districts within*
3 *the county, and the remaining thirty percent to cities*
4 *and towns in the proportion that the taxable [values]*
5 *value for each city and town for 1965 of property subject*
6 *to taxation in 1965 under sections 429.2 and 431.1 is*
7 *to the total of such taxable values for all cities and*
8 *towns within the county.*

9 Sec. 22. Section four hundred thirty A point three
10 (430A.3), Code 1971, is amended as follows:

11 430A.3 LEVY. There is hereby imposed upon capital
12 employed in the business of making loans or investments
13 within the state of Iowa, as determined under the
14 provisions of this chapter, a tax of five mills on each
15 dollar of such capital; such tax to be considered a
16 tax upon moneys and credits of such corporations which
17 shall be levied by the board of supervisors, and placed
18 upon the tax list and collected by the county treasurer.
19 The amount collected in each taxing district in cities
20 and towns shall be apportioned twenty percent to the
21 county general fund, thirty percent to the city or town
22 general fund, and fifty percent to the [basic school
23 tax equalization fund] *general fund of the school district*
24 *where collected, and the amount collected in each taxing*
25 *district outside of cities and towns shall be apportioned*

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1 fifty percent to the county general fund and fifty
2 percent to the [basic school tax equalization fund] *general*

3 *fund of the school district where collected.* The term
4 "loans" as used herein shall mean the lending of money
5 to members of the general public upon other than real
6 estate security. The term "investments" as used herein
7 shall mean the discounting, purchasing, or otherwise
8 acquiring notes, mortgages, sales contracts, debentures,
9 or any other evidences of indebtedness, based upon other
10 than real estate security when such investments are
11 made in connection with loans made to members of the
12 general public in the state of Iowa or in the courts
13 of any operations having as their effect the financing
14 of business transactions within the state of Iowa
15 resulting in the incurring of any indebtedness based
16 upon security other than real estate security.

17 Sec. 23. Chapter four hundred forty-two (442), Code
18 1971, is repealed.

19 DIVISION 2

20 Sec. 24. Section four hundred twenty-two point five
21 (422.5), Code 1971, is amended by striking subsections
22 one (1) through seven (7), inclusive, and inserting
23 in lieu thereof the following new subsections:

24 1. On the first thousand dollars of taxable income,
25 or any part thereof, one percent.

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1 2. On the second thousand dollars of taxable income,
2 or any part thereof, two percent.

3 3. On the third thousand dollars of taxable income,
4 or any part thereof, three percent.

5 4. On the fourth thousand dollars of taxable income,
6 or any part thereof, four percent.

7 5. On the fifth, sixth, and seventh thousand dol-
8 lars of taxable income, or any part thereof, five per-
9 cent.

10 6. On the eighth and ninth thousand dollars of
11 taxable income, or any part thereof, six percent.

12 7. On the tenth, eleventh, and twelfth thousand
13 dollars of taxable income, or any part thereof, seven
14 percent.

15 8. On the thirteenth, fourteenth, and fifteenth
16 thousand dollars of taxable income, or any part thereof,
17 eight percent.

18 9. On the sixteenth, seventeenth, eighteenth, nine-
19 teenth, and twentieth thousand dollars of taxable income,
20 or any part thereof, nine percent.

21 10. On all taxable income over twenty thousand dol-
22 lars, ten percent.

23 Sec. 25. Section four hundred twenty-two point
24 sixty-nine (422.69), subsection two (2), Code 1971,
25 is amended by striking the subsection and inserting

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1 in lieu thereof the following:

2 2. A "moneys and credits tax replacement fund" is
3 created in the office of the treasurer of state. An-

4 nually on December thirty-first the treasurer of state
5 shall transfer four million dollars of moneys credited
6 to the general fund under this section to the moneys
7 and credits tax replacement fund.

8 Sec. 26. The provisions of sections twenty-four
9 (24) and twenty-five (25) of this Act shall be effective
10 January 1, 1972.

11 DIVISION 3

12 Sec. 27. Section four hundred twenty-two point
13 forty-three (422.43), unnumbered paragraphs one (1),
14 two (2), seven (7), and eight (8), Code 1971, are amended
15 as follows:

16 There is hereby imposed a tax of [three] *four* percent
17 upon the gross receipts from all sales of tangible
18 personal property, consisting of goods, wares, or
19 merchandise, except as otherwise provided in this
20 division, sold at retail in the state to consumers or
21 users; a like rate of tax upon the gross receipts from
22 the sales, furnishing or service of gas, electricity,
23 water, heat, and communication service, including the
24 gross receipts from such sales by any municipal
25 corporation furnishing gas, electricity, water, heat,

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1 and communication service to the public in its proprie-
2 tary capacity, except as otherwise provided in this
3 division, when sold at retail in the state to consumers
4 or users; and a like rate of tax upon the gross receipts
5 from all sales of tickets or admissions to places of
6 amusement, athletic events including those of educational
7 institutions, fairs; and a like rate of tax upon that
8 part of private club membership fees or charges paid
9 for the privilege of participating in any athletic
10 sports provided club members.

11 There is hereby imposed a tax of [three] *four* percent
12 upon the gross receipts derived from the operation of
13 all forms of amusement devices and commercial amusement
14 enterprises operated or conducted within the state of
15 Iowa, such tax to be collected from the operator in
16 the same manner as is provided for the collection of
17 taxes upon the gross receipts of tickets or admission
18 as provided in this section.

19 The tax herein levied shall be computed and collected
20 as hereinafter provided. The tax herein imposed shall
21 be at the rate of [three] *four* percent.

22 There is hereby imposed a tax of [three] *four* percent
23 upon the gross receipts from the rendering, furnishing,
24 or performing of services as defined in section 422.42.

25 Sec. 28. Section four hundred twenty-two point

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1 sixty-nine (422.69), subsection five (5), Code 1971,
2 is amended as follows:

3 5. During the last quarter of each fiscal year an
4 amount equal to ten percent of the net receipts from

5 [two-thirds] *one-half* of the sales tax collected under
6 division IV of this chapter for the fiscal year, less
7 the amount transferred during such fiscal year for motor
8 vehicle registration plates, shall be transferred to
9 the road use tax fund created by section 312.1. The
10 remainder of the net receipts from the sales tax shall
11 be credited to the general fund.

12 Sec. 29. Section four hundred twenty-three point
13 two (423.2), Code 1971, is amended as follows:

14 423.2 IMPOSITION OF TAX. An excise tax is hereby
15 imposed on the use in this state of tangible personal
16 property purchased for use in this state, at the rate
17 of [three] *four* percent of the purchase price of such
18 property. Said tax is hereby imposed upon every person
19 using such property within this state until such tax
20 has been paid directly to the county treasurer or
21 department of public safety to a retailer, or to the
22 department as hereinafter provided. An excise tax is
23 hereby imposed on the use in this state of services
24 enumerated in section 422.43 at the rate of [three] *four*
25 percent. Said tax shall be applicable where services

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1 are rendered, furnished, or performed in this state
2 or where the product or result of such service is used
3 in this state. Such tax is imposed on every person
4 using such services or the product of such services
5 in this state until such user has paid such tax either
6 to an Iowa use tax permit holder or has paid such tax
7 to the department of revenue.

8 Sec. 30. The tax imposed under sections twenty-six
9 (26) and twenty-eight (28) of this Act shall be at the
10 rate of three percent on the sales and use of tangible
11 personal property and the sale of taxable services,
12 either of which is used in the performance of a building
13 or construction contract executed prior to the effective
14 date of this Act.

DIVISION 4

16 Sec. 31. Chapter four hundred twenty-two (422),
17 Code 1971, is amended by adding the following new
18 section:

19 "In addition to the other provisions of this chapter,
20 every resident individual shall be entitled to a sales
21 tax credit for each taxable year with respect to himself
22 and each of the persons for whom he is entitled to claim
23 as a personal exemption for purposes of the individual
24 income tax imposed under division two (II) of this
25 chapter, whether or not the resident individual is

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1 required to file an individual income tax return or
2 pay the tax.

3 The amount of credit shall be computed in accordance
4 with the following table:

5 If the net income of the The credit allowed to

6	resident individual for the	resident individual for	
7	taxable year is:	himself and for each	
8		person for whom he is	
9		entitled to claim a per-	
10		sonal exemption is:	
11	Under \$1,000		\$12
12	\$1,000 or over and less than \$2,000		10
13	\$2,000 or over and less than \$3,000		7
14	\$3,000 or over and less than \$4,000		5
15	\$4,000 or over and less than \$5,000		8
16	No resident individual shall be eligible to claim		
17	the sales tax credit if the individual has a net income		
18	of over five thousand dollars.		
19	No resident individual shall be eligible to claim		
20	a sales tax credit if the individual has been claimed		
21	as a dependent on another resident individual's income		
22	tax return.		
23	The amount of the credit provided for in this section		
24	shall be allowed as a credit against the individual		
25	income tax imposed under this chapter, provided the		

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1 resident individual claims the credit on his income
2 tax return required to be filed under section four
3 hundred twenty-two point thirteen (422.13) of the Code.
4 If the income tax due a resident individual shown by
5 his tax return is less than the full amount of the
6 refund to which he is entitled under this section, the
7 excess of the credit over the income tax otherwise due
8 shall be refunded to him by the department of revenue.
9 If any resident individual entitled to a credit under
10 this section is not otherwise required by section four
11 hundred twenty-two point thirteen (422.13) of the Code
12 to file an income tax return, the credit to which he
13 is entitled shall be refunded to him upon furnishing
14 the department of revenue with proof of his taxable
15 income and the number of his personal exemptions.
16 For the purpose of this section, the term 'resident
17 individual' means a natural person who has resided in
18 the state for the full taxable year. The term 'net
19 income' means net income as defined in section four
20 hundred twenty-two point seven (422.7) of the Code.
21 The department of revenue shall make all rules and
22 regulations with respect to the credits for this section,
23 including the manner and requirements for claiming
24 credit for or refund of the amount thereof in the same
25 manner as state income tax refunds, and in accordance

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1 with the provisions of sections four hundred twenty-
2 two point sixteen (422.16) and four hundred twenty-two
3 point sixty-seven (422.67) of the Code."
4 DIVISION 5
5 Sec. 32. Section four hundred twenty-two point
6 sixty-nine (422.69), Code 1971, is amended by adding

7 the following new subsection:

8 "A 'municipal assistance fund' is created in the
9 office of the treasurer of state. Annually, prior to
10 December 31, 1972, and each year thereafter, the
11 treasurer of state shall transfer an amount equal to
12 one-fourth of the net receipts of one cent of the sales
13 tax collected under division four (IV) of this chapter
14 during the last preceding fiscal year into the municipal
15 assistance fund for distribution to any regional ser-
16 vice agency providing services within a merged area
17 under authority of chapters twenty-eight E (28E) or
18 four hundred seventy-three A (473A) of the Code.
19 The state comptroller shall divide the amount of
20 money in the municipal assistance fund by the total
21 population of the state to determine the amount to be
22 distributed on a per capita basis. Upon application
23 for assistance by a regional service agency, the state
24 comptroller shall determine the amount to be distributed
25 to each regional service agency based on the population

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1 served by the agency, and shall distribute the moneys
2 to the regional service agencies. The amount of moneys
3 which a regional service agency may receive from the
4 municipal assistance fund shall be limited to the total
5 amount per capita or the total budget of the regional
6 service agency, whichever is less. The moneys in the
7 municipal assistance fund are appropriated for this
8 purpose.
9 Any funds remaining in the municipal assistance fund
10 at the end of each fiscal year shall revert to the gen-
11 eral fund."

DIVISION 6

13 Sec. 33. Section four hundred twenty-five point
14 one (425.1), subsection four (4), Code 1971, is amended
15 as follows:

16 4. Annually the department of revenue shall estimate
17 the millage credit not to exceed [twenty-five] *twelve*
18 *and one-half* mills to be given to each dollar of eligible
19 homestead valuation based upon the estimated revenue
20 that may be distributable from the homestead credit
21 fund for the ensuing year, and shall certify to the
22 county auditor of each county such millage credit and
23 the amount in dollars thereof. Each county auditor
24 shall then enter such credit against the tax levied
25 on each eligible homestead in each county payable during

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1 the ensuing year, designating on the tax lists such
2 credit as being from the homestead credit fund, and
3 credit shall then be given to the several taxing
4 districts, *except school districts*, in which such
5 eligible homesteads are located in an amount equal to
6 the credits allowed on the taxes of such homesteads.
7 The amount of said credits shall be apportioned by each

8 county treasurer to the several taxing districts as
9 provided by law, in the same manner as though the amount
10 of the credit had been paid by the owners of said
11 homesteads; provided, however, that the several taxing
12 districts shall not be permitted to draw the funds so
13 credited until after the semiannual allocations have
14 been received by the county treasurer, as provided in
15 this chapter. Each county treasurer shall show on each
16 tax receipt the amount of credit received from the
17 homestead credit fund.

18 DIVISION 7

19 Sec. 34. Section two hundred thirty-nine point
20 eleven (239.11), Code 1971, is amended as follows:

21 239.11 COUNTY APPROPRIATIONS. The county board
22 of supervisors in each county in this state shall
23 appropriate annually, and pay [in the manner hereinafter
24 specified] from the county poor fund, such sum as shall
25 result in the payment by such county of that portion

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1 of all assistance and benefits payable with respect
2 to dependent children chargeable to the county under
3 this chapter, which shall [equal] *not exceed* one-half
4 of all [such] assistance and benefits chargeable to the
5 county exclusive of [such] receipts and contributions
6 to such fund other than state or county funds, as may
7 from time to time be legally received from any source
8 and credited to the state division and shall include
9 in the tax levy for such county the sum or sums so
10 appropriated for that purpose. The sums necessary as
11 above provided shall be originally determined upon the
12 basis of an annual budget prepared by the county board
13 and approved by the state division. [Should the sum
14 so appropriated, however, be expended or exhausted
15 during the year for which it was appropriated, such
16 additional sum shall be appropriated by the board of
17 supervisors from the county poor fund as shall be
18 sufficient to meet the obligation of the county to pay
19 its share as heretofore provided of all assistance and
20 benefits with respect to dependent children chargeable
21 to the county.] The appropriation provided in this
22 section shall not exceed statutory tax limitations now
23 or hereafter provided[, except that in counties having
24 a population of sixty thousand, or more, the board of
25 supervisors may levy annually an additional tax not

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1 to exceed one-fourth mill to carry out the provisions
2 of this chapter; and in counties having a population
3 of over thirty-five thousand and less than sixty
4 thousand, the board of supervisors may levy annually
5 an additional tax not to exceed one-eighth mill to carry
6 out the provisions of this chapter].
7 The share of any county for assistance and benefits
8 payable to dependent Indian children living on an Indian

9 reservation in said county shall be paid by the state,
10 from the fund for aid to dependent children.

11 Sec. 35. Section two hundred thirty-nine point
12 twelve (239.12), Code 1971, is amended as follows:

13 239.12 FUND FOR AID TO DEPENDENT CHILDREN—
14 REIMBURSEMENT TO STATE. There is hereby established
15 in the state treasury a fund to be known as the "Fund
16 for Aid to Dependent Children" to which shall be credited
17 all funds appropriated by the state for the payment
18 of administrative expenses, assistance and benefits
19 under this chapter, all moneys received at any time
20 for such purposes, and all funds paid by counties to
21 the state division as provided by [this chapter] *sec-*
22 *tion 252.43*. All assistance and benefits under this
23 chapter, and the administrative expenses incident
24 thereto, except compensation and expenses paid to the
25 county board members, shall be paid from said fund.

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1 The state division shall report to the county board
2 [quarterly] *monthly* the total amount of assistance and
3 benefits paid during the preceding [quarter] *month* to
4 recipients chargeable to the county. The county board
5 shall promptly report the same to the county board of
6 supervisors which shall then order paid from the county
7 poor fund a sum representing the county's share thereof
8 determined in the manner heretofore provided, which
9 payment shall be credited to the fund for aid to
10 dependent children.

11 Any unexpended balance of the fund appropriated or
12 allocated by the state which remains in the fund for
13 aid to dependent children at the end of each biennium
14 shall not revert to the general fund of the state, any
15 law to the contrary notwithstanding.

16 Sec. 36. Section two hundred forty-one point twenty
17 (241.20), Code 1971, is amended as follows:

18 241.20 COUNTY APPROPRIATION. The county board of
19 supervisors in each county in this state shall
20 appropriate annually, and pay [in the manner hereinafter
21 specified] from the county poor fund, such sum as will
22 result in the payment by such county of that portion
23 of all assistance and benefits payable with respect
24 to blind persons chargeable to the county under this
25 chapter, which shall [equal] *not exceed* one-half of all

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1 [such] assistance and benefits chargeable to the county
2 exclusive of [such] receipts and contributions to such
3 fund other than state or county funds as may from time
4 to time be legally received from any source and credited
5 to the state division and shall include in the tax levy
6 for such county the sum or sums so appropriated for
7 that purpose. The sums necessary as above provided
8 shall be originally determined upon the basis of an
9 annual budget prepared by the county board and approved

10 by the state division. [Should the sum so appropriated,
11 however, be expended or exhausted during the year for
12 which it was appropriated, such additional sums shall
13 be appropriated by the board of supervisors from the
14 county poor funds as shall be sufficient to meet the
15 obligations of the county to pay its share as heretofore
16 provided of all assistance and benefits with respect
17 to blind persons chargeable to the county.] The tax
18 levy provided for in this section shall not exceed
19 statutory tax limitations now or hereafter provided.

20 Sec. 37. Section two hundred forty-one point twenty-
21 one (241.21), Code 1971, is amended as follows:

22 241.21 FUND FOR AID TO THE BLIND—REIMBURSEMENT
23 TO STATE. There is hereby established in the state
24 treasury a fund to be known as the "Fund for Aid to
25 the Blind" to which shall be credit all funds

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1 appropriated by the state for the payment of
2 administrative expenses, assistance, and benefits under
3 this chapter, all moneys received from the federal
4 government for such purpose and all funds paid by the
5 counties to the state director as provided by [this]
6 section 252.43. All assistance and benefits under this
7 chapter, and the administrative expenses incident
8 thereto, so far as the same are payable by the state
9 director, shall be paid from said fund. The state
10 director shall report to the county board each month
11 the total amount of assistance and benefits paid during
12 the preceding month to recipients which is chargeable
13 to the county. The county board shall promptly report
14 the same to the county board of supervisors which shall
15 then order paid from the county poor fund a sum
16 representing the county's share thereof determined in
17 the manner heretofore provided, which payment shall
18 be credited to the fund for aid to the blind.

19 Any unexpended balance of the funds appropriated
20 or allocated by the state which remains in the fund
21 for aid to the blind at the end of each biennium shall
22 not revert to the general fund of the state, any law
23 to the contrary notwithstanding.

24 Sec. 38. Section two hundred forty-one A point
25 thirteen (241A.13), Code 1971, is amended as follows:

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1 241A.13 COUNTY APPROPRIATION—TAX LEVY—INDIANS.
2 The county board of supervisors in each county of this
3 state shall appropriate annually [and pay in the manner
4 hereinafter specified] from the county poor fund, such
5 sum as shall result in the payment by such county of
6 that portion of all assistance and benefits, payable
7 with respect to disabled persons chargeable to the
8 county under this chapter, which shall [equal] *not exceed*
9 one-half of all [such] assistance and benefits chargeable
10 to the county, exclusive of [such] receipts and

11 contributions to such fund other than state or county
12 funds as may, from time to time, be legally received
13 from any source and credited to the state division,
14 and shall include in the tax levy for such county, the
15 sum or sums so appropriated, for that purpose. The
16 sums necessary, as above provided, shall be originally
17 determined upon the basis of an annual budget prepared
18 by the county board. [Should the sum so appropriated,
19 however, be expended or exhausted during the year for
20 which it was appropriated, such additional sum shall
21 be appropriated by the board of supervisors from the
22 county poor fund, as shall be sufficient to meet the
23 obligation of the county to pay its share, as heretofore
24 provided, of all assistance and benefits with respect
25 to disabled persons chargeable to the county.] The

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1 appropriation provided for in this section shall not
2 exceed the statutory tax limitations now or hereinafter
3 provided[, except that in counties having a population
4 of sixty thousand or more, the board of supervisors
5 may levy annually an additional tax not to exceed one
6 fourth mill to carry out the provisions of this chapter,
7 and in counties having a population of over thirty-five
8 thousand and less than sixty thousand, the board of
9 supervisors may levy annually an additional tax not
10 to exceed one-eighth mill to carry out the provision
11 of this chapter]. Funds appropriated under this section
12 shall be used exclusively for the purpose stated above.

13 The share of any county for assistance and benefits
14 payable to the dependent Indian who is disabled, and
15 living on an Indian reservation in said county, shall
16 be paid by the state from the fund for the disabled.

17 Sec. 39. Section two hundred forty-one A point
18 fourteen (241A.14), Code 1971, is amended as follows:

19 241A.14 DISABLED AID FUND. There is hereby
20 established in the state treasury a fund to be known
21 as the "Fund for Aid to the Disabled" to which shall
22 be credited all funds appropriated by the state for
23 the payment of administration expenses, assistance and
24 benefits under this chapter, all moneys received from
25 the federal government for such purposes, and all funds

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1 paid by the counties to the state director as provided
2 by [this chapter] section 252.43. All assistance, benefits,
3 and administration expense shall be paid from said fund
4 by the state director. The state division shall report
5 to the county board each month the total amount of
6 assistance and benefits paid during the preceding month
7 with respect to recipients chargeable to the county.
8 The county board shall promptly report the same to the
9 county board of supervisors which shall then order paid
10 to the state director from the county poor fund, a sum
11 representing the county's share thereof, determined

12 in the manner heretofore provided, which payment shall
13 be credited to the fund for the disabled.
14 Sec. 40. Section two hundred fifty-two point forty-
15 three (252.43), Code 1971, is amended by striking the
16 section and inserting in lieu thereof the following:
17 252.43 POOR TAX. The expense of supporting the
18 poor shall be paid out of the county treasury in the
19 same manner as other disbursements for county purposes,
20 and in case the ordinary revenue of the county proves
21 insufficient for the support of the poor, the board
22 may levy a poor tax, not to exceed one and one-half
23 mills, to be entered on the tax list and collected as
24 the ordinary county tax.
25 Of the one and one-half mill levy, an amount in

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1 dollars not to exceed the amount raised by a one mill
2 levy shall be expended for the county's share of support
3 for aid to the disabled, aid to the blind, and aid to
4 dependent children. However, if the amount in dollars
5 equal to the amount raised by a one mill levy is more
6 than sufficient to pay the county share of aid to the
7 disabled, aid to the blind, and aid to dependent
8 children, the county shall pay only an amount in dollars
9 equal to the amount raised by a one mill levy for its
10 share of aid to the disabled, aid to the blind, and
11 aid to dependent children.

12 If the amount in dollars equal to the amount raised
13 by a one mill levy is insufficient to pay the county's
14 share of aid to the disabled, aid to the blind, and
15 aid to dependent children, the county shall pay each
16 month to the director of social welfare, the amount
17 in dollars equal to the amount raised by a one mill
18 levy for the county's share of aid to the disabled,
19 aid to the blind, and aid to dependent children. When
20 a county has paid to the director of social welfare
21 an amount in dollars equal to the amount raised by a
22 one mill levy, the board of supervisors shall give
23 written notice of such fact to the director of social
24 welfare and the state shall assume the liability of
25 the county for the remainder of the year.

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1 Should the one and one-half mill levy fail to provide
2 adequate funds to take care of the poor, then the board
3 of supervisors, with the approval of the state
4 comptroller, shall levy an additional tax of not to
5 exceed two mills, to be entered on the tax list and
6 collected as the ordinary county tax. Before any
7 additional levy is made, a showing of necessity for
8 the additional levy shall be made to the state
9 comptroller and no additional levy shall be made unless
10 it shall be approved in writing by the comptroller.
11 No moneys received from the levy of an additional two
12 mills shall be expended for aid to the disabled, aid

13 to the blind, or aid to dependent children.

14 The expense of support for the poor for Indians
15 residing on a reservation in this state shall be paid
16 from funds of the state division of child and family
17 services of the department of social services. To
18 administer such support for Indians residing on a
19 reservation, such state division shall have the powers
20 and duties assigned to county officials by this chapter,
21 or the state division or director of same may designate
22 the director of social welfare in the county where such
23 Indians reside to administer such relief.

24 DIVISION 8

25 Sec. 41. DEFINITIONS. For the purposes of sections

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1 forty (40) through fifty-three (53), inclusive, of this
2 Act, unless the context otherwise requires:

3 1. "Income" means net income as defined in section
4 four hundred twenty-two point seven (422.7) of the Code,
5 plus, the amount of capital gains excluded from the
6 adjusted gross income, interest and dividends from
7 federal securities, social security benefits, and income
8 from other tax-exempt retirement or pension plans.

9 2. "Homestead" means homestead as defined in section
10 four hundred twenty-five point eleven (425.11) of the
11 Code, and in addition, includes a dwelling or part of
12 a multi-dwelling which is owned or rented and in which
13 the person claiming the credit actually resides and
14 a mobile home which is owned or rented by the person
15 claiming the credit and in which the person claiming
16 the credit actually resides.

17 3. "Property taxes accrued" means property taxes
18 levied on the homestead in the preceding year, exclusive
19 of special assessments, delinquent interest and charges,
20 and collectible during the same year in which the credit
21 is claimed.

22 4. "Gross rent" means a rental paid solely for the
23 right of occupancy of a homestead, exclusive of charges
24 for any utilities, services, furnishings, or personal
25 property appliances furnished by the landlord as a part

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1 of the rental agreement.

2 5. "Rent constituting property taxes accrued" means
3 twenty percent of the gross rent actually paid on the
4 homestead during the preceding calendar year by the
5 person claiming the credit.

6 Sec. 42. CLAIM FOR PROPERTY TAXES ACCRUED. Any
7 person who is sixty-five years of age or older or is
8 totally disabled shall be entitled to a credit against
9 his state income taxes equal to an amount by which the
10 property taxes accrued on his homestead exceeds seven
11 percent of the person's income, when included with the
12 income of his spouse, for the taxable year.

13 When a homestead is owned by two or more persons

14 as joint tenants or tenants in common and one or more
15 of these persons does not reside in the homestead, the
16 property tax is the same proportion of the property
17 tax levied as the proportion of ownership of the
18 homestead by the person claiming the credit.

19 When a person owns his homestead for part of the
20 preceding year and rents it or a different homestead
21 for a part of that year, property tax means only the
22 property tax on the homestead multiplied by the
23 percentage of twelve months that the property was owned
24 and occupied by the person claiming the credit.

25 In no event shall the credit exceed the amount of

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1 the property tax accrued.

2 Sec. 43. CLAIM FOR RENT CONSTITUTING PROPERTY TAXES
3 ACCRUED. Any person who is not eligible for the credit
4 provided in section two (2) of this Act and who is
5 sixty-five years of age or older or is totally disabled
6 shall be entitled to a credit against his state income
7 taxes equal to an amount by which the rent constituting
8 property taxes accrued on his homestead exceeds seven
9 percent of the person's income, when included with that
10 of his spouse, for the taxable year.

11 If a claim is based on rent constituting property
12 taxes accrued, the person filing the claim shall have
13 rented property during the entire preceding calendar
14 year for which he has filed a claim.

15 If two or more persons are qualified to file a claim
16 for the same homestead, the persons shall determine
17 which person shall file the claim.

18 Sec. 44. CLAIM AS INCOME TAX CREDIT OR REBATE.

19 If the allowable amount of a claim filed pursuant to
20 section two (2) or section three (3) of this Act exceeds
21 the income tax due on the person's income, or if there
22 is no income tax due, the amount of the claim not used
23 as a credit against state income taxes shall be paid
24 to the person making the claim from the state general
25 fund.

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1 No interest shall be paid on any payment made to
2 any person under the provisions of this Act.

3 Sec. 45. LIMITATIONS. The credit allowed under
4 the provisions of this Act shall be subject to the
5 following limitations:

6 1. Only one person shall be entitled to the credit
7 for a homestead for each taxable year.

8 2. The amount of the credit which shall be allowed
9 in any taxable year for property taxes accrued or rent
10 constituting property taxes accrued shall not exceed
11 three hundred dollars.

12 Sec. 46. SATISFACTION OF OUTSTANDING TAX LIABILITIES.

13 The amount of any claim payable under the provisions
14 of this Act may be applied by the director of revenue

15 against any outstanding tax liability in the name of
16 the state against the person filing the claim.

17 Sec. 47. FILING DATE. No credit for property taxes
18 accrued or rent constituting property taxes accrued
19 shall be allowed or paid unless the claim is filed with
20 the director of revenue on or before April thirtieth
21 of each year.

22 In the case of illness, absence, or disability, or
23 when in the judgment of the director of revenue good
24 cause exists, he may extend the time for filing a claim
25 under the provisions of this Act for a period not to

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1 exceed six months.

2 Sec. 48. PROOF OF CLAIM. Every person filing a
3 claim for a credit for property taxes accrued or rent
4 constituting property taxes accrued shall submit the
5 following proof to the director of revenue to support
6 his claim:

7 1. That he was sixty-five years of age or totally
8 disabled before midnight on December thirty-first of
9 the year immediately preceding the year the tax was
10 levied or the rent was paid.

11 2. Statement of income.

12 3. Receipts for rent paid.

13 4. Name and address of the owner or manager of prop-
14 erty rented.

15 5. Property taxes accrued.

16 6. Description of the property claimed as a homestead.

17 7. A statement that the property taxes accrued have
18 been or will be paid.

19 8. A statement that there are no delinquent property
20 taxes on the homestead.

21 Sec. 49. ADMINISTRATION—RULES AND REGULATIONS.
22 The director of revenue shall prescribe and make
23 available the necessary forms with instructions for
24 persons filing a claim for property taxes accrued or
25 rent constituting property taxes accrued, including

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1 forms which may be filed as a part of the individual
2 state income tax return.

3 The director may promulgate rules and regulations
4 necessary to carry out the provisions of this Act.

5 Sec. 50. AUDIT OF CLAIM. The department of revenue
6 shall audit each claim and if the director of revenue
7 determines that the amount of the credit has been
8 incorrectly determined, he shall redetermine the claim
9 and give notice, in writing, to the person filing the
10 claim of the redetermination and his reasons for it.
11 The redetermination shall be final unless appealed to
12 the district court within thirty days of receipt of
13 the notice.

14 Sec. 51. DENIAL OF CLAIM. Any person who files
15 a claim for a credit which is excessive and was filed

16 with fraudulent intent shall be guilty of a misdemeanor.
17 Upon conviction of the person filing the excessive and
18 fraudulent claim, the director of revenue shall disallow
19 the credit in full. If the claim has been paid or the
20 credit allowed against income tax, the credit allowed
21 against the income tax shall be canceled and the amount
22 paid shall be recovered in the same manner as delinquent
23 income taxes.

24 Sec. 52. RENTAL DETERMINATION. If a homestead is
25 rented by a person from another person under

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1 circumstances deemed by the director of revenue not
2 to be at arm's length, the director may determine the
3 rent constituting property taxes accrued at arm's length,
4 and the determination shall be final.

5 Sec. 53. PUBLIC WELFARE RECIPIENTS EXCLUDED. Any
6 person who is a recipient of public funds for the payment
7 of the taxes or rent during the period for which the
8 claim is filed shall not be entitled to benefits provided
9 in this Act.

10 Sec. 54. APPEALS. If a claim for property taxes
11 accrued or rent constituting property taxes accrued
12 is filed and is disallowed in whole or in part, the
13 person making such claim may appeal the disallowance
14 by filing a petition in the district court within thirty
15 days from the date the claim was disallowed.

16 Sec. 55. Section four hundred twenty-five point
17 one (425.1), Code 1971, is amended by striking subsection
18 five (5).

DIVISION 9

19
20 Sec. 56. Chapter four hundred twenty-six (426),
21 Code 1971, is repealed.

22 2. Amend the title, page 1, by striking all after
23 the word "to" in line 1 and inserting in lieu thereof
24 the words: "financing of governmental programs by pro-
25 viding state aid to schools, school district property

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1 taxes, imposing a school district income tax including
2 administration by the director of revenue and adoption
3 of administrative provisions for the state individual
4 income tax including interest and penalties, providing
5 for an increase in the rates of sales and use taxes,
6 providing for a sales tax credit, providing aid to
7 regional service agencies from sales tax receipts,
8 relating to the state individual income tax, providing
9 for a local business privilege tax, providing property
10 tax relief for the elderly and totally disabled, relating
11 to the homestead tax credit, repealing the agricultural

- 12 land tax credit, and relating to the county categorical
13 assistance programs."

BASS VAN GILST
EDWARD E. NICHOLSON
RALPH W. POTTER
C. JOSEPH COLEMAN
WAYNE D. KEITH
ROGER J. SHAFF

On motion of Senator Lamborn, the Senate adjourned until 8:30
a.m., Wednesday, May 19, 1971.

JOURNAL OF THE SENATE

ONE HUNDRED TWENTY-NINTH DAY

SENATE CHAMBER

DES MOINES, IOWA, WEDNESDAY, MAY 19, 1971

The Senate met in regular session, President Jepsen presiding.

Prayer was offered by the Reverend Orin Potter, pastor of the United Methodist Church, Adel, Iowa.

The Senate pledged allegiance to the flag.

The Journal of Tuesday, May 18, 1971, was approved.

PRESENTATION OF VISITORS

The Chair announced that the following visitors were present in the Senate gallery:

Thirty-one students from Schaller Community School, Schaller, Iowa, accompanied by their instructor, Dorothy Dillion.

Twenty-nine students from St. Peter's School, Des Moines, Iowa, accompanied by their instructor, Thomas Stokesbary.

Forty-one students from Defiance-Westphalia Community School, Defiance, Iowa, accompanied by Father McCawn, Sister Amelia and Sister Jeanine.

A group of students from University High School, Iowa City, Iowa, accompanied by Mrs. Marf and Mrs. McCormick.

Fifty-one students from St. Jude's School, Cedar Rapids, Iowa, accompanied by Sister Mary Catherine, Sister St. Patricia, Mary Hennesy and Father Ament.

A foreign exchange student from the Estherville Public School, Estherville, Iowa, Roslyn Foskey of Dubbo, Australia, accompanied by Mrs. Hugh Greig and daughter, Susan.

PETITIONS

The following petitions were presented and placed on file:

By Senator Griffin, from seventy-two residents of Pottawattamie County, opposing any state aid to private schools in Iowa.

By Senator Shaff, from ninety-two students of Mount Clare Col-

lege, Clinton, Iowa, favoring an increase in the funding of the Iowa Tuition Grant Program.

SENATE RECEDES

House File 522

Senator Graham called up House File 522, a bill for an act relating to the regulation of the manufacture, sale, transportation, storage, possession, and use of explosive materials; providing penalties for violations of those regulations; and requiring prompt reporting of knowledge or discovery of explosive devices, and providing a penalty for failure to so report, amended by the Senate, and moved that the Senate recede from its amendments, numbers 10, 14, 21, 22, 25, 34 and 35.

Roll call was requested.

On the question "Shall the motion to recede be adopted?" (H.F. 522) the vote was:

Ayes, 30:

Arbuckle	Graham	Messerly	Riley
Brownlee	Griffin	Miller	Robinson
Carlson	Gross	Milligan	Shaff
Curran	Hill	Nicholson	Smith
Davis	Keith	Ollenburg	Stephens
Erskine	Kennedy	Palmer	Thordsen
Gaudineer	Lamborn	Rabedaux	Van Drie
Gilley	Laverty		

Nays, 16:

Anderson	Conklin	Mowry	Rhodes
Balloun	DeKoster	Neu	Shawver
Bass	Doderer	Potgeter	Van Gilst
Coleman	Glenn	Potter	Walsh

Absent or not voting, 4:

Briles	Kyhl	Schaben	Tapscott
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The motion prevailed and the Senate receded from amendments 10, 14, 21, 22, 25, 34 and 35.

Senator Graham moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 522) the vote was:

Ayes, 40:

Arbuckle	DeKoster	Gross	Miller
Briles	Doderer	Hill	Milligan
Brownlee	Erskine	Keith	Mowry
Carlson	Gaudineer	Kennedy	Neu
Conklin	Gilley	Lamborn	Nicholson
Curran	Graham	Laverty	Ollenburg
Davis	Griffin	Messerly	Palmer

Potter
Rabedeaux
Rhodes

Riley
Robinson
Shaff

Smith
Stephens
Thordsen

Van Drie
Van Gilst
Walsh

Nays, 7:

Anderson
Balloun

Bass
Coleman

Glenn
Potgeter

Shawver

Absent or not voting, 3:

Kyhl

Schaben

Tapscott

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

SENATE FILE WITHDRAWN

Senator Nicholson asked and received unanimous consent that **Senate File 53** be **withdrawn** from further consideration of the Senate.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Rhodes, from the joint committee on enrolled bills, submitted the following report and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate File 449; House Files 215 and 515.

JOHN C. RHODES
Chairman, Senate Committee
ELIZABETH R. MILLER
Chairman, House Committee

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate the following bills: Senate File 449; House Files 215 and 515.

BILL SENT TO THE GOVERNOR

Senator Rhodes, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 19th day of May, 1971, sent to the Governor for his approval: Senate File 449.

JOHN C. RHODES, Chairman

Passed on file.

UNFINISHED BUSINESS
SPECIAL ORDER CONTINUED

House File 654

The Senate resumed consideration of House File 654, a bill for an act relating to state aid for schools, school district property taxes, imposing a school district income tax, providing administration by the director of revenue, adopting provisions relating to the state individual income tax, relating to the corporate income tax, and providing aid to cities, towns and counties from sales tax receipts, and Division 5 of the amendment by the committee on ways and means.

Action on Division 5 was deferred, and Division 3 of the committee amendment was taken up for consideration.

DIVISION 3

Sec. 25. Chapter four hundred twenty-two (422), Code 1971, is amended by adding the following new section:

"Commencing January 1, 1972, every resident individual shall be entitled to a sales tax credit against any tax due resulting from income earned in the year 1971 and each year thereafter with respect to himself and each of the persons for whom he is entitled to claim as a personal exemption for purposes of the personal income tax imposed under division two (2) of this chapter, whether or not the resident individual is required to file a personal income tax return or pay the tax. If no tax is due, the amount of the sales tax credit shall be refunded.

The amount of the sales tax credit shall be computed in accordance with the following table:

If the net income of the	The credit allowed to resident
resident individual is	individual for himself and for
	each person for whom he is
	entitled to claim a personal

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exemption is:

Under \$1,000	\$12
\$1,000 or over and less than \$2,000	10
\$2,000 or over and less than \$3,000	7
\$3,000 or over and less than \$4,000	5
\$4,000 or over and less than \$5,000	3

The amount of the sales tax credit shall be allowed as a credit against the personal income tax imposed under the provisions of this chapter, provided the resident individual claims the sales tax credit on his personal income tax return filed under section four hundred twenty-two point thirteen (422.13) of the Code. If the income tax due a resident individual shown by personal income tax return is less than the full amount

15 of the sales tax credit to which he entitled pursuant
16 to this section, the excess of the sales tax credit
17 over the income tax due shall be refunded to him by
18 the department of revenue.

19 No resident individual shall be eligible to claim
20 a sales tax refund if the individual has been claimed
21 as a dependent on another resident individual's income
22 tax return.

23 If any resident individual entitled to a sales tax
24 credit under this section is not otherwise required
25 to file an income tax return, the sales tax credit to

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1 which he is entitled shall be refunded to him upon
2 furnishing proof of his personal income and the number
3 of his personal exemptions to the department of revenue.

4 For the purposes of this section, 'resident
5 individual' means any person who has resided in this
6 state for a full taxable year."

7 Sec. 26. The provisions of section twenty-five (25)
8 of this Act shall become effective January 1, 1972.

Senator Shaff offered the following amendment to Division 3 filed
by him on May 14 and moved its adoption:

1 Amend the Senate committee on ways and means amendment
2 to House File 654, as amended, passed, and reprinted by
3 the House, filed May 13, 1971, commencing on page 1258
4 of the Senate Journal, as follows:

5 1. Page 23, by inserting after line 22 the following
6 new paragraph:

7 "No resident individual may receive more than one
8 sales tax refund. The sales tax refund must be claimed
9 by the individual on his income tax return and such
10 individual must claim the sales tax refund for all
11 dependents claimed on the return."

12 2. Page 24, line 2, by inserting after the word
13 "proof" the words " , as required by the director of
14 revenue,".

15 3. Page 24, by inserting after line 3 the following
16 new paragraph:

17 "The department of revenue shall promulgate rules and
18 regulations with respect to refunds for this section
19 including the manner and requirements for claiming the
20 credit for or refund of the amount thereof in the same
21 manner as state income tax refunds, and in accordance
22 with the provisions of sections four hundred twenty-two
23 point sixteen (422.16) and four hundred twenty-two point
24 seventy-four (422.74) of the Code."

The amendment to Division 3 was adopted.

Senator DeKoster offered the following amendment to Division 3
filed by him on May 17:

1 Amend the Senate committee on ways and means amendment
2 to House File 654, as amended, passed, and reprinted by
3 the House, filed May 13, 1971, commencing on page 1258 of

4 the Senate Journal, as follows:

5 1. Page 22, line 22, by striking the word "net".

6 2. Page 24, by inserting after the period in line 6
7 the following new paragraph:

8 "For the purposes of this section 'income' includes
9 all income received, regardless of source, including but
10 not limited to wages, salaries, interest and dividends
11 from nontaxable bonds of the state and federal government
12 or any of its municipalities, social security and veter-
13 ans benefits, railroad retirement benefits, income from
14 all pensions and annuities, workmen's compensation bene-
15 fits, cost of living allowances paid to federal employees,
16 allowances received by dependents of servicemen, income
17 from loss of time insurance, and the amount of capital
18 gains excluded from adjusted gross income."

Senator DeKoster moved the adoption of his amendment to Division 3 and called for a division.

Roll call was requested by Senator Gaudineer.

On the question "Shall the DeKoster amendment to Division 3 be adopted?" (H.F. 654) the vote was:

Rule 24 was invoked.

Ayes, 26:

Anderson	Curran	Lamborn	Shaff
Arbuckle	Davis	Messerly	Shawver
Balloun	DeKoster	Milligan	Smith
Bass	Gilley	Potgeter	Stephens
Briles	Graham	Rhodes	Thordsen
Brownlee	Griffin	Riley	Van Drie
Conklin	Keith		

Nays, 23:

Carlson	Gross	Neu	Robinson
Coleman	Hill	Nicholson	Schaben
Doderer	Kennedy	Ollenburg	Tapscott
Erschine	Laverty	Palmer	Van Gilst
Gaudineer	Miller	Potter	Walsh
Glenn	Mowry	Rabedeaux	

Absent or not voting, 1:

Kyhl

The amendment to Division 3 was adopted.

Senator Shaff withdrew the following amendment to Division 3 filed by him on May 17:

1 Amend the Senate committee on ways and means amendment
2 to House File 654, as amended, passed, and reprinted by
3 the House, filed May 13, 1971, commencing on page 1258
4 of the Senate Journal, page 24, by inserting after line
5 3 the following new paragraph:

6 "If the combined net income of the husband and wife
7 exceeds five thousand dollars, neither the husband or

8 wife shall receive any benefits under the provisions of
9 this section. In computing net income, the net income
10 of the husband and wife shall be added together to deter-
11 mine the appropriate sales tax credit."

Senator Shaff offered the following amendment to Division 3:

1 Amend the Senate committee on ways and means amendment to
2 House File 654, as amended, passed, and reprinted by the House,
3 filed May 13, 1971, commencing on page 1258 of the Senate Journal,
4 page 24, by inserting after line 3 the following new paragraph:
5 "If the combined income of the husband and wife exceeds five
6 thousand dollars, neither the husband or wife shall receive any
7 benefits under the provisions of this section. In computing
8 income, the income of the husband and wife shall be added together
9 to determine the appropriate sales tax credit."

Senator Mowry took the chair at 10:15 a.m.

Action on the Shaff amendment to Division 3 was temporarily deferred.

Senator Riley withdrew the amendment to Divisions 3 and 6 filed by Senators Riley, Thordsen, et al., May 14, 1971, and found on pages 1289-1294, inclusive, of the Senate Journal.

Senator Riley offered the amendment to Divisions 3 and 6 filed by Senators Riley, Davis, et al., May 18, 1971, and found on pages 1355-1359, inclusive, of the Senate Journal.

Action on the Riley, Davis, et al., amendment was temporarily deferred.

Senator Doderer offered the amendment to Division 3 filed by Senators Doderer, Gaudineer, et al., May 17, 1971, and found on pages 1319-1321, inclusive, of the Senate Journal.

Action on the Doderer, Gaudineer, et al., amendment was temporarily deferred.

Senator Shaff moved to reconsider the vote by which the DeKoster amendment filed May 17 to Division 3 was adopted by the Senate, which motion prevailed.

Senator DeKoster asked and received unanimous consent to withdraw the amendment filed May 17 and found on page 1323 of the Senate Journal.

Senator Coleman offered the following amendment to Division 3:

1 Amend the Senate committee on ways and means amendment filed
2 May 13, 1971, to House File 654, page 22 by striking lines 20
3 through 25 and page 23, by striking lines 1 through 6 and
4 inserting in lieu thereof "The amount of sales tax credits shall
5 be three-quarters of one percent on incomes up to and including
6 \$5,000.00."

Senator Coleman moved the adoption of his amendment to Division 3 and called for a division.

The amendment to Division 3 lost.

Action on Division 3 of the committee amendment was deferred.

Division 1 of the ways and means committee amendment filed May 13, 1971, and found on pages 1258-1267 of the Senate Journal was taken up for consideration.

Senator Shaff offered the following amendment to Division 1 and moved its adoption:

- 1 Amend the Senate committee on ways and means amendment
- 2 to House File 654, as amended, passed, and reprinted by
- 3 the House, filed May 13, 1971, commencing on page 1258 of
- 4 the Senate Journal, page 2, line 25, by adding after the
- 5 word "enrollment" the words "and the total prorated by
- 6 the state comptroller so that the total to be paid to all
- 7 school districts equals but does not exceed the total
- 8 amount of money appropriated for state aid under this
- 9 section".

Roll call was requested.

On the question "Shall the Shaff amendment to Division 1 be adopted?" (H.F. 654) the vote was:

Ayes, 32:

Arbuckle	DeKoster	Messerly	Schaben
Balloun	Erskine	Mowry	Shaff
Bass	Graham	Neu	Shawver
Briles	Gilley	Nicholson	Smith
Brownlee	Griffin	Ollenburg	Stephens
Carlson	Keith	Potgeter	Thordsen
Curran	Lamborn	Potter	Van Drie
Davis	Lavery	Rabedaux	Van Gilst

Nays, 15:

Anderson	Gaudineer	Kennedy	Robinson
Coleman	Glenn	Miller	Tapscott
Conklin	Gross	Milligan	Walsh
Doderer	Hill	Palmer	

Absent or not voting, 3:

Kyhl	Rhodes	Riley
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The amendment to Division 1 was adopted.

SENATOR EXCUSED

I asked to be excused for several hours to attend the funeral in Cedar Rapids of a lifelong friend, former employer, benefactor and great Iowa humanitarian, Howard Hall.

TOM RILEY

On motion of Senator Lamborn, the Senate recessed until 1:20 p.m.

AFTERNOON SESSION

The Senate reconvened, Senator Brownlee presiding.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File 466, a bill for an act to authorize counties operating county public hospitals to issue revenue bonds.

Also: That the House has repassed the following bill in which the concurrence of the House was asked:

House File 522, a bill for an act to regulate the manufacture, sale, transportation, storage, possession and use of explosive materials.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 671, a bill for an act to provide for the disposal of abandoned motor vehicles.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 697, a bill for an act to appropriate from the general fund to the department of public instruction.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 425, a bill for an act to legalize and validate the proceedings of the town council of Peterson, Iowa.

WILLIAM R. KENDRICK, Chief Clerk

INTRODUCTION OF BILL

Senate File 547, by committee on transportation, a bill for an act relating to the operation of vehicles on Iowa's streets and roads and amending penalties for violations.

Read first time and placed on calendar.

HOUSE MESSAGES CONSIDERED

House File 671, a bill for an act to provide for the disposal of abandoned motor vehicles and for related purposes.

Read first time and passed on file.

House File 466, a bill for an act to authorize counties operating county public hospitals to issue revenue bonds.

Read first time and passed on file.

House File 697, a bill for an act to appropriate from the general fund to the department of public instruction.

Read first time and **passed on file**.

SPECIAL ORDER CONTINUED

House File 654

The Senate resumed consideration of Division 1 of the ways and means committee amendment.

Senator Ollenburg offered the amendment to Division 1 filed by the committee on schools May 14, and found on pages 1286-1289, inclusive, of the Senate Journal.

Senator Ollenburg called for a division of the amendment into two divisions as follows:

Division 1—All of page 1
Page 2, lines 1 through 19
Page 3, lines 6 through 25
All of pages 4, 5 and 6

Division 2—Page 2, lines 20 through 25
Page 3, lines 1 through 5

Senator DeKoster called for a further division of the amendment as follows:

Division 3—Page 2, lines 1 through 4

Division 4—Page 3, lines 11 through 14; lines 20, 21 and 22

On motion of Senator Ollenburg, division 1 of the schools committee amendment was adopted.

Senator Ollenburg moved the adoption of division 2 of the schools committee amendment and called for a division.

Division 2 of the amendment was adopted.

Senator Ollenburg moved the adoption of division 3 of the schools committee amendment and called for a division.

Division 3 of the amendment was adopted.

Senator Ollenburg moved the adoption of division 4 of the schools committee amendment and called for a division.

Division 4 of the amendment was adopted.

Senator Conklin offered the following amendment to Divisions 1 and 7 by Senators Conklin, Davis, et al., and called for a division

of the amendment into two divisions, all of the amendment with the exception of lines 13 and 14 on page 15 to be considered as division 1; page 15, lines 13 and 14, to be considered as division 2:

Division 1

1 Amend the Senate committee on ways and means amendment
2 to House File 654, as amended, passed, and reprinted
3 by the House, filed May 13, 1971, commencing on page
4 1258 of the Journal of the Senate, as follows:

5 1. Page 1, strike lines 6 through 25, inclusive,
6 strike all of pages 2 through 14, inclusive, and strike
7 lines 1 through 21 of page 15, and insert in lieu thereof
8 the following:

9 Section 1. STATE SCHOOL FOUNDATION PROGRAM. This
10 division establishes a state school foundation program.

11 Each school district in the state is entitled to receive
12 state school foundation aid, which shall be an amount
13 per pupil in fall enrollment equal to the difference
14 between the per pupil amount of foundation property
15 tax plus miscellaneous income in the district, and the
16 state foundation base.

17 Sec. 2. STATE FOUNDATION BASE. The state foundation
18 base for school years beginning after July 1, 1972,
19 shall be as follows:

20 1. For the school year beginning July 1, 1972,
21 seventy percent of the state cost per pupil.

22 2. For the school year beginning July 1, 1973,
23 seventy-five percent of the state cost per pupil.

24 3. For the school year beginning July 1, 1974, and
25 all subsequent school years, eighty percent of the

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1 state cost per pupil.

2 Sec. 3. STATE COST PER PUPIL. The state cost per
3 pupil for the school year beginning July 1, 1971, shall
4 be nine hundred twenty dollars. The state cost per
5 pupil for the school year beginning on July 1, 1972,
6 and for each succeeding school year shall be the previous
7 year's state cost per pupil plus the dollar equivalent
8 of the state percent of allowable growth, but this
9 dollar equivalent is limited to a maximum amount of
10 forty-six dollars for the school year beginning on July
11 1, 1972, forty-eight dollars for the school year
12 beginning on July 1, 1973, and fifty-one dollars for
13 the school year beginning on July 1, 1974.

14 The state percent of allowable growth is the percent
15 of increase in state revenues, including the sales and
16 use taxes and the individual and corporate income taxes,
17 and the percent of increase in assessed valuation of
18 taxable property in the state, for each year of the
19 last three years. The sum of the individual percen-
20 tages thus obtained shall be divided by six to arrive
21 at the percent of allowable growth for the state. In
22 making such computations the comptroller shall adjust
23 for changes in rates or basis of the income tax or
24 sales and use tax and for statewide changes in assess-
25 ment practices. He shall thereupon certify the percent

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1 of allowable growth per pupil to the school districts
2 of the state on or before February fifteenth of each
3 year. For the purpose of this computation, "year" means
4 calendar year.

5 If the percent of allowable growth of the state is
6 less than zero, the state cost per student shall be
7 the same as the previous year's state cost per student.

8 Sec. 4. FOUNDATION PROPERTY TAX. The maximum state
9 foundation property tax levy, which shall be levied
10 by every school district in the state except as otherwise
11 provided in this division, shall be:

12 1. For the school year beginning July 1, 1972, and
13 for the school year beginning July 1, 1973, twenty-seven
14 and one-half mills per dollar of assessed valuation
15 on all taxable property in the district as of January
16 1, 1972, and as of January 1, 1973, respectively.

17 2. For the school year beginning July 1, 1974, and
18 all subsequent school years, thirty mills per dollar
19 of assessed valuation on all taxable property in the
20 district as of January 1, 1974, and on each subsequent
21 January thereafter.

22 If a school district can meet its general fund budget
23 or the state foundation base by a levy on the assessed
24 valuation on all taxable property in the district less
25 than specified in this section, it shall levy only the

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1 lesser amount needed.

2 No later than December first of each year the state
3 comptroller shall notify the county auditor of each
4 county the amount, both in dollars and mills, of the
5 foundation property tax levy. The county auditor or
6 auditors shall spread the foundation property tax over
7 all the taxable property in the school district.

8 Sec. 5. FALL ENROLLMENT. Fall enrollment shall
9 be determined by adding the resident pupils who are
10 enrolled on the second Friday of September of each year
11 in public elementary and secondary schools of the
12 district, and in special education schools for which
13 tuition is paid by the district whether the special
14 education school is conducted by a county board of
15 education or another school district. Shared-time
16 pupils shall be counted on the basis of number of hours
17 of instruction in a public school proportionate to a
18 full-time pupil enrolled in the district. Each school
19 district shall certify to the state department of public
20 instruction by September twenty-fifth of each year the
21 fall enrollment in the school district, and the fall
22 enrollment information shall be promptly forwarded to
23 the state comptroller.

24 Sec. 6. ADDITIONAL SCHOOL DISTRICT PROPERTY TAX
25 LEVY. The state comptroller shall determine the addi-

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1 tional school district property tax levy, which is in
2 addition to the foundation tax levy, as follows:

- 3 1. The district cost per student for the current
4 school year ending June thirtieth each year, plus the
5 state percent of allowable growth in dollars limited
6 to the maximum amounts defined in section three (3)
7 of this division, determines the district cost per pupil
8 for the school year beginning July first each year.
- 9 2. The district cost per student multiplied by the
10 estimated fall enrollment for the school year beginning
11 July first each year, determines the maximum general
12 fund budget for the district, unless the school budget
13 review committee authorizes an increase as provided
14 in section thirteen (13) of this division.
- 15 3. The state foundation base multiplied by the
16 number of pupils in fall enrollment, and the product
17 subtracted from the general fund budget of the district
18 for the school year beginning July first each year,
19 determines the amount to be raised by the additional
20 school district property tax levy.
- 21 No later than December first of each year, the state
22 comptroller shall notify the county auditor of each
23 county the amount, both in dollars and mills, of the
24 additional property tax levy. Each county auditor shall
25 spread the additional property tax levy over all taxable

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- 1 property in the school district.
- 2 Sec. 7. MAXIMUM MILLAGE LEVY. For the purpose of
3 determining the maximum millage levy in a school dis-
4 trict, the state comptroller shall determine the sum
5 of the foundation property tax levy and the additional
6 property tax levy, in mills. When this total millage
7 rate exceeds the district general fund levy in mills
8 for the school year which began July 1, 1970, he shall
9 adjust the district general fund millage levy to a rate
10 equal to the millage levy for the school year beginning
11 July 1, 1970, unless the additional millage is approved
12 by the school budget review committee or by the voters
13 as provided in section eleven (11) of this division.
- 14 Sec. 8. GUARANTEED STATE AID. For the school year
15 beginning July 1, 1972, and for that year only, the
16 state will provide specific funds, called guaranteed
17 state aid, to any school district to insure that its
18 total general fund millage excluding the millage that
19 could be raised under section eleven (11) of this division
20 will not exceed that of the school year beginning July
21 1, 1970.
- 22 There is hereby appropriated from the general fund
23 of the state to the department of public instruction
24 funds sufficient to pay the guaranteed state aid. The
25 state comptroller shall pay this aid no later than May

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- 1 15, 1973.
- 2 Sec. 9. MISCELLANEOUS INCOME. Miscellaneous income
3 is all revenues of a school district general fund budget,

4 exclusive of the state foundation property tax, the
5 state foundation aid, guaranteed state aid, and the
6 additional school district property tax levy.
7 Sec. 10. SCHOOL BUDGET REVIEW COMMITTEE. There
8 is hereby established a school budget review committee,
9 which consists of the superintendent of public
10 instruction, the state comptroller, and three members
11 appointed by the governor to represent the public and
12 to serve three-year staggered terms. Those serving
13 on the effective date of this division as public members
14 of the school budget review committee established under
15 prior law shall continue to serve out their unexpired
16 terms. The committee shall meet and hold hearings each
17 year in May in Des Moines for purposes of authorizing
18 a school district to propose a budget exceeding the
19 limitations of sections six (6) and seven (7) of this
20 division, and shall continue in session until it has
21 reviewed budgets of school districts, as provided in
22 section eleven (11) of this division. It may call in
23 school board members and employees as necessary for
24 the hearings. Legislators shall be notified of hearings
25 concerning school districts in their constituencies.

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1 The committee shall adopt its own rules of procedure.
2 The superintendent of public instruction shall serve
3 as chairman, and the state comptroller shall serve as
4 secretary. The committee members representing the
5 public shall be entitled to receive a per diem equal
6 to the per diem of members of the board of public
7 instruction and their necessary travel and other expenses
8 while engaged in their official duties. Expense payments
9 shall be made from appropriations to the department
10 of public instruction.

Sec. 11. DUTIES OF THE COMMITTEE.

12 1. The school budget review committee may recommend
13 the revision of any rules, regulations, directives,
14 or forms relating to school district budgeting and
15 accounting, confer with local school boards or their
16 representatives and make recommendations relating to
17 any budgeting or accounting matters, and may direct
18 the superintendent of public instruction or the state
19 comptroller to make studies and investigations of school
20 costs in any school district whose budget has been
21 submitted to the committee. The committee shall report
22 to each session of the general assembly, which report
23 shall include any recommended changes in laws relating
24 to school districts, and shall set out the number of
25 hearings held pursuant to this division, the reasons for

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1 any authorized increases in school costs, and other
2 information as the committee deems advisable.
3 2. The committee may review the budget of any school
4 district as follows:

- 5 a. If the budget or proposed budget shows district
6 costs per pupil in fall enrollment of more than the
7 state cost per pupil.
- 8 b. If the total general fund budget or proposed
9 budget has increased over the previous year by a percent
10 greater than the percentage growth factor computed by
11 the state comptroller as provided in section three (3)
12 of this division.
- 13 c. If in the judgment of the committee, the proposed
14 budget shows total general fund expenditures to be
15 unreasonably high in relation to the comparative cost
16 factors of the school district, even if the expenditures
17 do not exceed the state cost per pupil for the year.
- 18 3. The committee may authorize for the local school
19 board a school budget in excess of limitations provided
20 for in sections six (6) and seven (7) of this division as
21 follows:
- 22 a. The additional school district property tax levy
23 may be increased up to three mills for general fund
24 purposes over the limitation provided in section seven
25 (7) of this division.

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- 1 b. Additional supplemental state aid may be paid
2 to any district from any discretionary funds appropri-
3 ated specifically to the committee for this purpose.
- 4 If the committee does not authorize for a local
5 school board the school district's budget, it shall
6 state its recommendations in terms of a specific reduc-
7 tion in the general fund expenditures included in the
8 budget, and in terms of the projected reduction in the
9 tax rate of the school district, as determined under
10 section seven (7) of this division, and shall notify the
11 local school board of its recommendations through the
12 state comptroller.
- 13 If the school budget review committee makes a recom-
14 mendation, the school board shall follow the recommen-
15 dation or shall submit to the voters of the school dis-
16 trict, at the regular school election or at a special
17 election called for that purpose, the question of whether
18 the board shall adopt the recommendations of the school
19 budget review committee, or shall approve the budget
20 as proposed. The question submitted to the voters shall
21 state clearly the projected difference in the tax rate
22 of the school district which will result if the board
23 adopts the recommendations of the school budget review
24 committee, or if the proposed budget is adopted.
- 25 If a majority of those voting favors adoption of

Page 11

- 1 the recommendation of the school budget review committee,
2 the board of directors of the school district shall
3 revise its budget and records as recommended.
- 4 If a majority of those voting favors adoption of
5 the proposed budget, the district may exceed the
6 limitations provided in sections six (6) and seven (7)

7 of this division.

8 The school board shall certify the result of an
9 election required under this section to the school
10 budget review committee, to the county auditor, and
11 to the state comptroller, within ten days following
12 the election.

13 The committee, when authorizing school budgets in
14 excess of limitations provided in this division, shall
15 consider each district's circumstances and facts which
16 are unique and unusual, including but not limited to
17 any unusual increases or decreases in enrollments,
18 natural disasters, unusual transportation problems,
19 and initial staffing problems.

20 Failure by any school district to provide information
21 or appear before the committee as requested for the
22 accomplishment of review or hearing shall constitute
23 justification for the committee to instruct the state
24 comptroller to withhold any state aid to that district
25 until the committee's inquiries are satisfied completely.

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1 Sec. 12. COUNTY BOARD REVIEW. The school budget
2 review committee may call in any county board of edu-
3 cation for the purpose of reviewing its budget as it
4 relates to the individual districts within the county.

5 Sec. 13. APPROPRIATIONS. There is hereby appro-
6 priated each year from the general fund of the state
7 an amount necessary to pay the state school foundation
8 aid.

9 All state aids paid under sections one (1) through
10 twenty (20), inclusive, of this division, unless otherwise
11 stated shall be in installments due on or about Septem-
12 ber fifteenth, December fifteenth, March fifteenth,
13 and May fifteenth of each year, and the installments
14 shall be as nearly equal as possible as determined by
15 the state comptroller, taking into consideration the
16 relative budget and cash position of the state resources.

17 All moneys received by a school district from the
18 state under the provisions of this division, including the
19 guaranteed state aid, shall be deposited in the general
20 fund of the school district.

21 Sec. 14. GENERAL FUND BUDGET. Subject to limitations
22 imposed by the school budget review committee or by
23 state law, the general fund budget of a school district
24 shall be determined as follows:

25 1. Determine estimated general fund expenditures

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1 exclusive of gifts, and federal grants and aids, except
2 federal aids paid in anticipation of or reimbursement
3 for expenses caused by a federal activity in or near
4 a school district which would otherwise need to be paid
5 from local sources, by adding together the estimated
6 amounts to be expended for the school year, for adminis-
7 tration, instruction, attendance services, health
8 services, pupil transportation services, fixed charges,

9 operation and maintenance, community services, capital
10 outlay, debt service, and tuition paid other districts.
11 The cost of food services and student body activities
12 shall not be included in general fund costs.

13 2. From the total of the sums determined under sub-
14 section one (1) of this section deduct the following:

15 a. Estimated receipts from state appropriations
16 for handicapped children aid, vocational aid, driver
17 education aid, and junior college aid.

18 b. Estimated general fund receipts from the
19 following:

20 Tuition paid by individuals or by the state; transpor-
21 tation; services; rents; income on investment securities;
22 other general fund revenue receipts; general fund non-
23 revenue receipts; and transfers to the general fund
24 other than those resulting from clearing accounts,
25 reorganization, and the return of principal of invested

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1 securities.

2 c. An estimate of the total amount determined on
3 the per pupil cost basis for children transported who
4 live within statutory walking distance from school.

5 Sec. 15. TENTATIVE BUDGET. Not later than December
6 first for each ensuing fiscal year, the board of direc-
7 tors of each school district shall set a tentative bud-
8 get in dollars of the amount the district may spend
9 on each program in the system as defined by the school
10 budget review committee and in the forms prescribed
11 by the committee. This prospectus of program and
12 allotted dollars as approved by the board shall guide
13 the superintendent when preparing the proposed budget
14 for that year. These limitations submitted by the board
15 of directors to the superintendent of schools for the
16 district shall be promptly forwarded to the committee.

17 Sec. 16. ESTIMATES OF MISCELLANEOUS AIDS. No later
18 than September first of each year, the department of
19 public instruction shall certify to the state comp-
20 troller the amounts of any state aids other than the
21 amounts provided in this division that will be received by
22 each school district in the state. In the event any
23 estimate of state aids in any school budget certified
24 to the auditor as provided by section twenty-four point
25 seventeen (24.17) of the Code is more or less than the

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1 amount of state aids certified to the state comptroller
2 by the department of public instruction as provided
3 by this section, the state comptroller shall certify
4 to the county auditors the final millage for each school
5 district.

6 Sec. 17. COMMITTEE CRITERIA TO EXCEED BUDGET LIMITA-
7 TIONS. The school budget review committee shall report
8 annually to a joint meeting of the house and senate

9 schools committees the criteria which will be used in
10 determining the allowances provided in section eleven
11 (11), subsection three (3), paragraphs a and b of this
12 division.

Division 2

13 2. Page 30, strike lines 18 through 21, inclusive,
14 and insert in lieu thereof the words "taxes, providing".

Division 1 (cont'd)

15 3. Renumber remaining sections and correct internal
16 references in accordance with this amendment.

(House File 654 pending.)

BILLS ASSIGNED TO COMMITTEE

President Jepsen announced the assignment of the following bills to committee:

H. F. 412 State government
H. F. 466 County government
H. F. 671 Environmental preservation
H. F. 684 Ways and means
H. F. 696 Appropriations
H. F. 697 Appropriations

AMENDMENTS FILED

1 Amend House File 46, page 2, by striking in lines 17 and
2 18 the words from "*sunset to sunrise*."

JAMES A. POTGETER

1 Amend House File 66, page 2, by striking lines 16 through
2 20, inclusive.

JAMES A. POTGETER

1 Amend House File 600, page 2, line 1, by striking the
2 word "*twentieth*" and inserting in lieu thereof the word
3 "*eighteenth*".

JAMES A. POTGETER
JOHN M. WALSH

1 Amend the Senate committee on ways and means amendment
2 to House File 654, as amended, passed, and reprinted
3 by the House, filed May 13, 1971, commencing on page
4 1258 of the Journal of the Senate, as follows:
5 1. Page 1, strike lines 6 through 25, inclusive,
6 strike all of pages 2 through 14, inclusive, and strike
7 lines 1 through 21 of page 15, and insert in lieu thereof
8 the following:

9 Section 1. STATE SCHOOL FOUNDATION PROGRAM. This
10 Act establishes a state school foundation program.
11 Each school district in the state is entitled to receive
12 state school foundation aid, which shall be an amount
13 per pupil in fall enrollment equal to the difference
14 between the per pupil amount of foundation property
15 tax plus miscellaneous income in the district, and the
16 state foundation base.
17 Sec. 2. STATE FOUNDATION BASE. The state foundation
18 base for school years beginning after July 1, 1972,
19 shall be as follows:
20 1. For the school year beginning July 1, 1972,
21 seventy percent of the state cost per pupil.
22 2. For the school year beginning July 1, 1973,
23 seventy-five percent of the state cost per pupil.
24 3. For the school year beginning July 1, 1974, and
25 all subsequent school years, eighty percent of the

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1 state cost per pupil.
2 Sec. 3. STATE COST PER PUPIL. The state cost per
3 pupil for the school year beginning July 1, 1971, shall
4 be nine hundred twenty dollars. The state cost per
5 pupil for the school year beginning on July 1, 1972,
6 and for each succeeding school year shall be the previous
7 year's state cost per pupil plus the dollar equivalent
8 of the state percent of allowable growth, but this
9 dollar equivalent is limited to a maximum amount of
10 forty-six dollars for the school year beginning on July
11 1, 1972, forty-eight dollars for the school year
12 beginning on July 1, 1973, and fifty-one dollars for
13 the school year beginning on July 1, 1974.
14 The state percent of allowable growth is the percent
15 of increase in state revenues, including the sales and
16 use taxes and the individual and corporate income taxes,
17 and the percent of increase in assessed valuation of
18 taxable property in the state, for each year of the
19 last three years. The sum of the individual percents
20 thus obtained shall be divided by six to arrive
21 at the percent of allowable growth for the state. In
22 making such computations the comptroller shall adjust
23 for changes in rates or basis of the income tax or
24 sales and use tax and for statewide changes in assessment
25 practices. He shall thereupon certify the percent

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1 of allowable growth per pupil to the school districts
2 of the state on or before February fifteenth of each
3 year. For the purpose of this computation, "year" means
4 calendar year.
5 If the percent of allowable growth of the state is
6 less than zero, the state cost per student shall be
7 the same as the previous year's state cost per student.
8 Sec. 4. FOUNDATION PROPERTY TAX. The maximum state
9 foundation property tax levy, which shall be levied

10 by every school district in the state except as otherwise
11 provided in this Act, shall be:

12 1. For the school year beginning July 1, 1972, and
13 for the school year beginning July 1, 1973, twenty-seven
14 and one-half mills per dollar of assessed valuation
15 on all taxable property in the district as of January
16 1, 1972, and as of January 1, 1973, respectively.

17 2. For the school year beginning July 1, 1974, and
18 all subsequent school years, thirty mills per dollar
19 of assessed valuation on all taxable property in the
20 district as of January 1, 1974, and on each subsequent
21 January thereafter.

22 If a school district can meet its general fund budget
23 or the state foundation base by a levy on the assessed
24 valuation on all taxable property in the district less
25 than as specified in this section, it shall levy only the

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1 lesser amount needed.

2 No later than December first of each year the state
3 comptroller shall notify the county auditor of each
4 county the amount, both in dollars and mills, of the
5 foundation property tax levy. The county auditor or
6 auditors shall spread the foundation property tax over
7 all the taxable property in the school district.

8 Sec. 5. FALL ENROLLMENT. Fall enrollment shall
9 be determined by adding the resident pupils who are
10 enrolled on the second Friday of September of each year
11 in public elementary and secondary schools of the
12 district, and in special education schools for which
13 tuition is paid by the district whether the special
14 education school is conducted by a county board of
15 education or another school district. Shared-time
16 pupils shall be counted on the basis of number of hours
17 of instruction in a public school proportionate to a
18 full-time pupil enrolled in the district. Each school
19 district shall certify to the state department of public
20 instruction by September twenty-fifth of each year the
21 fall enrollment in the school district, and the fall
22 enrollment information shall be promptly forwarded to
23 the state comptroller.

24 Sec. 6. ADDITIONAL SCHOOL DISTRICT PROPERTY TAX
25 LEVY. The state comptroller shall determine the addi-

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1 tional school district property tax levy, which is in
2 addition to the foundation property tax levy, as follows:

3 1. The district cost per student for the current
4 school year ending June thirtieth each year, plus the
5 state percent of allowable growth in dollars limited
6 to the maximum amounts defined in section three (3)
7 of this Act, determines the district cost per pupil
8 for the school year beginning July first each year.

9 2. The district cost per student multiplied by the
10 estimated fall enrollment for the school year beginning

11 July first each year, determines the maximum general
12 fund budget for the district, unless the school budget
13 review committee authorizes an increase as provided
14 in section thirteen (13) of this Act.

15 3. The state foundation base multiplied by the
16 number of pupils in fall enrollment, and the product
17 subtracted from the general fund budget of the district
18 for the school year beginning July first each year,
19 determines the amount to be raised by the additional
20 school district property tax levy.

21 No later than December first of each year, the state
22 comptroller shall notify the county auditor of each
23 county the amount, both in dollars and mills, of the
24 additional property tax levy. Each county auditor shall
25 spread the additional property tax levy over all taxable

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1 property in the school district.

2 Sec. 7. MAXIMUM MILLAGE LEVY. For the purpose of
3 determining the maximum millage levy in a school dis-
4 trict, the state comptroller shall determine the sum
5 of the foundation property tax levy and the additional
6 property tax levy, in mills. When this total millage
7 rate exceeds the district general fund levy in mills
8 for the school year which began July 1, 1970, he shall
9 adjust the district general fund millage levy to a rate
10 equal to the millage levy for the school year beginning
11 July 1, 1970, unless the additional millage is approved
12 by the school budget review committee or by the voters
13 as provided in section eleven (11) of this Act.

14 Sec. 8. GUARANTEED STATE AID. For the school year
15 beginning July 1, 1972, and for that year only, the
16 state will provide specific funds, called guaranteed
17 state aid, to any school district to insure that its
18 total general fund millage excluding the millage that
19 could be raised under section eleven (11) of this Act
20 will not exceed that of the school year beginning July
21 1, 1970.

22 There is hereby appropriated from the general fund
23 of the state to the department of public instruction
24 funds sufficient to pay the guaranteed state aid. The

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1 15, 1973.

2 Sec. 9. MISCELLANEOUS INCOME. Miscellaneous income
3 is all revenues of a school district general fund budget,
4 exclusive of the state foundation property tax, the
5 state foundation aid, guaranteed state aid, the
6 additional school district property tax levy, and state
7 individual income tax returned to the district.

8 Sec. 10. SCHOOL BUDGET REVIEW COMMITTEE. There
9 is hereby established a school budget review committee,
10 which consists of the superintendent of public
11 instruction, the state comptroller, and three members
12 state comptroller shall pay this aid no later than May

12 appointed by the governor to represent the public and
13 to serve three-year staggered terms. Those serving
14 on the effective date of this Act as public members
15 of the school budget review committee established under
16 prior law shall continue to serve out their unexpired
17 terms. The committee shall meet and hold hearings each
18 year in May in Des Moines for purposes of authorizing
19 a school district to propose a budget exceeding the
20 limitations of sections six (6) and seven (7) of this
21 Act, and shall continue in session until it has reviewed
22 budgets of school districts, as provided in section
23 eleven (11) of this Act. It may call in school board
24 members and employees as necessary for the hearings.
25 Legislators shall be notified of hearings concerning

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1 school districts in their constituencies.
2 The committee shall adopt its own rules of procedure.
3 The superintendent of public instruction shall serve
4 as chairman, and the state comptroller shall serve as
5 secretary. The committee members representing the
6 public shall be entitled to receive a per diem equal
7 to the per diem of members of the board of public
8 instruction and their necessary travel and other expenses
9 while engaged in their official duties. Expense payments
10 shall be made from appropriations to the department
11 of public instruction.

Sec. 11. DUTIES OF THE COMMITTEE.

13 1. The school budget review committee may recommend
14 the revision of any rules, regulations, directives,
15 or forms relating to school district budgeting and
16 accounting, confer with local school boards or their
17 representatives and make recommendations relating to
18 any budgeting or accounting matters, and may direct
19 the superintendent of public instruction or the state
20 comptroller to make studies and investigations of school
21 costs in any school district whose budget has been
22 submitted to the committee. The committee shall report
23 to each session of the general assembly, which report
24 shall include any recommended changes in laws relating
25 to school districts, and shall set out the number of

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1 hearings held pursuant to this Act, the reasons for
2 any authorized increases in school costs, and other
3 information as the committee deems advisable.
4 2. The committee may review the budget of any school
5 district as follows:
6 a. If the budget or proposed budget shows district
7 costs per pupil in fall enrollment of more than the
8 state cost per pupil.
9 b. If the total general fund budget or proposed
10 budget has increased over the previous year by a percent
11 greater than the percentage growth factor computed by
12 the state comptroller as provided in section three (3)

13 of this Act.

14 c. If in the judgment of the committee, the proposed
15 budget shows total general fund expenditures to be
16 unreasonably high in relation to the comparative cost
17 factors of the school district, even if the expenditures
18 do not exceed the state cost per pupil for the year.

19 3. The committee may authorize for the local school
20 board a school budget in excess of limitations provided
21 for in sections six (6) and seven (7) of this Act as
22 follows:

23 a. The additional school district property tax levy
24 may be increased up to three mills for general fund
25 purposes over the limitations provided in section seven

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1 (7) of this Act.

2 b. Additional supplemental state aid may be paid
3 to any district from any discretionary funds appropri-
4 ated specifically to the committee for this purpose.

5 If the committee does not authorize for a local
6 school board the school district's budget, it shall
7 state its recommendations in terms of a specific reduc-
8 tion in the general fund expenditures included in the
9 budget, and in terms of the projected reduction in the
10 tax rate of the school district, as determined under
11 section seven (7) of this Act, and shall notify the
12 local school board of its recommendations through the
13 state comptroller.

14 If the school budget review committee makes a recom-
15 mendation, the school board shall follow the recommen-
16 dation or shall submit to the voters of the school dis-
17 trict, at the regular school election or at a special
18 election called for that purpose, the question of whether
19 the board shall adopt the recommendations of the school
20 budget review committee, or shall approve the budget
21 as proposed. The question submitted to the voters shall
22 state clearly the projected difference in the tax rate
23 of the school district which will result if the board
24 adopts the recommendations of the school budget review
25 committee, or if the proposed budget is adopted.

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1 If a majority of those voting favors adoption of
2 the recommendations of the school budget review committee,
3 the board of directors of the school district shall
4 revise its budget and records as recommended.

5 If a majority of those voting favors adoption of
6 the proposed budget, the district may exceed the
7 limitations provided in sections six (6) and seven (7)
8 of this Act.

9 The school board shall certify the result of an
10 election required under this section to the school
11 budget review committee, to the county auditor, and
12 to the state comptroller, within ten days following
13 the election.

14 The committee, when authorizing school budgets in
15 excess of limitations provided in this Act, shall con-
16 sider each district's circumstances and facts which
17 are unique and unusual, including but not limited to
18 any unusual increases or decreases in enrollments,
19 natural disasters, unusual transportation problems,
20 and initial staffing problems.

21 Failure by any school district to provide information
22 or appear before the committee as requested for the
23 accomplishment of review or hearing shall constitute
24 justification for the committee to instruct the state
25 comptroller to withhold any state aid to that district

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1 until the committee's inquiries are satisfied completely.

2 Sec. 12. COUNTY BOARD REVIEW. The school budget
3 review committee may call in any county board of edu-
4 cation for the purpose of reviewing its budget as it
5 relates to the individual districts within the county.

6 Sec. 13. APPROPRIATIONS. There is hereby appro-
7 priated each year from the general fund of the state
8 an amount necessary to pay the state school foundation
9 aid.

10 All state aids paid under sections one (1) through
11 twenty (20), inclusive, of this Act, unless otherwise
12 stated shall be in installments due on or about Septem-
13 ber fifteenth, December fifteenth, March fifteenth,
14 and May fifteenth of each year, and the installments
15 shall be as nearly equal as possible as determined by
16 the state comptroller, taking into consideration the
17 relative budget and cash position of the state resources.

18 All moneys received by a school district from the
19 state under the provisions of this Act, including the
20 guaranteed state aid, shall be deposited in the general
21 fund of the school district.

22 Sec. 14. GENERAL FUND BUDGET. Subject to limitations
23 imposed by the school budget review committee or by
24 state law, the general fund budget of a school district
25 shall be determined as follows:

Page 13

1 1. Determine estimated general fund expenditures
2 exclusive of gifts, and federal grants and aids, except
3 federal aids paid in anticipation of or reimbursement
4 for expenses caused by a federal activity in or near
5 a school district which would otherwise need to be paid
6 from local sources, by adding together the estimated
7 amounts to be expended for the school year, for adminis-
8 tration, instruction, attendance services, health
9 services, pupil transportation services, fixed charges,
10 operation and maintenance, community services, capital
11 outlay, debt service, and tuition paid other districts.
12 The cost of food services and student body activities
13 shall not be included in general fund costs.

14 2. From the total of the sums determined under sub-

- 15 section one (1) of this section deduct the following:
16 a. Estimated receipts from state appropriations
17 for handicapped children aid, vocational aid, driver
18 education aid, and junior college aid.
19 b. Estimated general fund receipts from the
20 following:
21 Tuition paid by individuals or by the state; transpor-
22 tation; services; rents; income on investment securities;
23 other general fund revenue receipts; general fund non-
24 revenue receipts; and transfers to the general fund
25 other than those resulting from clearing accounts,

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- 1 reorganization, and the return of principal of invested
2 securities.
3 c. An estimate of the total amount determined on
4 the per pupil cost basis for children transported who
5 live within statutory walking distance from school.
6 Sec. 15. TENTATIVE BUDGET. Not later than December
7 first for each ensuing fiscal year, the board of direc-
8 tors of each school district shall set a tentative bud-
9 get in dollars of the amount the district may spend
10 on each program in the system as defined by the school
11 budget review committee and in the forms prescribed
12 by the committee. This prospectus of program and
13 allotted dollars as approved by the board shall guide
14 the superintendent when preparing the proposed budget
15 for that year. These limitations submitted by the board
16 of directors to the superintendent of schools for the
17 district shall be promptly forwarded to the committee.
18 Sec. 16. PROPERTY TAX RELIEF. In addition to the
19 state school foundation aid provided in section one
20 (1) of this Act, and the additional state aids provided
21 under this Act or other provisions of law, fifteen
22 percent of the state individual income tax imposed under
23 section four hundred twenty-two point five (422.5) of
24 the Code and collected from each district in the state
25 shall be returned to the district where collected, as

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- 1 direct property tax relief. Not later than October
2 fifteenth each year the director of revenue shall certify
3 to the state comptroller the amount equal to fifteen
4 percent of the state individual income tax collected
5 from each school district for the last preceding calendar
6 year, and the state comptroller shall notify each school
7 district the amount it is entitled to receive and shall
8 draw warrants in payment of the amount due each district
9 in two equal payments due December fifteenth and May
10 fifteenth. The state comptroller shall reduce each
11 district's total property tax levy for general fund
12 purposes by an amount equal to the amount due each
13 district under this section, and shall certify the
14 corrected property tax levy to the school district,
15 and to the county board of supervisors and the county

16 auditor of the county where the school district is
17 located. The property tax reduction provided in this
18 section shall not affect the prior computation of
19 foundation property tax or additional school district
20 property tax, or the application of the limitations
21 provided by this Act, but shall provide property tax
22 relief in addition to all other provisions of this Act.

23 Sec. 17. ESTIMATES OF MISCELLANEOUS AIDS. No later
24 than September first of each year, the department of
25 public instruction shall certify to the state comp-

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1 troller the amounts of any state aids other than the
2 amount provided in this Act that will be received by
3 each school district in the state. In the event any
4 estimate of state aids in any school budget certified
5 to the auditor as provided by section twenty-four point
6 seventeen (24.17) of the Code is more or less than the
7 amount of state aids certified to the state comptroller
8 by the department of public instruction as provided
9 by this section, the state comptroller shall certify
10 to the county auditors the final millage for each school
11 district.

12 Sec. 18. RULES AND REGULATIONS. The superintendent
13 of public instruction, after consultation with the state
14 comptroller, may adopt rules and regulations and defini-
15 tions of terms as necessary and proper for the adminis-
16 tration of sections one (1) through twenty (20), inclu-
17 sive, of this Act.

18 Sec. 19. LOCAL BUDGET LAW. Provisions of chapter
19 twenty-four (24) of the Code shall apply to this Act.

20 Sec. 20. EFFECTIVE DATE. The effective date of
21 sections one (1) through twenty (20), inclusive, of
22 this Act is July 1, 1972, unless otherwise provided.

23 2. Page 30, strike lines 18 through 21, inclusive,
24 and insert in lieu thereof the words "taxes, providing".

25 3. Renumber remaining sections and correct internal

Page 17

1 references in accordance with this amendment.

GENE W. GLENN
GENE V. KENNEDY
JOHN E. TAPSCOTT
WILLIAM D. PALMER

1 Amend the Senate committee on ways and means amendment
2 to House File 654, as amended, passed, and reprinted by
3 the House, filed May 13, 1971, commencing on page 1258
4 of the Journal of the Senate, as follows:

5 1. Page 7, insert after line 12 the following new
6 section:

7 "Sec. 7. GUARANTEED STATE AID. For the 1972-1973
8 school year and for the two succeeding school years only,

9 the state will provide specific funds, called guaranteed
10 state aid, to any school district which, under the provi-
11 sions of this division, would otherwise have a general
12 fund millage rate increase for the 1972-1973 school year
13 over its rate for the 1971-1972 school year, and the
14 amount of guaranteed state aid to be paid to each district
15 each year will be the amount necessary to insure that each
16 district's general fund millage rate, as determined under
17 the provisions and limitations of this division, will not
18 exceed its general fund millage rate for the 1971-1972
19 school year. However, the amount of guaranteed state aid
20 paid to a school district in each of the three years shall
21 not be reduced if a millage rate reduction results from the
22 imposition of a school district income tax, but shall be
23 reduced if a millage rate reduction results from an
24 increase in state aid based upon the foundation formula.
25 There is hereby appropriated from the general fund of

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1 the state to the department of public instruction funds
2 sufficient to pay the guaranteed state aid. The state
3 comptroller shall pay this aid no later than May fifteenth
4 in 1973, 1974, and 1975.”
5 2. Renumber sections and correct internal references
6 in accordance with this amendment.

RUDY VAN DRIE

1 Amend the Senate committee on ways and means amendment
2 to House File 654, as amended, passed, and reprinted by
3 the House, filed May 13, 1971, commencing on page 1258
4 of the Journal of the Senate, as follows:
5 1. Page 7, line 18, insert after the word “years” the
6 words “, except as otherwise provided in this division”.
7 2. Page 8, line 1, insert after the word “surtax” the
8 words “, or to increase its millage levy, or both”.
9 3. Page 12, insert after line 10 the following:
10 “A school board may also submit, at a special election
11 held pursuant to chapter two hundred seventy-seven (277)
12 of the Code, the question of whether the district may
13 increase its millage levy for the general fund beyond the
14 maximum otherwise provided in section seven (7) of this
15 division, in lieu of or in addition to adopting a school
16 district income surtax. The question submitted to the
17 voters shall include a statement of the maximum number of
18 additional mills the board may cause to be levied for the
19 general fund. If a school board is authorized by the
20 voters to cause an additional number of mills to be levied,
21 the school board may certify only the additional amount
22 actually needed, but not to exceed the maximum authorized.
23 If the school board submits to the voters only a single
24 question of whether to increase spending by means of an
25 increase in the millage rate or by means of a combination

Page 2

1 of a school district income surtax and a millage increase,
2 a majority of those voting may authorize a millage
3 increase. If the board submits the question of whether

4 to adopt a school district income surtax or a millage
5 increase in the alternative, it shall also place on the
6 ballot the alternative of approving neither one, and in
7 this case a number of votes equal to thirty-five percent
8 of those voting is required in favor of either proposi-
9 tion in order to authorize either the adoption of a school
10 district income surtax or an increase in the general fund
11 millage levy."

LEE H. GAUDINEER, JR.

1 Amend the Senate committee on ways and means amendment to
2 House File 654, as amended, passed, and reprinted by the House,
3 filed May 13, 1971, commencing on page 1258 of the Journal of
4 the Senate, as follows:

5 1. Page 8, line 16, by inserting after the period the
6 words "In addition, the school budget review committee may meet
7 at any other time during the year at the call of the chairman."

JAMES A. POTGETER

1 Amend the Senate committee on ways and means amend-
2 ment to House File 654, as amended, passed, and re-
3 printed by the House, filed May 13, 1971, commencing
4 on page 1258 of the Senate Journal, as follows:

5 1. Page 21, by inserting after line 22 the follow-
6 ing new section:

7 "Section four hundred twenty-two point fifty-two
8 (422.52), Code 1971, is hereby amended by adding
9 the following new subsection:

10 'Beginning July 1, 1971, when a return is filed and
11 the taxes shown due thereon are paid in full on or be-
12 fore the due date as prescribed in section four hundred
13 twenty-two point fifty-one (422.51) of the Code, the
14 retailer shall be allowed a credit or discount equal to
15 three percent of the sales taxes shown due on the return.
16 The credit or discount shall be allowed the retailer for
17 prompt payment of the tax and as partial remuneration for
18 collecting the tax, keeping the records, and promptly
19 filing the returns required by this chapter.

20 The maximum amount of credit or discount allowed to
21 the retailer under this Act shall not exceed one hundred
22 dollars for any one year.'"

23 2. Renumber sections and correct internal references
24 as necessary in accordance with this amendment.

25 3. Amend the title, page 30, line 22, by inserting

Page 2

1 after the word "rate" the words "and collection".

RUDY VAN DRIE
JOHN M. WALSH
R. DEAN ARBUCKLE

1 Amend the Senate committee on ways and means amendment
2 to House File 654, as amended, passed, and reprinted by
3 the House, filed May 13, 1971, commencing on page 1258
4 of the Senate Journal, as follows:

5 1. Page 24, by striking lines 10 through 25, inclu-

- 6 sive, and inserting in lieu thereof the following:
7 A 'municipal assistance fund' is created in the office
8 of the treasurer of state. Annually, prior to December
9 thirty-first, 1972, and each year thereafter, the
10 treasurer of state shall transfer an amount equal to one-
11 fourth of the net receipts of one cent of the sales tax
12 collected under division four (IV) of this chapter during
13 the last preceding fiscal year into the municipal assist-
14 ance fund. One-half of the moneys deposited in the municip-
15 al assistance fund shall be distributed to cities and
16 towns and one-half of the moneys shall be distributed to
17 counties. On or before December thirty-first, the state
18 comptroller shall distribute the moneys in the municipal
19 assistance fund to each city, town, and county as follows:
20 a. Divide the total population of all cities and towns
21 in the state into the total amount of funds available for
22 cities and towns under this subsection in order to
23 determine a per capita distribution rate of the funds
24 available.
25 b. Divide the total population of all counties outside

Page 2

- 1 the incorporated limits of the cities and towns in each
2 county in this state into the total amount of funds
3 available for counties in order to determine a per capita
4 distribution rate of the funds available.
5 c. Distribute to each city and town in this state an
6 amount equal to the per capita rate multiplied by the
7 number of residents of the city or town.
8 d. Distribute to each county in this state an amount
9 equal to the per capita rate multiplied by the number of
10 residents of the county residing outside the incorporated
11 limits of the cities and towns in the county. The county
12 treasurer shall deposit all moneys received from the mun-
13 icipal assistance fund in the secondary road fund of the
14 county.
15 2. Page 25, by striking lines 1 and 2.
16 3. Renumber sections and correct internal references
17 as necessary in accordance with this amendment.

QUENTIN V. ANDERSON

- 1 Amend the committee on ways and means amendment to House
2 File 654, filed May 13, 1971, as follows:
3 1. Page 30, after line 13, add the following new section:
4 "Sec. Notwithstanding any provisions of the Code, interstate
5 bridges owned by a city or town may be subject to assessment and
6 taxation in the discretion of the governing body of the city or
7 town owning such bridge."
8 2. Page 30, line 24, by inserting after the comma the words
9 "relating to the taxation of interstate bridges owned by a city
10 or town,".

WILSON L. DAVIS

- 1 Amend the Senate committee on ways and means amendment
2 to House File 654, as amended, passed, and reprinted by

3 the House, filed May 13, 1971, commencing on page 1258
4 of the Senate Journal, as follows:

5 1. Page 30, by inserting after line 13 the following
6 new division:

7 DIVISION 8

8 Sec. 39. Section four hundred twenty-two point forty-
9 five (422.45), Code 1971, is amended by adding the follow-
10 ing new subsection:

11 "The gross receipts from sales of tangible personal
12 property or services to an urban transit company as
13 defined in section three hundred eighty-six C point one
14 (386C.1) of the Code."

15 Sec. 40. Section four hundred twenty-three point four
16 (423.4), Code 1971, is amended by adding the following new
17 subsection:

18 "Tangible personal property used by an urban transit
19 company as defined in section three hundred eighty-six C
20 point one (386C.1) of the Code."

21 2. Amend the title, page 30, line 22, by inserting
22 after the word "taxes," the words "exempting sales of
23 tangible personal property to urban transit companies
24 from the sales and use tax,".

JOHN M. WALSH

1 Amend the Senate ways and means committee amendment
2 to House File 654, as amended, passed, and reprinted by
3 the House, filed May 13, 1971, commencing on page 1258
4 of the Journal of the Senate, by adding on page 30, after
5 line 13, the following new paragraph:

6 "There is appropriated annually, for the fiscal year
7 beginning July 1, 1973, and each fiscal year thereafter,
8 from the general fund of the state to the department of
9 public instruction for reimbursable aid pursuant to
10 chapter two hundred eighty-one (281) of the Code, an
11 amount sufficient to pay the sums as provided in sections
12 two hundred eighty-one point nine (281.9) and two hundred
13 eighty-one point ten (281.10) of the Code."

LEE H. GAUDINEER, JR.

On motion of Senator Lamborn, the Senate adjourned until 8:30
a.m., Thursday, May 20, 1971.

JOURNAL OF THE SENATE

ONE HUNDRED THIRTIETH DAY

SENATE CHAMBER

DES MOINES, IOWA, THURSDAY, MAY 20, 1971

The Senate met in regular session, President Jepsen presiding.

Prayer was offered by the Reverend Henry Nelson, pastor of the First Baptist Church, Cedar Falls, Iowa.

The Senate pledged allegiance to the flag.

The Journal of Wednesday, May 19, 1971, was approved.

PRESENTATION OF VISITORS

The Chair announced that the following visitors were present in the Senate gallery:

A group of third-grade students from Kenwood School, Cedar Rapids, Iowa, accompanied by Mrs. Spieler, Mr. and Mrs. Sayre and Mr. and Mrs. Keith Frazier.

Thirty-four students from Runnells Elementary School, Runnells, Iowa, accompanied by Mrs. Skinner, Mrs. Lancaster and Mr. Larson.

Thirty-nine students from Farragut Community School, Farragut, Iowa, accompanied by Mrs. Wing, Mrs. Nihart and Mr. Humphrey.

Two foreign exchange students from Indianola Community School, Indianola, Iowa, Soledad Huidobro and Alejandra Wittwer from Chile, accompanied by Mrs. Ted Duffield.

MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File 571, a bill for an act relating to obscenity and indecent material, declaring certain acts to be unlawful.

WILLIAM R. KENDRICK, Chief Clerk

HOUSE MESSAGE CONSIDERED

House File 571, a bill for an act relating to obscenity and indecent

material, declaring certain acts to be unlawful, and providing penalties.

Read first time and **passed on file.**

COMMUNICATIONS

The following communications were presented:

OFFICE OF THE GOVERNOR

State Capitol
Des Moines, Iowa 50319

May 20, 1971

The Honorable Roger W. Jepsen
Lieutenant Governor of Iowa
State Capitol
Local

Dear Governor Jepsen:

It is my pleasure to submit to the Senate for their consideration the name of Reverend Warren E. Nye of Dubuque, Dubuque County, Iowa, for appointment as a member of the Board of Examiners in the Basic Sciences for the State of Iowa under the provisions of section 146.6, 1971 Code of Iowa, for the regular six-year term beginning July 1, 1971, and ending June 30, 1977.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Jepsen:

It is my pleasure to submit to the Senate for their consideration the name of Dr. Irving C. Fishman of Grinnell, Poweshiek County, Iowa, for appointment as a member of the Board of Examiners in the Basic Sciences for the State of Iowa under the provisions of section 146.6, 1971 Code of Iowa, for the regular six-year term beginning July 1, 1971, and ending June 30, 1977.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Jepsen:

It is my pleasure to submit to the Senate for their consideration the name of Albert A. Augustine of Des Moines, Polk County, Iowa, for appointment as a member of the Appeal Board on State Institution Construction Contracts under the provisions of section 22.1, 1971 Code of Iowa, for a regular four-year term beginning July 1, 1971, and ending June 30, 1975.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Jepsen:

It is my pleasure to submit to the Senate for their consideration the name

of Julian Torgerson of Sioux City, Woodbury County, Iowa, for appointment as a member of the Merit Employment Commission for the State of Iowa pursuant to section 19A.6, 1971 Code of Iowa, for the unexpired portion of a term ending June 30, 1975.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Jepsen:

It is my pleasure to submit to the Senate for their consideration the name of Mrs. Elizabeth Kruidenier of Des Moines, Polk County, Iowa, for appointment as a member of the Civil Rights Commission for the State of Iowa pursuant to section 105A.3, 1971 Code of Iowa, for a regular four-year term commencing July 1, 1971, and ending June 30, 1975.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Jepsen:

It is my pleasure to submit to the Senate for their consideration the name of Lawrence S. Slotsky of Sioux City, Woodbury County, Iowa, for appointment as a member of the Civil Rights Commission for the State of Iowa pursuant to section 105A.3, 1971 Code of Iowa, for a regular four-year term commencing July 1, 1971, and ending June 30, 1975.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Jepsen:

It is my pleasure to submit to the Senate for their consideration the name of Dr. Keith McNurlen of Ames, Story County, Iowa, for appointment as a member of the State Conservation Commission for the State of Iowa under the provisions of sections 107.1 and 107.2, 1971 Code of Iowa, for a regular six-year term beginning July 1, 1971, and ending June 30, 1977.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Jepsen:

It is my pleasure to submit to the Senate for their consideration the name of DeEdwin F. White of Burlington, Des Moines County, Iowa, for appointment as a member of the Civil Rights Commission for the State of Iowa pursuant to section 105A.3, 1971 Code of Iowa, for a regular four-year term commencing July 1, 1971, and ending June 30, 1975.

Sincerely,
ROBERT D. RAY
Governor

REPORTS OF INVESTIGATING COMMITTEES

Senator Arbuckle submitted the following report and moved its adoption:

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Forrest F. McDonald of Jefferson, Greene County, Iowa, for appointment as a member of the Iowa Aeronautics Commission for the State of Iowa under the provisions of section 328.2, 1971 Code of Iowa, for the regular six-year term beginning July 1, 1971, and ending June 30, 1977, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

R. DEAN ARBUCKLE, Chairman
C. JOSEPH COLEMAN
J. WESLEY GRAHAM
ARTHUR A. NEU
RUDY VAN DRIE

The motion prevailed and the report was adopted.

Senator Arbuckle moved that the appointment of Forrest F. McDonald be confirmed.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 44:

Anderson	Erschine	Messerly	Riley
Arbuckle	Gaudineer	Miller	Robinson
Balloun	Gilley	Milligan	Schaben
Briles	Glenn	Mowry	Shaff
Brownlee	Graham	Neu	Shawver
Carlson	Griffin	Nicholson	Smith
Coleman	Gross	Ollenburg	Stephens
Conklin	Hill	Potgeter	Thorsen
Curran	Keith	Potter	Van Drie
DeKoster	Kennedy	Rabedeaux	Van Gilst
Doderer	Lamborn	Rhodes	Walsh

Nays, none.

Absent or not voting, 6:

Bass	Kyhl	Palmer	Tapscott
Davis	Laverty		

President Jepsen declared the appointment of Forrest F. McDonald as a member of the Iowa Aeronautics Commission confirmed for the regular six-year term ending June 30, 1977.

Senator Shawver submitted the following report and moved its adoption:

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Mrs. Thelma G. Johnson of Charles City, Floyd County, Iowa, for appointment as a member of the Commission for the Blind for the State of Iowa under the provisions of section 93.1, 1971 Code of Iowa, for a regular three-year term beginning July 1, 1971, and ending

June 30, 1974, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

GEORGE L. SHAWVER, Chairman
LEIGH R. CURRAN
FLOYD GILLEY
GENE V. KENNEDY
VERNON H. KYHL

The motion prevailed and the report was adopted.

Senator Shawver moved that the appointment of Thelma G. Johnson be confirmed.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 46:

Anderson	Doderer	Laverty	Riley
Arbuckle	Erskine	Messerly	Robinson
Balloun	Gaudineer	Miller	Schaben
Bass	Gilley	Milligan	Shaff
Briles	Glenn	Neu	Shawver
Brownlee	Graham	Nicholson	Smith
Carlson	Griffin	Ollenburg	Stephens
Coleman	Gross	Potgeter	Thordsen
Conklin	Hill	Potter	Van Drie
Curran	Keith	Rabedeaux	Van Gilst
Davis	Kennedy	Rhodes	Walsh
DeKoster	Lamborn		

Nays, none.

Absent or not voting, 4:

Kyhl	Mowry	Palmer	Tapscott
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President Jepsen declared the appointment of Thelma G. Johnson as a member of the Commission for the Blind confirmed for the regular three-year term ending June 30, 1974.

Senator Milligan submitted the following report and moved its adoption:

MR. PRESIDENT: Your committee appointed to investigate the character and qualification of Keith Gunzenhauser of West Des Moines, Polk County, Iowa, for appointment as a member of the Advisory Investment Board of the Iowa Public Employees' Retirement System under the provisions of section 97B.8, 1971 Code of Iowa, for the regular six-year term commencing July 1, 1971, and ending June 30, 1977, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

GEORGE F. MILLIGAN, Chairman
FLOYD GILLEY
CHARLES P. MILLER
H. L. OLLENBURG
JOHN C. RHODES

The motion prevailed and the report was adopted.

Senator Milligan moved that the appointment of Keith Gunzenhauser be confirmed.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 46:

Anderson	Doderer	Laverty	Riley
Arbuckle	Erskine	Messerly	Robinson
Balloun	Gaudineer	Miller	Schaben
Bass	Gilley	Milligan	Shaff
Briles	Glenn	Mowry	Shawver
Brownlee	Graham	Neu	Smith
Carlson	Griffin	Nicholson	Stephens
Coleman	Gross	Ollenburg	Thordsen
Conklin	Hill	Potgeter	Van Drie
Curran	Keith	Potter	Van Gilst
Davis	Kennedy	Rabedeaux	Walsh
DeKoster	Lamborn		

Nays, none.

Absent or not voting, 4:

Kyhl	Palmer	Rhodes	Tapscott
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President Jepsen declared the appointment of Keith Gunzenhauser as a member of the Advisory Investment Board confirmed for the regular six-year term ending June 30, 1977.

Senator Davis submitted the following report and moved its adoption:

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Miss Virginia Harper of Fort Madison, Lee County, Iowa, for appointment as a member of the State Board of Public Instruction under the provisions of section 257.4, 1971 Code of Iowa, for the unexpired portion of a term ending January 2, 1974, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

WILSON L. DAVIS
W. CHARLENE CONKLIN
CHARLES P. MILLER
W. R. RABEDEAUX
RICHARD L. STEPHENS

The motion prevailed and the report was adopted.

Senator Davis moved that the appointment of Virginia Harper be confirmed.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 39:

Anderson	DeKoster	Lamborn	Rabedeaux
Arbuckle	Doderer	Laverty	Riley
Balloun	Erskine	Messerly	Schaben
Briles	Gaudineer	Miller	Shaff
Brownlee	Gilley	Milligan	Shawver
Carlson	Glenn	Neu	Thordsen
Coleman	Graham	Nicholson	Van Drie
Conklin	Griffin	Ollenburg	Van Gilst
Curran	Gross	Potgeter	Walsh
Davis	Keith	Potter	

Nays, 1:

Bass

Absent or not voting, 10:

Hill
Kennedy
Kyhle

Mowry
Palmer
Rhodes

Robinson
Smith

Stephens
Tapscott

President Jepsen declared the appointment of Virginia Harper as a member of the State Board of Public Instruction confirmed for the unexpired portion of the term ending January 2, 1974.

ADOPTION OF CONFERENCE COMMITTEE REPORT

Senate File 217

Senator Messerly called up for consideration the following report and moved its adoption:

CONFERENCE COMMITTEE REPORT

(Senate File 217)

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to consider the difference between the Senate and the House of Representatives on Senate File 217, a bill for an act relating to compensating state employees for the use of their motor vehicles, respectfully submit the following recommendation:

1. That the House recede from its amendment.
2. That Senate File 217 as passed by the Senate be amended as follows:

By striking all after the enacting clause and inserting in lieu thereof the following:

Section 1. Section twenty-one point four (21.4), Code 1971, is amended as follows:

21.4 PRIVATE USE—RATE FOR STATE BUSINESS. No state officer or employee shall use any state-owned car for his own personal private use, nor shall he be compensated for driving his own motor vehicle except if such is done on state business *with the approval of the state car dispatcher*, and in such case he shall not receive more than ten cents per mile. *However, the state car dispatcher may delegate authority to officials of the state, and department heads, for the use of private vehicles on state business up to six thousand miles per year.* When a state car has been assigned to a state officer or employee he shall not collect mileage for the use of his personal vehicle unless the state vehicle assigned to him is not useable.

This section shall not apply to elected officers of the state, judges of the district court, judges of the

supreme court, or officials and employees of the state whose mileage is paid by other than state agencies.

On the part of the Senate:

FRANCIS L. MESSERLY, Chairman
JAMES E. BRILES
EDWARD E. NICHOLSON

On the part of the House:

RICHARD F. DRAKE, Chairman
DON D. ALT
E. KEVIN KELLY
CHARLES J. UBAN

Division was called for.

The motion prevailed and the conference committee report and the recommendations and amendment contained therein were adopted.

Senator Messerly moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 217) the vote was:

Ayes, 42:

Anderson	Erskine	Messerly	Rhodes
Arbuckle	Gaudineer	Miller	Riley
Balloun	Gilley	Milligan	Schaben
Bass	Glenn	Mowry	Shaff
Briles	Graham	Neu	Shawver
Brownlee	Griffin	Nicholson	Smith
Carlson	Gross	Ollenburg	Stephens
Coleman	Hill	Potgeter	Thordsen
Curran	Keith	Potter	Van Drie
Davis	Kennedy	Rabedeaux	Van Gilst
DeKoster	Lamborn		

Nays, 2:

Doderer Walsh

Absent or not voting, 6:

Conklin	Laverty	Robinson	Tapscott
Kyhl	Palmer		

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

HOUSE AMENDMENT TO SENATE AMENDMENT CONSIDERED

House File 14

Senator Erskine called up for consideration House File 14, a bill for an act relating to the leasing of property by the state conservation commission, amended by the Senate and further amended by the House, and moved that the Senate concur in the following amendment:

- 1 Amend the Senate amendment to House File 14, line 14,
- 2 by inserting after the comma the words "*with the*
- 3 *exception of agricultural lands specifically dealt with*
- 4 *in Article I, Section 24 of the Constitution of Iowa,*".

The Chair called for a division.

The motion prevailed, and the Senate concurred in the House amendment to the Senate amendment.

Senator Erskine moved that the bill as amended by the Senate, further amended by the House, and concurred in by the Senate be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 14) the vote was:

Ayes, 36:

Arbuckle	Gaudineer	Neu	Robinson
Balloun	Gilley	Nicholson	Schaben
Bass	Gross	Ollenburg	Shaff
Briles	Keith	Palmer	Shawver
Carlson	Kennedy	Potgeter	Smith
Curran	Lamborn	Potter	Stephens
Davis	Laverty	Rabedeaux	Thordsen
DeKoster	Messerly	Rhodes	Van Gilst
Erskine	Miller	Riley	Walsh

Nays, 8:

Anderson	Doderer	Hill	Mowry
Brownlee	Glenn	Milligan	Van Drie

Voting present, 1:

Graham

Absent or not voting, 5:

Coleman	Griffin	Kyhl	Tapscott
Conklin			

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

HOUSE AMENDMENT CONSIDERED

Senate File 474

Senator Gaudineer called up for consideration Senate File 474, a bill for an act relating to disabled and retired policemen and firemen, disabled inmates and disabled elected and appointed officials, amended by the House as follows:

- 1 Amend Senate File 474, as passed by the Senate and
- 2 reprinted, as follows:
- 3 Page 2B, line 41, by inserting after the word
- 4 "compensation" the words "at the minimum rate".

Senator Gaudineer offered the following amendment to the House amendment filed by him on May 11, 1971, and moved its adoption:

- 1 Amend the House amendment to Senate File 474 as
- 2 passed by the Senate and reprinted by adding after line 4
- 3 the following new paragraphs:

- 4 Page 3, line 1, by inserting after the word "under",
 5 the words "section 85.33 or".
 6 Page 3, line 10, by inserting after the word "to",
 7 the words "section 85.33 or".
 8 Page 3, line 19, by inserting after the word "to",
 9 the words "section 85.33 or".

The amendment to the House amendment was adopted.

On motion of Senator Gaudineer, the Senate concurred in the House amendment as amended.

Senator Gaudineer moved that the bill as amended by the House and further amended and concurred in by the Senate be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 474) the vote was:

Ayes, 46:

Anderson	Gaudineer	Milligan	Robinson
Arbuckle	Gilley	Mowry	Schaben
Balloun	Glenn	Neu	Shaff
Bass	Graham	Nicholson	Shawver
Briles	Griffin	Ollenburg	Smith
Brownlee	Gross	Palmer	Stephens
Carlson	Hill	Potgeter	Tapscott
Coleman	Kennedy	Potter	Thordsen
Davis	Lamborn	Rabedeaux	Van Drie
DeKoster	Laverty	Rhodes	Van Gilst
Doderer	Messerly	Riley	Walsh
Erskine	Miller		

Nays, none.

Absent or not voting, 4:

Conklin	Curran	Keith	Kyhl
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Rhodes, from the joint committee on enrolled bills, submitted the following report and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate Joint Resolution 10; Senate Files 76, 289, 308, 345 and 487; House Files 262, 399, 420, 479, 587 and 605.

JOHN C. RHODES
 Chairman, Senate Committee
 ELIZABETH R. MILLER
 Chairman, House Committee

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate the following bills: Senate Joint Resolution 10; Senate Files 76, 289, 308, 345 and 487; House Files 262, 399, 420, 479, 587 and 605.

BILLS SENT TO THE GOVERNOR

Senator Rhodes, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 20th day of May, 1971, sent to the Governor for his approval: Senate Joint Resolution 10; Senate Files 76, 289, 308, 345 and 487.

JOHN C. RHODES, Chairman

Passed on file.

UNFINISHED BUSINESS**SPECIAL ORDER CONTINUED****House File 654**

The Senate resumed consideration of House File 654, a bill for an act relating to state aid for schools, school district property taxes, imposing a school district income tax, providing administration by the director of revenue, adopting provisions relating to the state individual income tax, relating to the corporate income tax, and providing aid to cities, towns and counties from sales tax receipts, and division 1 of the Conklin, Davis, et al., amendment to Division 1 of the amendment by the committee on ways and means.

Senator Brownlee took the chair at 10:05 a.m.

Senator Thordsen took the chair at 10:20 a.m.

Senator Brownlee took the chair at 10:42 a.m.

President Jepsen took the chair at 10:47 a.m.

Senator Conklin moved the adoption of division 1 of the amendment to Division 1 and requested a roll call.

On the question "Shall division 1 of the Conklin, Davis, et al., amendment be adopted?" (H.F. 654) the vote was:

Rule 24 was invoked.

Ayes, 23:

Arbuckle
Carlson
Conklin
Davis
DeKoster
Doderer

Gaudineer
Glenn
Griffin
Gross
Hill
Kennedy

Messerly
Milligan
Neu
Palmer
Rhodes
Riley

Robinson
Shawver
Tapscott
Thordsen
Van Drie

Nays, 26:

Anderson	Erskine	Mowry	Schaben
Balloun	Gilley	Nicholson	Shaff
Bass	Graham	Ollenburg	Smith
Briles	Keith	Potgeter	Stephens
Brownlee	Lamborn	Potter	Van Gilst
Coleman	Lavery	Rabedeaux	Walsh
Curran	Miller		

Absent or not voting, 1:

Kyhl

Division 1 of the amendment to Division 1 lost.

Division 2 of the amendment to Division 1 was deferred.

Senator Walsh offered the amendment to Division 1 filed by Senators Walsh, Neu, et al., May 17, 1971, and found on pages 1312-1317, inclusive, of the Senate Journal.

Senator Walsh called for a division of the amendment as follows:

Division 1—Pages 1 through 5
Page 6, line 1

Division 2—Page 6, lines 2 through 25
Pages 7, 8 and 9
Page 10, lines 1 through 9

Division 3—Page 10, lines 10 and 11

Senator Brownlee took the chair at 11:35 a.m.

On motion of Senator Lamborn, the Senate recessed until 1:15 p.m.

AFTERNOON SESSION

The Senate reconvened, President Jepsen presiding.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has amended Senate amendment to, concurred in Senate amendment as amended, and repassed the following bill in which the concurrence of the House was asked:

House File 129, a bill for an act to create a department of general services.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 699, a bill for an act to make appropriations to named persons in settlement of claims made against the state.

Also: That the House has adopted conference committee report and

amendments contained therein and repassed the following bill in which the concurrence of the House was asked:

Senate File 217, a bill for an act relating to compensating state employees for the use of their motor vehicles.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 296, a bill for an act relating to the establishment of a soy-bean promotion fund.

WILLIAM R. KENDRICK, Chief Clerk

HOUSE AMENDMENT TO SENATE AMENDMENT
TO HOUSE FILE 129

- 1 Amend the Senate amendment to House File 129 as
- 2 printed on pages 1415 to 1424, inclusive, of the
- 3 House Journal of May 11, as follows:
- 4 1. Line 21, by inserting after the comma the
- 5 following words: "the commission for the blind,".
- 6 2. Line 48, by inserting after the word
- 7 "agencies" the words "shall obtain the approval of
- 8 the director before contracting for additional data
- 9 processing equipment, operating systems, or programming
- 10 systems and".
- 11 3. By striking all of lines 74 and 75.
- 12 4. Line 201, by inserting before the first
- 13 comma the words "and Senate File four hundred forty-nine
- 14 (449)".
- 15 5. By striking lines 258 through 274 and
- 16 inserting in lieu thereof the following:
- 17 "4. The state [car] *vehicle* dispatcher shall purchase
- 18 all new motor vehicles for all branches of the state
- 19 government. Before purchasing any motor vehicle he shall
- 20 make requests for public bids by advertisement and he shall
- 21 purchase the vehicles from the lowest responsible bidder
- 22 for the type and make of motor vehicle designated. No
- 23 passenger motor vehicle except the motor vehicle provided
- 24 by the state for the use of the governor, ambulances, buses,
- 25 trucks, or station wagons shall be purchased for an amount

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- 1 in excess of the sum of three thousand three hundred dollars;
- 2 provided that if the passenger motor vehicle is to be used
- 3 by the highway patrol or the drug law enforcement
- 4 division or the division of criminal investigation and
- 5 bureau of identification for actual law enforcement, the
- 6 maximum amount shall be three thousand eight hundred
- 7 dollars. Provided further, that for station wagons the
- 8 maximum amount shall be three thousand five hundred
- 9 dollars."
- 10 6. By striking lines 287 through 305 and inserting
- 11 in lieu thereof the following:
- 12 "6. The state [car] *vehicle* dispatcher may authorize
- 13 the establishment of motor pools consisting of a number
- 14 of state-owned [cars] *motor vehicles* under his supervision

15 and which he may cause to be stored in a public or
16 private garage. If a pool is established by the state
17 [car] vehicle dispatcher, any state officer or employee
18 desiring the use of a state-owned motor vehicle on state
19 business shall notify the state [car] vehicle dispatcher of
20 the need for a vehicle within a reasonable time prior to
21 actual use of the motor vehicle. The state [car] vehicle
22 dispatcher may assign a motor vehicle from the motor pool
23 to the state officer or employee. If two or more state
24 officers or employees desire the use of a state-owned
25 motor vehicle for a trip to the same destination for the

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1 same length of time, the state [car] vehicle dispatcher
2 may assign one vehicle to make the trip."
3 7. By inserting after line 326 the following:
4 "9. All gasoline used in state-owned automobiles shall
5 be purchased at cost from the various installations or
6 garages of the state highway commission, state board of
7 regents, department of social services, or state car pools
8 throughout the state, unless such purchases are exempted
9 by the [car] vehicle dispatcher. The [car] vehicle dispatcher
10 shall study and determine the reasonable accessibility of
11 these state-owned sources for the purchase of gasoline. If
12 these state-owned sources for the purchase of gasoline are
13 not reasonably accessible, the [car] vehicle dispatcher shall
14 authorize the purchase of gasoline from other sources.
15 The [car] vehicle dispatcher may prescribe a manner, other
16 than the use of the revolving fund, in which the purchase
17 of gasoline from state-owned sources shall be charged to
18 the department or agency responsible for the use of the
19 automobile. The [car] vehicle dispatcher shall prescribe
20 the manner in which oil and other normal automobile
21 maintenance for state-owned automobiles may be purchased
22 from private sources, if they cannot be reasonably obtained
23 from a state car pool.
24 The state [car] vehicle dispatcher may [with the approval
25 of the executive council and governor] advertise for bids and

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1 award contracts for the furnishing of gasoline, oil, grease,
2 and vehicle replacement parts for all state-owned
3 vehicles."

HOUSE AMENDMENT TO SENATE FILE 296

1 Amend Senate File 296 as amended and passed by the
2 Senate and reprinted, as follows:
3 1. Page 3, line 6, by inserting after the word
4 "soybeans" the words "raised and".
5 2. Page 6, line 3, by adding after the word
6 "received" the following "thirty dollars per day and".
7 3. Page 6, line 5, by inserting after the word
8 "functions" the following: "not to exceed forty days
9 per year".

- 10 4. Page 6, lines 17 and 18, by striking the words
11 "twice thirty" and inserting in lieu thereof the word
12 "ten".
13 5. Page 7A, lines 18 and 19, by striking the following:
14 "Odd lot purchases of less than one hundred bushels are
15 exempted from this Act."
16 6. Page 8A, line 13, by striking the word
17 "appropriations" and inserting in lieu thereof the word
18 "grant".
19 7. Page 8A, by striking lines 17 and 18 and inserting
20 in lieu thereof the following: "first pay the costs of
21 referendums, elections and other expenses in-".
22 8. Page 10, by inserting after line 3 the following
23 new section:
24 "Sec. 34. The Iowa soybean promotion board shall not
25 be a state agency."

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- 1 9 Amend the title, lines 4 and 5 by striking the
2 words "to make an appropriation."

INTRODUCTION OF BILL

Senate File 548, by committee on judiciary, a bill for an act authorizing supplements to salaries for county attorneys, sheriffs and their assistants and deputies from private or federal funds.

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

HOUSE MESSAGE CONSIDERED

House File 699, a bill for an act to make appropriations to certain named persons in settlement of claims made against the state of Iowa.

Read first time and **passed on file**.

SPECIAL ORDER CONTINUED**House File 654**

The Senate resumed consideration of Division 1 of the ways and means committee amendment to House File 654.

CALL OF THE SENATE

The Chair announced the following call of the Senate had been filed and directed the Secretary of the Senate to call the roll:

MR. PRESIDENT: Pursuant to Rule 19 of the Rules of the Senate of the

Sixty-fourth General Assembly, we, the undersigned, do hereby request a Call of the Senate on House File 654 and motions thereto.

CLIFTON C. LAMBORN
 RICHARD L. STEPHENS
 FRANCIS L. MESSERLY
 CHARLES F. BALLOUN
 EDWARD E. NICHOLSON
 W. R. RABEDEAUX
 J. WESLEY GRAHAM
 H. L. OLLENBURG

ALDEN J. ERSKINE
 ROGER J. SHAFF
 W. CHARLENE CONKLIN
 HAROLD A. THORDSEN
 GEORGE L. SHAWVER
 RALPH W. POTTER
 WAYNE D. KEITH
 FLOYD GILLEY

Roll call revealed all members present with the exception of Senator Kyhl.

Senator Lamborn asked and received unanimous consent that Senator Kyhl be excused from the Call of the Senate.

The Senate resumed consideration of division 1 of the Walsh, Neu, et al., amendment to Division 1.

Senator Walsh moved the adoption of division 1 of the amendment and requested a roll call.

On the question "Shall division 1 of the Walsh, Neu, et al., amendment be adopted?" (H.F. 654) the vote was:

Ayes, 20:

Balloun	Griffin	Miller	Schaben
Coleman	Gross	Neu	Tapscott
Davis	Kennedy	Palmer	Thordsen
Doderer	Lamborn	Riley	Van Gilst
Gaudineer	Messerly	Robinson	Walsh

Nays, 29:

Anderson	DeKoster	Laverty	Rabedaux
Arbuckle	Erskine	Milligan	Rhodes
Bass	Gilley	Mowry	Shaff
Briles	Glenn	Nicholson	Shawver
Brownlee	Graham	Ollenburg	Smith
Carlson	Hill	Potgeter	Stephens
Conklin	Keith	Potter	Van Drie
Curran			

Absent or not voting, 1:

Kyhl

Division 1 of the amendment lost.

Divisions 2 and 3 of the Walsh, Neu, et al., amendment were temporarily deferred.

Senator Ollenburg offered the following amendment to Division 1 filed by him on May 17, 1971:

- 1 Amend the Senate committee on ways and means amendment,
- 2 dated May 14, 1971, to House File 654, page 8, line 1, by
- 3 adding after the word "surtax." the following:
- 4 "However the school budget review committee may authorize a
- 5 school district to increase the property tax millage levy up to
- 6 three mills for general fund purpose over the limitations pro-
- 7 vided in this section, if within the boundaries of that district
- 8 there has been a closing of a school resulting in substantial
- 9 increase in public school enrollment in that district."

Senator Brownlee took the chair at 3:23 p.m.

Senator Ollenburg moved the adoption of his amendment to Division 1 and called for a division.

The amendment to Division 1 was adopted.

Senator Potgeter withdrew the following amendment to Division 1 filed by him on May 19, 1971:

- 1 Amend the Senate committee on ways and means amendment to
- 2 House File 654, as amended, passed, and reprinted by the House,
- 3 filed May 13, 1971, commencing on page 1258 of the Journal of
- 4 the Senate, as follows:
- 5 1. Page 8, line 16, by inserting after the period the
- 6 words "In addition, the school budget review committee may meet
- 7 at any other time during the year at the call of the chairman."

Senator Glenn offered the following amendment to Divisions 1 and 7 filed by Senators Glenn, Kennedy, et al., May 19, 1971, and found on pages 1409-1417, inclusive, of the Senate Journal.

SENATOR EXCUSED

Senator Lamborn asked and received unanimous consent that Senator Coleman be excused from the Call of the Senate.

Senator Glenn called for a division of the amendment, all of the amendment with the exception of lines 23 and 24 on page 16 to be considered as division 1; lines 23 and 24, page 16, as division 2.

Senator Glenn moved the adoption of division 1 of the amendment and requested a roll call.

On the question "Shall division 1 of the Glenn, et al., amendment be adopted?" (H.F. 654) the vote was:

Rule 24 was invoked.

Ayes, 18:

Carlson	Glenn	Miller	Schaben
Conklin	Gross	Neu	Shawver
DeKoster	Hill	Palmer	Tapscott
Doderer	Kennedy	Robinson	Van Drie
Gaudineer	Messerly		

Nays, 30:

Anderson	Erskine	Mowry	Riley
Arbuckle	Gilley	Nicholson	Shaff
Balloun	Graham	Ollenburg	Smith
Bass	Griffin	Potgeter	Stephens
Briles	Keith	Potter	Thordsen
Brownlee	Lamborn	Rabedeaux	Van Gilst
Curran	Laverty	Rhodes	Walsh
Davis	Milligan		

Absent or not voting, 2:

Coleman	Kyhl
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Division 1 of the amendment lost.

Senator Glenn asked and received unanimous consent to withdraw division 2 of the amendment.

Senator Gaudineer offered the following amendment to Division 1 filed by him on May 19, 1971, and moved its adoption:

- 1 Amend the Senate committee on ways and means amendment
- 2 to House File 654, as amended, passed, and reprinted by
- 3 the House, filed May 13, 1971, commencing on page 1258
- 4 of the Journal of the Senate, as follows:
- 5 1. Page 7, line 18, insert after the word "years" the
- 6 words ", except as otherwise provided in this division".
- 7 2. Page 8, line 1, insert after the word "surtax" the
- 8 words ", or to increase its millage levy, or both".
- 9 3. Page 12, insert after line 10 the following:
- 10 "A school board may also submit, at a special election
- 11 held pursuant to chapter two hundred seventy-seven (277)
- 12 of the Code, the question of whether the district may
- 13 increase its millage levy for the general fund beyond the
- 14 maximum otherwise provided in section seven (7) of this
- 15 division, in lieu of or in addition to adopting a school
- 16 district income surtax. The question submitted to the
- 17 voters shall include a statement of the maximum number of
- 18 additional mills the board may cause to be levied for the
- 19 general fund. If a school board is authorized by the
- 20 voters to cause an additional number of mills to be levied,
- 21 the school board may certify only the additional amount
- 22 actually needed, but not to exceed the maximum authorized.
- 23 If the school board submits to the voters only a single
- 24 question of whether to increase spending by means of an
- 25 increase in the millage rate or by means of a combination

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- 1 of a school district income surtax and a millage increase,
- 2 a majority of those voting may authorize a millage

3 increase. If the board submits the question of whether
4 to adopt a school district income surtax or a millage
5 increase in the alternative, it shall also place on the
6 ballot the alternative of approving neither one, and in
7 this case a number of votes equal to thirty-five percent
8 of those voting is required in favor of either proposi-
9 tion in order to authorize either the adoption of a school
10 district income surtax or an increase in the general fund
11 millage levy."

The Chair called for a division.

The amendment to Division 1 was adopted.

Senator Van Drie offered the following amendment to Division 1 filed by him on May 19, 1971:

1 Amend the Senate committee on ways and means amendment
2 to House File 654, as amended, passed, and reprinted by
3 the House, filed May 13, 1971, commencing on page 1258
4 of the Journal of the Senate, as follows:

5 1. Page 7, insert after line 12 the following new
6 section:

7 "Sec. 7. GUARANTEED STATE AID. For the 1972-73
8 school year and for the two succeeding school years only,
9 the state will provide specific funds, called guaranteed
10 state aid, to any school district which, under the provi-
11 sions of this division, would otherwise have a general
12 fund millage rate increase for the 1972-1973 school year
13 over its rate for the 1971-1972 school year, and the
14 amount of guaranteed state aid to be paid to each district
15 each year will be the amount necessary to insure that each
16 district's general fund millage rate, as determined under
17 the provisions and limitations of this division, will not
18 exceed its general fund millage rate for the 1971-1972
19 school year. However, the amount of guaranteed state aid
20 paid to a school district in each of the three years shall
21 not be reduced if a millage rate reduction results from the
22 imposition of a school district income tax, but shall be
23 reduced if a millage rate reduction results from an
24 increase in state aid based upon the foundation formula.
25 There is hereby appropriated from the general fund of

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1 the state to the department of public instruction funds
2 sufficient to pay the guaranteed state aid. The state
3 comptroller shall pay this aid no later than May fifteenth
4 in 1973, 1974, and 1975."

5 2. Renumber sections and correct internal references
6 in accordance with this amendment.

Senator Van Drie moved the adoption of his amendment and called for a division.

The amendment to Division 1 was adopted.

Senator Doderer offered the following amendment to Division 1 by Senators Doderer and Gaudineer and moved its adoption:

1 Amend the Senate ways and means committee amendment
2 to House File 654, as amended, passed, and reprinted by
3 the House, filed May 13, 1971, commencing on page 1258
4 of the Journal of the Senate, as follows:
5 1. Page 11, insert after line 3 the following new
6 section:
7 "Sec. 10. MANDATORY REORGANIZATION. The school
8 budget review committee shall study and review the present
9 organization of school districts and shall formulate
10 recommendations to reduce the number of districts by
11 requiring the reorganization of some districts. The
12 committee shall study and review any school district which
13 has less than five hundred pupils in enrollment as
14 determined under section four (4) of this division, or
15 any school district which has a general fund budget per
16 pupil which exceeds the state average general fund budget
17 per pupil by more than fifteen percent. The committee
18 shall hold a hearing with the school board of any district
19 before requiring reorganization of the district. If the
20 school budget review committee makes a final determination
21 to require reorganization of any school district, the
22 school board shall, prior to the following October first,
23 submit to the county board of education of the county in
24 which the school district is located a plan for reorganiza-
25 tion with a contiguous school district. The combined

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1 current fall enrollments of the school districts involved
2 in the reorganization plan shall be at least one thousand
3 two hundred pupils.
4 The provisions of section two hundred seventy-five
5 point twelve (275.12), subsections two (2) and three (3),
6 and sections two hundred seventy-five point fourteen
7 (275.14), two hundred seventy-five point fifteen (275.15),
8 and two hundred seventy-five point sixteen (275.16) of the
9 Code shall apply to a reorganization required by this
10 section, except that any reference to 'petition' shall
11 mean 'the plan submitted by the local school board' and
12 except that the county board may alter, but shall not
13 dismiss the plan.
14 A special election for a board of directors shall be
15 held within thirty days following the decision of the
16 county board or state department of public instruction
17 whichever finally rules upon the plan under section
18 two hundred seventy-five point sixteen (275.16) of the
19 Code, and shall be called by the county superintendent
20 pursuant to section two hundred seventy-five point twenty-
21 five (275.25), of the Code. However, if a court appeal on
22 the plan is filed, it shall stay the election until deci-
23 sion on the appeal.
24 The newly-formed school district shall be established
25 on July first next following the election. A district

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- 1 required to reorganize shall pay all expenses incurred
 2 by the county superintendent and the county board of
 3 education in connection with the proceedings, including
 4 the election of the first board of directors.
 5 The provisions of sections two hundred seventy-five
 6 point twenty-seven (275.27) through two hundred seventy-
 7 five point thirty-one (275.31), inclusive, of the Code
 8 shall apply to this section.”
 9 2. By renumbering the remaining sections and correct-
 10 ing internal references as necessary in accordance with
 11 this amendment.

On the question “Shall the Doderer-Gaudineer amendment to Division 1 pass?” (H.F. 654) the vote was:

Ayes, 10:

Balloun	Gaudineer	Miller	Robinson
DeKoster	Gross	Palmer	Tapscott
Doderer	Kennedy		

Nays, 37:

Anderson	Gilley	Mowry	Schaben
Arbuckle	Glenn	Neu	Shaff
Bass	Graham	Nicholson	Shawver
Briles	Griffin	Ollenburg	Smith
Brownlee	Hill	Potgeter	Stephens
Carlson	Keith	Potter	Thordsen
Conklin	Lamborn	Rabedaux	Van Drie
Curran	Laverty	Rhodes	Van Gilst
Davis	Milligan	Riley	Walsh
Erskine			

Absent or not voting, 3:

Coleman	Kyhl	Messerly
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The amendment to Division 1 lost.

Senator Walsh offered the following amendment to Division 1:

Division 1

- 1 Amend the Senate committee on ways and means
 2 amendment to House File 654, as amended, passed, and
 3 reprinted by the House, filed May 13, 1971, commencing
 4 on page 1258 of the Journal of the Senate, as follows:
 5 1. Page 3, by adding after line 22 the following
 6 new section:
 7 Sec. 3. NONPUBLIC SCHOOL FUND.
 8 1. There is hereby established a nonpublic school
 9 fund to be administered by the state board of public
 10 instruction. The board shall deposit in the fund
 11 any money received as provided in this section, and
 12 any gifts, bequests, and state or federal
 13 appropriations designated for nonpublic school aid.
 14 2. For the fiscal year beginning July 1, 1971,
 15 the state comptroller shall pay into the nonpublic
 16 school fund a sum equal to forty-five dollars for

17 each nonpublic school student in this state enrolled
18 on September 15, 1971, in nonpublic schools. For
19 the fiscal year beginning July 1, 1972, the state
20 comptroller shall pay into the nonpublic school fund
21 a sum equal to eighty-one dollars for each nonpublic
22 school student in this state, using the enrollment
23 as of September 15, 1971, in nonpublic schools.
24 3. The nonpublic school fund shall be used only
25 for the purposes set forth in this section, and the

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1 state comptroller shall distribute the moneys provided
2 in this section only to the public school districts
3 of this state who have and are providing educational
4 services and materials as set forth in this section.
5 Payment shall be made only after presentation of
6 itemized costs of the educational services and
7 materials and shall not be less than nor exceed forty-
8 five dollars per student for the fiscal year beginning
9 July 1, 1971, and shall not be less than or exceed
10 eighty-one dollars per student for the year beginning
11 July 1, 1972.

12 4. The nonpublic school fund shall be used to
13 reimburse local school districts for their expenses
14 in providing instructors and educational services
15 and materials to nonpublic school students, except
16 that no local school district shall be eligible for
17 assistance from the nonpublic school fund unless the
18 instructors, services, and materials are provided
19 under the following conditions:

20 a. That the instruction shall be provided at the
21 site of the nonpublic school when requested by the
22 nonpublic school administrator and when it is
23 practicable to provide instruction at the site.

24 b. That the teachers assigned for instruction
25 in nonpublic schools be approved in writing by the

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1 nonpublic school administrators involved.

2 c. That the instruction, services, and materials
3 provided shall be consistent and harmonious with the
4 education program of the nonpublic schools in non-
5 religious subjects.

6 d. That the courses of instruction be substantially
7 the same as any course presented in the curricular
8 of the public schools of this state and shall not
9 include any course of instruction in religion, or
10 in denominational tenet, doctrine, or worship or where
11 the primary purpose of the course is to inculcate
12 such tenets, doctrines, or worship.

13 5. School districts shall also use the nonpublic
14 school fund for special educational services and for
15 library service and materials, for guidance counselors,
16 and for other pupil personnel services as mentioned
17 in section two hundred fifty-seven point twenty-five

18 (257.25) of the Code, and for adequate instructional
19 materials including audiovisual.
20 6. The school providing the educational materials
21 and services may bill the state comptroller for
22 students who reside within the district or for students
23 who attend a nonpublic school in the district but
24 reside in any other Iowa school district.
25 7. Instruction and educational services and

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1 materials provided under this division shall be under
2 the supervision in each county of the county
3 superintendent of school having jurisdiction of the
4 county. Each county superintendent of schools in
5 this state shall:
6 a. Make reports as required by the state
7 comptroller and the state board of public instruction
8 regarding each school district within the county
9 qualifying for assistance from the nonpublic school
10 fund.
11 b. Supervise and coordinate the instruction and
12 educational services and the furnishing of materials
13 provided by school districts within the county to
14 nonpublic school pupils whenever a school district
15 makes application for assistance from the nonpublic
16 school fund, or whenever a nonpublic school makes
17 a request to have its pupils receive such educational
18 services and materials.
19 c. Arbitrate and settle any disputes between the
20 administrators of local school districts and nonpublic
21 schools under the provisions of subsections four (4)
22 and five (5) of this section. If a county superin-
23 tendent of schools finds that a school district within
24 the county is arbitrarily and without good cause with-
25 holding such instruction and educational services

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1 and materials to a nonpublic school, the county superintendent
2 shall report the facts to the state board of public instruction.
3 8. A nonpublic school student, his parents, or the non-
4 public school may appeal directly to the state board of public
5 instruction if there is a claim that a school district is
6 arbitrarily and without good cause withholding instruction
7 and educational services and materials.
8 9. If the state board of public instruction finds after
9 notice to the district and after hearing that any school dis-
10 trict is arbitrarily and without good cause withholding in-
11 struction and educational services and materials from nonpublic
12 school children as provided in this section, the state board of
13 instruction shall take action to assure the furnishing of educa-
14 tional services and materials to nonpublic school students.
15 10. In order to be eligible for services and materials
16 those nonpublic schools involved must be nonprofit elementary
17 or secondary schools within the state other than public schools,
18 which are approved by the state board of public instruction

19 pursuant to chapter two hundred fifty-seven (257) of the Code
20 and which carry out a policy of open enrollment.

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1 Laboratory schools as authorized by chapter two hundred
2 sixty-five (265) of the Code shall not be deemed
3 approved nonpublic schools. Open enrollment means
4 the offer by a nonpublic school of equal opportunity
5 of admission to all persons meeting its reasonable
6 academic and financial requirements regardless of
7 race or ethnic origin, and also means an enrollment
8 policy which is in compliance with title six (VI)
9 of the Civil Rights Act of 1964.

Division 2

10 2. Page 30, by adding after line 13 the following
11 new division:

DIVISION 8

12
13 Sec. 39. Section four hundred fifty point six
14 (450.6), Code 1971, is amended by striking the section
15 and inserting in lieu thereof the following:

16 **450.6 ACCRUAL OF TAX-MATURITY—EXTENSION OF TIME.**

17 The tax hereby imposed shall be for the use of the
18 state, shall accrue at the death of the decedent
19 owner, and shall be paid to the department of revenue
20 within nine months after the death of the decedent
21 owner except when otherwise provided in this chapter.
22 The director of revenue may grant an extension of
23 time, not to exceed nine months, for filing any return
24 required by this chapter, but in case of any such
25 extension the tax shall bear six percent interest

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1 from the expiration of nine months from decedent's
2 death.

3 Sec. 40. Section four hundred fifty point ten
4 (450.10), subsection one (1), Code 1971, is amended
5 as follows:

6 1. When such property, interest, or income passes
7 to the wife or the husband of the deceased, grantor,
8 donor, or vendor, or to the father or mother, or to
9 any child or lineal descendant of such decedent,
10 grantor, donor or vendor, including a legally adopted
11 child or illegitimate child entitled to inherit under
12 the laws of this state, the tax imposed shall be on
13 the individual share [so passing in excess of the
14 exemptions herein allowed and shall be] as follows:

15 [One] Two percent of the first [five thousand dollars]
16 twelve thousand five hundred dollars.

17 [Two percent of any amount in excess of five thousand
18 dollars and up twelve thousand five hundred dollars.]

19 Three percent on any amount in excess of twelve
20 thousand five hundred dollars and up to twenty-five
21 thousand dollars.

22 Four percent on any amount in excess of twenty-

23 five thousand dollars and up to fifty thousand dollars.

24 Five percent on any amount in excess of fifty

25 thousand dollars and up to seventy-five thousand

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1 dollars.

2 Six percent on any amount in excess of seventy-
3 five thousand dollars and up to one hundred thousand
4 dollars.

5 Seven percent on any amount in excess of one hundred
6 thousand dollars and up to one hundred fifty thousand
7 dollars.

8 [Eight] Ten percent on all sums in excess of one
9 hundred fifty thousand dollars.

10 *After computing the total tax on the individual*
11 *share of the estate passing to the surviving spouse,*
12 *heirs or beneficiaries of the deceased, the following*
13 *tax credits shall be allowed:*

14 a. *Surviving spouse, one thousand two hundred*
15 *twenty-five dollars.*

16 b. *Each minor son and daughter, including legally*
17 *adopted sons and daughters, or minor illegitimate*
18 *sons and daughters entitled to inherit under the law*
19 *of this state, four hundred seventy-five dollars.*

20 c. *Each adult son and daughter including legally*
21 *adopted sons and daughters, or adult illegitimate*
22 *sons and daughters entitled to inherit under the laws*
23 *of this state, two hundred dollars.*

24 d. *Any other lineal descendant of the deceased,*
25 *one hundred dollars.*

Page 9

1 Sec. 41. Section four hundred fifty point sixty-
2 three (450.63), Code 1971, is amended as follows:
3 450.63 MATURITY OF TAX-INTEREST. All taxes imposed
4 by this chapter shall be payable to the department
5 of revenue and, except when otherwise provided in
6 this chapter, shall be paid with [eighteen] nine
7 months from the death of the testator or intestate.
8 All taxes not paid within the time prescribed in this
9 chapter shall draw interest at the rate of [eight] six
10 percent per annum thereafter until paid. *If any tax*
11 *imposed by this chapter is not paid within the time*
12 *prescribed in this chapter, there shall be added to*
13 *the amount due a penalty for late payment equal to*
14 *two percent per month or each fraction thereof during*
15 *which such failure continues with a maximum penalty*
16 *of twenty-five percent of the tax due. Such penalty*
17 *shall be in addition to the interest provided by this*
18 *section.*

19 Sec. 42. Chapter four hundred fifty (450), Code
20 1971, is amended by adding the following new section:

21 "There is hereby imposed an administrative fee
22 of twenty-five dollars on the estate of every decedent
23 subject to the provisions of this chapter, except

24 that the administrative fee shall not be collected
25 from an estate exempt under the provisions of section

Page 10

1 four hundred fifty point four (450.4), subsection
2 one (1), of the Code.

3 The administrative fee shall be collected by the
4 department of revenue before the department issues
5 any final receipt for payment of the taxes imposed
6 by this chapter, or before issuing any clearance of
7 inheritance tax when no tax is due."

8 Sec. 43. Section four hundred fifty point nine
9 (450.9), Code 1971, is repealed.

10 3. Add at the end of the amendment the follow-
11 ing new section:

12 "If any provision of this Act or the application
13 thereof to any person shall be invalid, such invalidity
14 shall not affect the provisions or application of
15 this Act which can be given effect without the invalid
16 provisions or application, and to this end the
17 provisions of this Act are severable."

Division 3

18 4. Page 31, line 3, insert after the comma the
19 words "providing moneys for nonpublic schools,".

Senator Walsh called for a division of the amendment as follows:

Division 1—Pages 1 through 5
Page 6, lines 1 through 9

Division 2—Page 6, lines 10 through 25
Pages 7, 8 and 9
Page 10, lines 1 through 17

Division 3—Page 10, lines 18 and 19

Senator Hill raised a point of order on the amendment for the reason that it was not germane to the title of the bill.

The Chair ruled the point not well taken and the amendment in order.

Action on the amendment was temporarily deferred.

Senator Doderer offered the following amendment to Division 1 by Senators Doderer and Gaudineer:

1 Amend the Senate committee on ways and means amendment
2 to House File 654, as amended, passed, and reprinted by
3 the House, filed May 13, 1971, commencing on page 1258 of
4 the Journal of the Senate, as follows:

5 1. Page 1, strike lines 6 through 25, inclusive, and
6 strike pages 2 through 14, inclusive, and strike lines 1
7 through 21, inclusive, on page 15, and insert in lieu
8 thereof the following:

9 "Section 1. Section four hundred forty-two point two
10 (442.2), Code 1971, is amended by striking subsections one
11 (1), two (2), and three (3), and renumbering the remaining
12 subsections.

13 Sec. 2. Section four hundred forty-two point seven
14 (442.7), Code 1971, is amended as follows:

15 442.7 INCOME TAX ALLOTTED TO COUNTY TREASURER.
The

16 state comptroller shall pay the state income tax collected,
17 as provided in section 442.5, to each [county treasurer]
18 *school district* in equal semiannual installments on or
19 about April 1 and October 1 of each year. There is hereby
20 appropriated from the general fund of the state the amounts
21 necessary to make such payments. [The county treasurer
22 shall deposit said payments in the basic school tax
23 equalization fund.]

24 Sec. 3. Section four hundred forty-two point thirteen
25 (442.13), Code 1971, is amended as follows:

Page 2

1 442.13 COMPUTATION. State aid payable to each public
2 school district shall be computed by the state comptroller
3 on the basis of a financial support factor. The financial
4 support factor for the state is the relationship between
5 total pupils in the state, determined by adding the aver-
6 age daily membership and school census for all districts
7 and dividing the sum by two, and total wealth in the state,
8 determined by adding the adjusted gross income and the ad-
9 justed real value of all taxable property. [The adjusted
10 real value of taxable property is the actual real value
11 modified so that it is on a seventy to thirty ratio to the
12 adjusted gross income.]

13 The financial support factor for each district is de-
14 termined in the same manner, based upon the relationship
15 between total pupils and total wealth in the district[,
16 except that the adjusted real value of taxable property
17 in the district is determined by modifying the actual real
18 value by the same percentage that the actual real value of
19 taxable property in the state was modified].

20 [Twenty-five] *Thirty* percent of the ratio of the local to
21 the state support factor subtracted from one shall deter-
22 mine the percent of the state aid applicable to each district's
23 allowable general fund expenditure less the district's
24 share of the [county basic school tax equalization fund]
25 *income tax returned as determined in section 442.7.*

Page 3

1 *However, no school district shall receive in any year*
2 *from state equalization aid more than eighty percent of the*
3 *state average per pupil cost, except those districts with*
4 *a per pupil cost which is less than one hundred ten percent*
5 *of the state average per pupil cost.*

6 Sec. 4. Sections four hundred forty-two point three
7 (442.3), four hundred forty-two point four (442.4), four
8 hundred forty-two point six (442.6), four hundred forty-

9 two point eight (442.8), and four hundred forty-two point
10 ten (442.10), are repealed."

11 2. Page 19, strike lines 11 and 12.

12 3. Renumber sections and correct internal references
13 in accordance with this amendment.

Senator Potgeter took the chair at 4:50 p.m.

Action on the Doderer-Gaudineer amendment was temporarily deferred.

Action on Division 1 of the ways and means committee amendment was temporarily deferred.

Division 6 of the ways and means committee amendment was taken up for consideration.

DIVISION 6

Page 28

1 Sec. 35. Section four hundred twenty-five point
2 one (425.1), subsection five (5), unnumbered paragraph
3 one (1) and paragraph "b", Code 1971, are amended as
4 follows:

5 5. [In addition to the homestead credit of twenty-
6 five mills on twenty-five hundred dollars of assessed
7 valuation allowable under this chapter, in the event]
8 *In lieu of the homestead tax credit allowed pursuant*
9 *to subsections 1 through 4 of this section, if the*
10 *owner, as defined in this chapter, is over sixty-five*
11 *years of age, or is totally disabled, and provided that*
12 *his Iowa net income, as defined in section 422.7, plus*
13 *interest and dividends from federal securities and*
14 *income from social security and other tax-exempt*
15 *retirement or pension plans, when included with that*
16 *of the spouse, brother, sister, son, daughter, if any,*
17 *living with the claimant, is less than [three thousand*
18 *five hundred] four thousand dollars for the last twelve-*
19 *month income tax accounting period, there shall be*
20 *credited by the county auditor on such owner's eligible*
21 *homestead, an amount equal to [but not exceeding the*
22 *amount calculated as provided in this section] one hundred*
23 *twenty-five dollars.*

24 b. His Iowa net income, plus interest and dividends
25 from federal securities and income from social security

Page 29

1 and other tax-exempt retirement or pension plans when
2 included with that of his spouse, if any, during the
3 last preceding twelve-month income tax accounting period
4 is less than [three thousand five hundred] *four thousand*
5 *dollars.*

6 Sec. 36. The provisions of section thirty-five (35)
7 of this Act shall become effective January 1, 1972.

Senator Shaff offered the following amendment to Division 6 filed by him on May 14 and moved its adoption:

- 1 Amend the Senate committee on ways and means amendment
- 2 to House File 654, as amended, passed, and reprinted by the
- 3 House, filed May 13, 1971, commencing on page 1258 of the
- 4 Senate Journal, page 28, line 23, by inserting after the
- 5 word "dollars" the words "*except that the credit shall*
- 6 *not exceed the amount of the property taxes levied and*
- 7 *collectible on the homestead for that year*".

The amendment to Division 6 was adopted.

Senator Van Gilst offered the amendment to Division 6 filed by Senators Van Gilst and Gaudineer on May 18, 1971, and found on pages 1361-1365, inclusive, of the Senate Journal.

Senator Van Gilst moved the adoption of the amendment to Division 6 and called for a division.

The amendment to Division 6 lost.

Senator Riley called up the amendment to Divisions 3 and 6 filed by Senators Riley, Davis, et al., May 18, 1971, found on pages 1355-1359, inclusive, of the Senate Journal, offered and deferred on May 19, 1971.

Senator Glenn moved that the Senate adjourn at 7:00 p.m. until 8:30 a.m., Friday, May 21, 1971.

Senator Schaben moved as a substitute motion that the Senate adjourn at 6:00 p.m.

The substitute motion lost.

Roll call was requested on the motion by Senator Lamborn.

On the question "Shall the Glenn motion to adjourn at 7:00 p.m. be adopted?" (H.F. 654) the vote was:

Ayes, 6:

Gaudineer	Kennedy	Schaben	Tapscott
Glenn	Miller		

Nays, 36:

Anderson	Erskine	Milligan	Riley
Balloun	Gilley	Mowry	Robinson
Bass	Graham	Neu	Shaff
Brownlee	Griffin	Nicholson	Shawver
Carlson	Gross	Ollenburg	Smith
Conklin	Hill	Palmer	Stephens
Curran	Keith	Potter	Thordsen
Davis	Lamborn	Rabedaux	Van Drie
Doderer	Laverty	Rhodes	Walsh

Voting present, 3:

DeKoster	Messerly	Van Gilst
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Absent or not voting, 5:Arbuckle
Briles

Coleman

Kyhl

Potgeter

The motion lost.

The Riley, Davis, et al., amendment was divided as follows:

Division 1—Page 1, lines 5 through 10

Division 2—Page 1, lines 11 through 25

Pages 2 through 9

Page 10, lines 1 through 8

Division 3—Page 10, lines 9, 10 and 11

Senator Riley moved the adoption of division 1 of the amendment.

Roll call was requested.

On the question "Shall division 1 of the Riley, et al., amendment be adopted?" (H.F. 654) the vote was:

Rule 24 was invoked.

Ayes, 22:Anderson
Briles
Brownlee
Conklin
Davis
DeKosterErskine
Graham
Griffin
Laverty
Messerly
NeuNicholson
Potgeter
Rabedaux
Rhodes
RileyRobinson
Schaben
Shawver
Thordsen
Van Drie**Nays, 26:**Arbuckle
Balloun
Bass
Carlson
Curran
Doderer
GaudineerGilley
Glenn
Gross
Hill
Keith
Kennedy
LambornMiller
Milligan
Mowry
Ollenburg
Palmer
PotterShaff
Smith
Stephens
Tapscott
Van Gilst
Walsh**Absent or not voting, 2:**

Coleman

Kyhl

Division 1 of the amendment lost.

Senator Riley moved the adoption of division 2 of the amendment and requested a roll call.

On the question "Shall division 2 of the Riley, et al., amendment be adopted?" (H.F. 654) the vote was:

Ayes, 28:Anderson
Briles
Conklin
Davis
DeKoster
Doderer
ErskineGaudineer
Glenn
Griffin
Gross
Kennedy
Miller
NeuNicholson
Palmer
Potgeter
Rabedaux
Rhodes
Riley
RobinsonSchaben
Shawver
Tapscott
Thordsen
Van Drie
Van Gilst
Walsh

Nays, 20:

Arbuckle	Curran	Lamborn	Ollenburg
Balloun	Gilley	Lavery	Potter
Bass	Graham	Messery	Shaff
Brownlee	Hill	Milligan	Smith
Carlson	Keith	Mowry	Stephens

Absent or not voting, 2:

Coleman Kyhl

Division 2 of the amendment was adopted.

Senator Riley withdrew division 3 of the amendment.

Action on Division 6 was deferred.

Division 4 of the ways and means committee amendment was taken up for consideration:

9

DIVISION 4

10 Sec. 27. Section four hundred twenty-two point
11 sixty-nine (422.69), Code 1971, is amended by adding
12 the following new subsection:

13 "A 'municipal assistance fund' is created in the
14 office of the treasurer of state. Annually, prior to
15 December thirty-first, the treasurer of state shall
16 transfer an amount equal to one-fourth of the net
17 receipts of one cent of the sales tax collected under
18 division four (IV) of this chapter during the last
19 preceding fiscal year into the municipal assistance
20 fund for distribution to cities and towns. On or before
21 December thirty-first, the state comptroller shall
22 distribute the moneys in the municipal assistance fund
23 to each city and town in the state in the proportion
24 that the population of each city and town is to the
25 total population of all cities and towns in the state.

Page 25

- 1 The moneys in the municipal assistance fund are
- 2 appropriated for this purpose."

Senator Walsh offered the following amendment to Division 4 filed by him on May 17:

1 Amend the ways and means committee amendment, filed May 13, 1971,
2 to House File 654, page 25, line 2, by inserting after the period the
3 following:

4 Any city or town which receives financial assistance from this
5 fund and has a population of over two thousand shall implement a uni-
form
6 program—performance budgeting and accounting system. The deadline
7 for initiation of a uniform program—performance budgeting and
8 accounting shall be January 1973. As soon as practicable the cities
9 and towns of over two thousand population shall prepare and adopt a
10 tentative budget for a three-year period. The budget for the second
11 and third years may be less detailed than for the next following year.

12 The deadline for completing a program—performance budgeting
13 system shall be January 1975.

Senator Stephens raised a point of order on the amendment for the reason that it was not germane to the bill.

The Chair ruled the point well taken and the amendment out of order.

Senator Anderson offered the following amendment to Division 4 filed by him on May 19:

1 Amend the Senate committee on ways and means amendment
2 to House File 654, as amended, passed, and reprinted by
3 the House, filed May 13, 1971, commencing on page 1258
4 of the Senate Journal, as follows:

5 1. Page 24, by striking lines 10 through 25, inclu-
6 sive, and inserting in lieu thereof the following:

7 A 'municipal assistance fund' is created in the office
8 of the treasurer of state. Annually, prior to December
9 thirty-first, 1972, and each year thereafter, the
10 treasurer of state shall transfer an amount equal to one-
11 fourth of the net receipts of one cent of the sales tax
12 collected under division four (IV) of this chapter during
13 the last preceding fiscal year into the municipal assist-
14 ance fund. One-half of the moneys deposited in the municipi-
15 pal assistance fund shall be distributed to cities and
16 towns and one-half of the moneys shall be distributed to
17 counties. On or before December thirty-first, the state
18 comptroller shall distribute the moneys in the municipal
19 assistance fund to each city, town, and county as follows:

20 a. Divide the total population of all cities and towns
21 in the state into the total amount of funds available for
22 cities and towns under this subsection in order to
23 determine a per capita distribution rate of the funds
24 available.

25 b. Divide the total population of all counties outside

Page 2

1 the incorporated limits of the cities and towns in each
2 county in this state into the total amount of funds
3 available for counties in order to determine a per capita
4 distribution rate of the funds available.

5 c. Distribute to each city and town in this state an
6 amount equal to the per capita rate multiplied by the
7 number of residents of the city or town.

8 d. Distribute to each county in this state an amount
9 equal to the per capita rate multiplied by the number of
10 residents of the county residing outside the incorporated
11 limits of the cities and towns in the county. The county
12 treasurer shall deposit all moneys received from the mu-
13 nicipal assistance fund in the secondary road fund of the
14 county.

15 2. Page 25, by striking lines 1 and 2.

16 3. Renumber sections and correct internal references
17 as necessary in accordance with this amendment.

Senator Anderson moved the adoption of his amendment to Division 4 and requested a roll call.

On the question "Shall the Anderson amendment to Division 4 amendment be adopted?" (H.F. 654) the vote was:

Ayes, 9:

Anderson	Graham	Shawver	Stephens
Bass	Rabedeaux	Smith	Van Gilst
Briles			

Nays, 37:

Balloun	Gilley	Messerly	Potter
Brownlee	Glenn	Miller	Rhodes
Carlson	Griffin	Milligan	Riley
Conklin	Gross	Mowry	Robinson
Curran	Hill	Neu	Shaff
Davis	Keith	Nicholson	Tapscott
DeKoster	Kennedy	Ollenburg	Thordsen
Doderer	Lamborn	Palmer	Van Drie
Erskine	Laverty	Potgeter	Walsh
Gaudineer			

Absent or not voting, 4:

Arbuckle	Coleman	Kyhl	Schaben
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The amendment to Division 4 lost.

Senator Gaudineer offered the amendment to Division 4 filed by him on May 18, 1971, and found on pages 1359-1361, inclusive, of the Senate Journal.

On motion of Senator Gaudineer, his amendment to Division 4 was adopted.

Senator Potter offered the following amendment to Division 4 filed by him on May 17 and moved its adoption:

- 1 Amend the Senate ways and means committee amendment filed May
- 2 13, 1971, to House File 654, page 24, by inserting after the
- 3 period in line 25, the following:
- 4 However, the comptroller shall in no event distribute in
- 5 any year to any city or town an amount in excess of one-half
- 6 the amount to be collected from property tax levies by that
- 7 city or town for that year. Any moneys remaining in the munici-
- 8 pal assistance fund as a result of this limitation, or for any
- 9 other reason, shall be retained in the fund and be available for
- 10 distribution the following year."

The amendment to Division 4 was adopted.

Senator Arbuckle offered the amendment to Divisions 2 and 4 filed by him on May 17, 1971, and found on pages 1317-1319, inclusive, of the Senate Journal.

Senator Arbuckle moved the adoption of the amendment and requested a roll call.

On the question "Shall the Arbuckle amendment to Divisions 2 and 4 be adopted?" (S.F. 654) the vote was:

Ayes, 11:

Anderson	Erskine	Gross	Schaben
Coleman	Gilley	Messerly	Shawver
DeKoster	Griffin	Miller	

Nays, 37:

Arbuckle	Gaudineer	Neu	Robinson
Balloun	Glenn	Nicholson	Shaff
Bass	Graham	Ollenburg	Smith
Briles	Hill	Palmer	Stephens
Brownlee	Keith	Potgeter	Tapscott
Carlson	Kennedy	Potter	Thordsen
Conklin	Lamborn	Rabedeaux	Van Drie
Curran	Milligan	Rhodes	Van Gilst
Davis	Mowry	Riley	Walsh
Doderer			

Voting present, 1:

Laverty

Absent or not voting, 1:

Kyhl

The amendment lost.

Senator Tapscott offered the following amendment to Division 4 by Senators Tapscott, et al.:

- 1 Amend the Senate ways and means committee amendment
- 2 filed May 13, 1971 to House File 654 as follows:
- 3 1. Page 24 by striking in line 16 the words "one-
- 4 fourth" and inserting in lieu thereof the words
- 5 "one-half".

Senator Glenn moved that the Senate adjourn until 8:30 a.m., Friday, May 21, 1971.

The motion lost.

Senator Tapscott moved the adoption of the amendment to Division 4 and requested a roll call.

On the question "Shall the Tapscott, et al., amendment to Division 4 be adopted?" (H.F. 654) the vote was:

Rule 24 was invoked.

Ayes, 15:

Carlson	Glenn	Miller	Tapscott
Coleman	Griffin	Milligan	Thordsen
Doderer	Gross	Palmer	Van Drie
Gaudineer	Kennedy	Riley	

Nays, 34:

Anderson	DeKoster	Mowry	Robinson
Arbuckle	Erskine	Neu	Schaben
Balloun	Gilley	Nicholson	Shaff
Bass	Graham	Ollenburg	Shawver
Briles	Hill	Potgeter	Smith
Brownlee	Keith	Potter	Stephens
Conklin	Lamborn	Rabedeaux	Van Gilst
Curran	Lavery	Rhodes	Walsh
Davis	Messerly		

Absent or not voting, 1:

Kyhl

The amendment to Division 4 lost.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which the Arbuckle amendment filed May 17 to Division 2 and 4 of the Ways and Means Committee amendment failed to be adopted.

R. DEAN ARBUCKLE

MOTION TO RECONSIDER LOST

Senator Rabedeaux moved to reconsider the vote by which division 2 of the Riley, et al., amendment to Division 6 was adopted by the Senate.

Roll call was requested.

On the question "Shall the motion to reconsider division 2 of the Riley, et al., amendment be adopted?" (H.F. 654) the vote was:

Ayes, 22:

Arbuckle	Gilley	Milligan	Rabedeaux
Bass	Graham	Mowry	Shaff
Brownlee	Hill	Nicholson	Shawver
Carlson	Keith	Ollenburg	Smith
Curran	Lamborn	Potter	Stephens
Erskine	Lavery		

Nays, 26:

Anderson	Gaudineer	Neu	Schaben
Balloun	Glenn	Palmer	Tapscott
Coleman	Griffin	Potgeter	Thordsen
Conklin	Gross	Rhodes	Van Drie
Davis	Kennedy	Riley	Van Gilst
DeKoster	Messerly	Robinson	Walsh
Doderer	Miller		

Absent or not voting, 2:

Briles Kyhl

The motion lost.

(House File 654 pending.)

**ANNOUNCEMENT OF INVESTIGATING COMMITTEES
ON GOVERNOR'S APPOINTMENTS**

President Jepsen, in accordance with section 2.32, Code 1971, announced the appointment of the following Senators to investigating committees:

As a member of the State Conservation Commission:

Keith McNurlen of Ames, Story County, Iowa, for a regular six-year term ending June 30, 1977.

Senator Van Drie, Chairman
Senator Coleman
Senator Balloun
Senator Mowry
Senator Potgeter

As members of the Civil Rights Commission:

DeEdwin F. White of Burlington, Des Moines County, Iowa, for a regular four-year term ending June 30, 1975.

Senator Stephens, Chairman
Senator Davis
Senator Miller
Senator Nicholson
Senator Rabedaux

Lawrence S. Slotsky of Sioux City, Woodbury County, Iowa, for a regular four-year term ending June 30, 1975.

Senator Erskine, Chairman
Senator DeKoster
Senator Graham
Senator Gross
Senator Smith

Mrs. Elizabeth Kruidenier of Des Moines, Polk County, Iowa, for a regular four-year term ending June 30, 1975.

Senator Carlson, Chairman
Senator Arbuckle
Senator Lavery
Senator Van Drie
Senator Van Gilst

As a member of the Merit Employment Commission:

Julian Torgerson of Sioux City, Woodbury County, Iowa, for the unexpired portion of a term ending June 30, 1975.

Senator Erskine, Chairman
Senator Brownlee
Senator Griffin
Senator Gross
Senator Neu

As a member of the Appeal Board on State Institution Construction Contracts:

Albert A. Augustine of Des Moines, Polk County, Iowa, for a regular four-year term ending June 30, 1975.

Senator Milligan, Chairman
Senator Anderson
Senator Arbuckle
Senator Rhodes
Senator Tapscott

As members of the Board of Examiners in the Basic Sciences:

Irving Y. Fishman of Grinnell, Poweshiek County, Iowa, for the regular six-year term ending June 30, 1977.

Senator Balloun, Chairman
Senator Conklin
Senator Hill
Senator Potter
Senator Riley

The Reverend Warren E. Nye of Dubuque, Dubuque County, Iowa, for the regular six-year term ending June 30, 1977.

Senator Walsh, Chairman
Senator Lamborn
Senator Gilley
Senator Kennedy
Senator Messerly

AMENDMENTS FILED

- 1 Amend Senate File 470 as follows:
- 2 1. Page 1, lines 7 and 8, by striking the words "or
- 3 any other deferred payment contract" and inserting in lieu
- 4 thereof the words "variable annuity contract, or mutual
- 5 fund".
- 6 2. Page 1, line 10, by inserting after the word
- 7 "underwriter" the words "or mutual fund salesman".
- 8 3. Page 1, line 11, by striking the words "who repre-
- 9 sents an insurance company licensed".
- 10 4. Page 1, line 13, by inserting after the word
- 11 "comptroller" the words "or his designee".
- 12 5. Page 1, by inserting after line 19 the following
- 13 new paragraph:
- 14 "Any funds accrued in a life insurance contract,
- 15 annuity contract, variable annuity contract, or mutual
- 16 fund under this section shall be used only to fulfill the
- 17 obligations incurred by the governing body to participating
- 18 employees."
- 19 6. Page 1, lines 20, 21, and 22 by striking the words
- 20 "be in addition to any benefit program provided by law for
- 21 any employees of the state or any of its political subdivi-
- 22 sions" and inserting in lieu thereof the words "not
- 23 entitle the participant to reduce his salary below the

24 maximum amount retained for full participation in the
25 federal Social Security Act".

MINNETTE F. DODERER

1 Amend the Senate committee on ways and means amendment to
2 House File 654, as amended, passed, and reprinted by the House,
3 filed May 13, 1971, commencing on page 1258 of the Senate Journal,
4 page 24, by inserting after line 3 the following new paragraph:
5 "If the combined net income of the husband and wife exceeds
6 five thousand dollars, neither the husband or wife shall receive
7 any benefits under the provisions of this section. In computing
8 net income, the net income of the husband and wife shall be added
9 together to determine the appropriate sales tax credit."

ROGER J. SHAFF

On motion of Senator Lamborn, the Senate adjourned until 8:30
a.m., Friday, May 21, 1971.

JOURNAL OF THE SENATE

ONE HUNDRED THIRTY-FIRST DAY

SENATE CHAMBER
DES MOINES, IOWA, FRIDAY, MAY 21, 1971

The Senate met in regular session, Senator Brownlee presiding.

Prayer was offered by the Reverend Arthur Brent, pastor of the Union Park United Methodist Church, Des Moines, Iowa.

The Senate pledged allegiance to the flag.

The Journal of Thursday, May 20, 1971, was approved.

PRESENTATION OF VISITORS

Senator Doderer rose on a point of personal privilege and presented to the Senate The Honorable James H. Nesmith, former member of the Senate from Jasper County.

The Chair announced that the following visitors were present in the Senate gallery:

Forty-five students from Mitchell Elementary School, Ames, Iowa, accompanied by Mrs. Baker and Mrs. Spencer.

Twenty-nine students from Regina High School, Iowa City, Iowa, accompanied by their instructor, Sister Mary Francette.

Twenty students from Marathon High School, Marathon, Iowa, accompanied by Dan Hudek and W. A. Burns.

Sixty-three students from Dysart-Geneseo Community School, Dysart, Iowa, accompanied by Mrs. Schelp, Mrs. Wieck and Mrs. Brown.

Fifty-two students from Lake View-Auburn School, Lake View, Iowa, accompanied by Mrs. Oestrich, Mrs. Gronemeyer and Mr. Sunhold. Foreign Exchange Student Martine Von Ronpu from Belgium was included in the group.

Forty-one students from North Polk Community School, Elkhart, Iowa, accompanied by Mrs. Eckles and Mrs. Coonley.

PETITION

The following petition was presented and placed on file:

By Senator Van Drie, from fifty-two residents of Lucas County favoring adjustment of the merit pay plan for 1971-1972 and to continue longevity pay for Iowa State Highway Commission employees.

CONSIDERATION OF BILLS

Senator Lamborn asked and received unanimous consent to take up for consideration Senate File 534.

Senate File 534

On motion of Senator Potgeter, Senate File 534, a bill for an act relating to the manner in which court reporters are compensated, was taken up and considered.

Senator Potgeter moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 534) the vote was:

Ayes, 46:

Anderson	Doderer	Messerly	Riley
Arbuckle	Erskine	Milligan	Robinson
Balloun	Gilley	Mowry	Schaben
Bass	Glenn	Neu	Shaff
Briles	Graham	Nicholson	Shawver
Brownlee	Griffin	Ollenburg	Stephens
Carlson	Gross	Palmer	Tapscott
Coleman	Hill	Potgeter	Thordsen
Conklin	Keith	Potter	Van Drie
Curran	Kennedy	Rabedeaux	Van Gilst
Davis	Lamborn	Rhodes	Walsh
DeKoster	Laverty		

Nays, none.

Absent or not voting, 4:

Gaudineer	Kyhl	Miller	Smith
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS

SPECIAL ORDER CONTINUED

House File 654

The Senate resumed consideration of House File 654, a bill for an act relating to state aid for schools, school district property taxes, imposing a school district income tax, providing administration by the director of revenue, adopting provisions relating to the state individual income tax, relating to the corporate income tax, and providing aid to cities, towns and counties from sales tax receipts,

and Division 2 of the amendment by the committee on ways and means.

CALL OF THE SENATE

The Secretary called the roll, and the Chair announced all members were present with the exception of Senator Gaudineer.

Senator Lamborn asked and received unanimous consent that Senator Gaudineer be temporarily excused from the call.

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

The Senate reconvened, Senator Brownlee presiding.

Senator Balloun withdrew the following motion to reconsider filed by him on May 17, 1971:

MR. PRESIDENT: I move to reconsider the vote by which division 1 of the May 17, 1971, Griffin-Walsh-Riley amendment to the ways and means committee amendment to House File 654 was adopted by the Senate.

Senator Van Drie offered the following amendment to Division 2 filed May 19, 1971, by Senators Van Drie, Walsh and Arbuckle:

1 Amend the Senate committee on ways and means amend-
2 ment to House File 654, as amended, passed, and re-
3 printed by the House, filed May 13, 1971, commencing
4 on page 1258 of the Senate Journal, as follows:
5 1. Page 21, by inserting after line 22 the follow-
6 ing new section:

7 "Section four hundred twenty-two point fifty-two
8 (422.52), Code 1971, is hereby amended by adding
9 the following new subsection:

10 'Beginning July 1, 1971, when a return is filed and
11 the taxes shown due thereon are paid in full on or be-
12 fore the due date as prescribed in section four hundred
13 twenty-two point fifty-one (422.51) of the Code, the
14 retailer shall be allowed a credit or discount equal to
15 three percent of the sale taxes shown due on the return.
16 The credit or discount shall be allowed the retailer for
17 prompt payment of the tax and as partial remuneration for
18 collecting the tax, keeping the records, and promptly
19 filing the returns required by this chapter.

20 The maximum amount of credit or discount allowed to
21 the retailer under this Act shall not exceed one hundred
22 dollars for any one year.' "

23 2. Renumber sections and correct internal references
24 as necessary in accordance with this amendment.

25 3. Amend the title, page 30, line 22, by inserting

Page 2

1 after the word "rate" the words "and collection".

Senator Van Drie moved the adoption of the amendment to Division 2 and requested a roll call.

On the question "Shall the Van Drie-Walsh-Arbuckle amendment to Division 2 be adopted?" (H.F. 654) the vote was:

Ayes, 18:

Anderson	Graham	Potgeter	Shawver
Arbuckle	Griffin	Riley	Tapscott
Briles	Gross	Robinson	Van Drie
Coleman	Kennedy	Schaben	Walsh
DeKoster	Palmer		

Nays, 30:

Balloun	Erskine	Messerly	Potter
Bass	Gaudineer	Miller	Rabedaux
Brownlee	Gilley	Milligan	Rhodes
Carlson	Glenn	Mowry	Shaff
Conklin	Hill	Neu	Smith
Curran	Keith	Nicholson	Stephens
Davis	Lamborn	Ollenburg	Van Gilst
Doderer	Laverty		

Absent or not voting, 2:

Kyhl	Thordsen
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The amendment to Division 2 lost.

Action on Division 2 of the committee amendment was deferred.

Division 5 of the committee amendment, amended on May 18 and deferred on May 19, was taken up for further consideration.

Senator Van Gilst called up the following motion filed by Senators Van Gilst and Coleman on May 18, 1971, and moved its adoption:

MR. PRESIDENT: We move to reconsider the vote by which the Shaff amendment of May 14, 1971, to Division 5 of the ways and means amendment to House File 654, as passed and reprinted, was adopted by the Senate.

President Jepsen took the chair at 11:20 a.m.

Roll call was requested.

On the question "Shall the motion to reconsider be adopted?" (H.F. 654) the vote was:

Rule 24 was invoked.

Ayes, 15:

Coleman	Gross	Palmer	Van Drie
Doderer	Hill	Robinson	Van Gilst
Gaudineer	Kennedy	Schaben	Walsh
Glenn	Miller	Tapscott	

Nays, 34:

Anderson	Carlson	Gilley	Messerly
Arbuckle	Conklin	Graham	Milligan
Balloun	Curran	Griffin	Mowry
Bass	Davis	Keith	Neu
Briles	DeKoster	Lamborn	Nicholson
Brownlee	Erskine	Laverty	Ollenburg

Potgeter
Potter
Rabedeaux

Rhodes
Riley
Shaff

Shawver
Smith

Stephens
Thordsen

Absent or not voting, 1:

Kyhl

The motion lost.

Senator Gaudineer offered the following amendment to Division 5 and moved its adoption:

- 1 Amend the ways and means committee amendment to
- 2 House File 654, page 27, lines 22 and 23, by striking the
- 3 words and figures, "sections twenty-eight (28)," and by
- 4 inserting in lieu thereof the words and figures "section
- 5 twenty-eight (28) shall be effective for all taxable income
- 6 earned from and after January 1, 1972, and sections".

The amendment to Division 5 was adopted.

Action on Division 5 of the committee amendment was deferred.

Division 3 of the committee amendment, amended and deferred on May 19, was taken up for further consideration.

Senator Shaff asked and received unanimous consent to withdraw the following amendment to Division 3 offered and temporarily deferred on May 19, 1971:

- 1 Amend the Senate committee on ways and means amendment to
- 2 House File 654, as amended, passed, and reprinted by the House,
- 3 filed May 13, 1971, commencing on page 1258 of the Senate Journal,
- 4 page 24, by inserting after line 3 the following new paragraph:
- 5 "If the combined income of the husband and wife exceeds five
- 6 thousand dollars, neither the husband or wife shall receive any
- 7 benefits under the provisions of this section. In computing
- 8 income, the income of the husband and wife shall be added together
- 9 to determine the appropriate sales tax credit."

Senator Shaff offered the following amendment to Division 3 filed by him on May 20, 1971:

- 1 Amend the Senate committee on ways and means amendment to
- 2 House File 654, as amended, passed, and reprinted by the House,
- 3 filed May 13, 1971, commencing on page 1258 of the Senate Journal,
- 4 page 24, by inserting after line 3 the following new paragraph:
- 5 "If the combined net income of the husband and wife exceeds
- 6 five thousand dollars, neither the husband or wife shall receive
- 7 any benefits under the provisions of this section. In computing
- 8 net income, the net income of the husband and wife shall be added
- 9 together to determine the appropriate sales tax credit."

Division was called for.

The amendment to Division 3 was adopted.

The Senate took up for further consideration the amendment to

Division 3 filed by Senators Doderer, Gaudineer, et al., on May 17, 1971, offered and temporarily deferred on May 19, 1971.

Senator Doderer asked and received unanimous consent to correct the amendment, page 3, line 2, by striking the words, "nine thousand," and inserting the words, "fifty-five hundred."

Senator Doderer moved the adoption of the amendment to Division 3 and requested a roll call.

Senator Lamborn asked and received unanimous consent that Senator Stephens be temporarily excused from the Call of the Senate.

On the question "Shall the Doderer-Gaudineer, et al., amendment to Division 3 be adopted?" (H.F. 654) the vote was:

Rule 24 was invoked.

Ayes, 14:

Coleman	Gross	Palmer	Tapscott
Doderer	Hill	Robinson	Van Gilst
Gaudineer	Kennedy	Schaben	Walsh
Glenn	Miller		

Nays, 34:

Anderson	Davis	Messerly	Rabedaux
Arbuckle	DeKoster	Milligan	Rhodes
Balloun	Erskine	Mowry	Riley
Bass	Gilley	Neu	Shaff
Briles	Graham	Nicholson	Shawver
Brownlee	Griffin	Ollenburg	Smith
Carlson	Keith	Potgeter	Thordsen
Conklin	Lamborn	Potter	Van Drie
Curran	Laverty		

Absent or not voting, 2:

Kyhl	Stephens
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The amendment to Division 3 lost.

Senator Doderer offered the amendment to Division 3 by Senators Doderer, Schaben, et al., filed May 17, 1971, and found on pages 1321-1323, inclusive, of the Senate Journal.

Senator Doderer asked and received unanimous consent to correct the amendment, page 3, line 3, by striking the word "nine" and inserting the word "six".

Senator Doderer moved the adoption of the amendment to Division 3 and requested a roll call.

Senator Glenn asked and received unanimous consent that Senator Bass be temporarily excused from the Call of the Senate.

On the question "Shall the Doderer-Schaben, et al., amendment to Division 3 be adopted?" (H.F. 654) the vote was:

Rule 24 was invoked.

Ayes, 15:

Coleman	Griffin	Miller	Tapscott
Doderer	Gross	Palmer	Van Gilst
Gaudineer	Hill	Robinson	Walsh
Glenn	Kennedy	Schaben	

Nays, 33:

Anderson	DeKoster	Milligan	Rhodes
Arbuckle	Erskine	Mowry	Riley
Balloun	Gilley	Neu	Shaff
Briles	Graham	Nicholson	Shawver
Brownlee	Keith	Ollenburg	Smith
Carlson	Lamborn	Potgeter	Stephens
Conklin	Laverty	Potter	Thordsen
Curran	Messerly	Rabedaux	Van Drie
Davis			

Absent or not voting, 2:

Bass	Kyhl
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The amendment to Division 3 lost.

Action on Division 3 was deferred.

The Senate took up for further consideration Division 1 of the committee amendment and the amendment to Division 1 offered by Senator Walsh on May 20, 1971, found on pages 1442-1447, inclusive, of the Senate Journal, divided and deferred.

Senator Lamborn asked and received unanimous consent to be temporarily excused from the Call of the Senate.

Senator Walsh moved the adoption of division 1 of his amendment to Division 1 and requested a roll call.

On the question "Shall division 1 of the Walsh amendment be adopted?" (H.F. 654) the vote was:

Ayes, 23:

Balloun	Gaudineer	Miller	Schaben
Carlson	Griffin	Milligan	Tapscott
Coleman	Gross	Neu	Thordsen
Davis	Kennedy	Palmer	Van Gilst
DeKoster	Lamborn	Riley	Walsh
Doderer	Messerly	Robinson	

Nays, 26:

Anderson	Erskine	Mowry	Rhodes
Arbuckle	Gilley	Nicholson	Shaff
Bass	Glenn	Ollenburg	Shawver
Briles	Graham	Potgeter	Smith
Brownlee	Hill	Potter	Stephens
Conklin	Keith	Rabedaux	Van Drie
Curran	Laverty		

Absent or not voting, 1:

Kyhl

Division 1 of the amendment lost.

Action on divisions 2 and 3 of the Walsh amendment to Division 1 was temporarily deferred.

The Senate resumed consideration of the amendment to Division 1 offered by Senators Doderer and Gaudineer on May 20, 1971, and temporarily deferred.

Senator Doderer asked and received unanimous consent to correct page 3 of the amendment by inserting a period in line 3 after the word "cost", and striking the remainder of line 3 and all of lines 4 and 5.

Action on the amendment to Division 1 was temporarily deferred.

Action on Division 1 of the committee amendment was deferred.

The Senate resumed consideration of Division 4 of the committee amendment.

Senator Arbuckle called up the following motion to reconsider filed by him on May 20, 1971, and moved its adoption:

MR. PRESIDENT: I move to reconsider the vote by which the Arbuckle amendment filed May 17 to Divisions 2 and 4 of the ways and means committee amendment failed to be adopted.

The motion lost.

Senator Arbuckle asked and received unanimous consent to withdraw the amendment to Division 2 offered by Senators Arbuckle and Messerly on May 17, 1971, found on pages 1305-1307, inclusive, of the Senate Journal, and temporarily deferred.

Action on Division 4 of the committee amendment was deferred.

Senator Van Gilst offered the amendment filed by Senators Van Gilst, Nicholson, et al., May 18, 1971, and found on pages 1365-1391, inclusive, of the Senate Journal.

Senator Keith took the chair at 1:55 p.m.

(House File 654 pending.)

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate File 355, a bill for an act relating to the tax levy for county hospitals in counties having a population of two hundred twenty-five thousand or more.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 442, a bill for an act relating to the investment of public funds from the sale of school bonds.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 484, a bill for an act to authorize county boards of supervisors to adopt and enforce certain traffic ordinances.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 454, a bill for an act relating to motor vehicle registration cards.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 539, a bill for an act to define administrative rules.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 700, a bill for an act to appropriate from moneys received by certain commissions, boards and departments.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 701, a bill for an act to appropriate from the general fund of the state to various state departments.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 702, a bill for an act to appropriate from moneys received by certain commissions, boards and departments.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 703, a bill for an act making an appropriation from the general fund of the state to the Iowa reciprocity board.

WILLIAM R. KENDRICK, Chief Clerk

HOUSE MESSAGES CONSIDERED

House File 454, a bill for an act relating to motor vehicle registration cards.

Read first time and **passed on file**.

House File 539, a bill for an act to define administrative rules.

Read first time and **passed on file**.

House File 700, a bill for an act to appropriate from moneys received by certain commissions, boards and departments.

Read first time and **passed on file**.

House File 701, a bill for an act to appropriate from the general fund of the state to various state departments and their divisions.

Read first time and **passed on file**.

House File 702, a bill for an act to appropriate from moneys received by certain commissions, boards and departments.

Read first time and **passed on file**.

House File 703, a bill for an act making an appropriation from the general fund of the state to the Iowa reciprocity board.

Read first time and **passed on file**.

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on May 20, 1971, the Governor approved and transmitted to the Secretary of State the following bills:

S. F. 325—Relating to escheat of unclaimed Postal Savings System accounts.

S. F. 326—Relating to the authority of the Chemical Technology Review Board.

S. F. 386—Relating to assignment of group life insurance.

S. F. 449—Relating to the purchase and use of state-owned automobiles.

S. F. 502—Relating to the establishment of water effluent standards.

S. F. 507—Relating to the Iowa Crime Commission.

S. F. 526—To make appropriations to the appointive members of the Capitol Planning Commission for per diem compensation for services.

H. F. 215—Relating to notice of compensation commission appraisal of damages and appeal from the damages award.

H. F. 515—To legalize and validate the proceedings of the board of township trustees of Delaware Township of Polk County, Iowa, in connection with certain elections held to authorize a tax levy for fire protection purposes and the issuance of bonds in anticipation of said tax and declaring the validity of said elections and that bonds issued pursuant to said proceedings shall be enforceable obligations of said township.

EXPLANATION OF VOTE

My vote was changed from "aye" to "nay" on the local option sales tax for the purpose of moving to reconsider the proposal.

R. DEAN ARBUCKLE

REPORT OF COMMITTEE

Senator Potgeter submitted the following report:

MR. PRESIDENT: Your committee on state government, to which was referred **House File 412**, a bill for an act relating to administrative rules of departments of state, begs leave to report it has had the same under consideration and recommends the same **do pass**.

JAMES A. POTGETER, Chairman

Ordered passed on file.

AMENDMENT FILED

- 1 Amend Senate File 544 as follows:
- 2 1. Page 2, by striking lines 31 through 35 and
- 3 inserting in lieu thereof the following:
- 4 "Sec. 3. Any balance remaining in the funds for
- 5 which appropriations are made by this Act at the end
- 6 of the first fiscal year of the biennium shall carry
- 7 forward to the second fiscal year of the biennium."
- 8 2. Page 3, by striking lines 1 through 7.

ARTHUR A. NEU

On motion of Senator Lamborn, the Senate adjourned until 9:00 a.m., Monday, May 24, 1971.

JOURNAL OF THE SENATE

ONE HUNDRED THIRTY-FOURTH DAY

SENATE CHAMBER

DES MOINES, IOWA, MONDAY, MAY 24, 1971

The Senate met in regular session, President Jepsen presiding.

Prayer was offered by the Most Reverend Paul L. Hagarty, who was installed as the First Bishop of Nassau, the Bahamas, on December 11, 1960.

The Bishop was born on a farm near Greene, Iowa, was graduated from Sacred Heart High School in Greene, and from Loras College in Dubuque, Iowa.

The Senate pledged allegiance to the flag.

The Journal of Friday, May 21, 1971, was approved.

SENATOR EXCUSED

Senator Lamborn asked and received unanimous consent that Senator Rabedeaux be excused from the Call of the Senate because of illness.

PRESENTATION OF VISITORS

The Chair announced that the following visitors were present in the Senate gallery:

Twenty-seven students from St. Michael's School, Harlan, Iowa, accompanied by their instructor, Sister Irene.

Thirty-one students from Douglas Elementary School, Des Moines, Iowa, accompanied by their instructor, Mrs. Warren.

PETITION

The following petition was presented and placed on file:

By Senator Curran, from sixty-five residents of Cerro Gordo County, urging legislation favorable to nonpublic schools.

CONSIDERATION OF BILLS

Senator Lamborn asked and received unanimous consent to take up for consideration House File 23.

House File 23

On motion of Senator Van Drie, House File 23, a bill for an act relating to the definition of pipeline and pipeline company, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Van Drie moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 23) the vote was:

Ayes, 42:

Anderson	Erskine	Miller	Robinson
Arbuckle	Gaudineer	Milligan	Schaben
Balloun	Glenn	Mowry	Shaff
Bass	Graham	Neu	Smith
Briles	Griffin	Nicholson	Stephens
Brownlee	Gross	Ollenburger	Tapscott
Carlson	Hill	Palmer	Thordsen
Conklin	Kennedy	Potter	Van Drie
Curran	Lamborn	Rhodes	Van Gilst
Davis	Laverty	Riley	Walsh
Doderer	Messerly		

Nays, none.

Absent or not voting, 8:

Coleman	Gilley	Kyhl	Rabedeaux
DeKoster	Keith	Potgeter	Shawver

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

SENATE FILE WITHDRAWN

Senator Briles asked and received unanimous consent that **Senate File 16** be **withdrawn** from further consideration of the Senate.

Senator Lamborn asked and received unanimous consent to take up for consideration House File 63.

House File 63

On motion of Senator Griffin, House File 63, a bill for an act to provide compensation for the public representatives serving on the committee on child labor, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Griffin offered the following amendment filed by Senators Lamborn and Gaudineer:

- 1 Amend House File 63, page 1, line 19, by striking the
- 2 word "*forty*" and by inserting in lieu thereof the word
- 3 "*thirty*".

On motion of Senator Gaudineer, the amendment was adopted.

Senator Griffin moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 63) the vote was:

Ayes, 45:

Anderson	Erskine	Laverty	Robinson
Arbuckle	Gaudineer	Miller	Schaben
Balloun	Gilley	Milligan	Shaff
Bass	Glenn	Mowry	Shawver
Briles	Graham	Neu	Smith
Brownlee	Griffin	Nicholson	Stephens
Carlson	Gross	Ollenburg	Tapscott
Conklin	Hill	Palmer	Thordsen
Curran	Keith	Potter	Van Drie
Davis	Kennedy	Rhodes	Van Gilst
DeKoster	Lamborn	Riley	Walsh
Doderer			

Nays, none.

Absent or not voting, 5:

Coleman	Messerly	Potgeter	Rabedaux
Kyhl			

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

Senator Lamborn asked and received unanimous consent to take up for consideration House File 132.

House File 132

On motion of Senator Briles, House File 132, a bill for an act relating to the penalties for false use of credit cards and fraudulent use of wire services, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Gaudineer withdrew the following amendment filed by him on May 12:

- 1 Amend House File 132, page 1, line 15, by striking the
- 2 words ", or by both such fine and imprisonment".

Senator Briles moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 132) the vote was:

Ayes, 43:

Anderson	Briles	Conklin	Doderer
Arbuckle	Brownlee	Curran	Erskine
Balloun	Carlson	Davis	Gaudineer
Bass	Coleman	DeKoster	Gilley

Graham	Messerly	Potter	Smith
Griffin	Miller	Rhodes	Stephens
Gross	Mowry	Riley	Thordsen
Hill	Nicholson	Robinson	Van Drie
Keith	Ollenburg	Schaben	Van Gilst
Lamborn	Palmer	Shaff	Walsh
Lavery	Potgeter	Shawver	

Nays, 4:

Glenn	Kennedy	Neu	Tapscott
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Voting present, 1:

Milligan

Absent or not voting, 2:

Kyhl Rabedeaux

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

UNFINISHED BUSINESS**SPECIAL ORDER CONTINUED****House File 654**

The Senate resumed consideration of House File 654, a bill for an act relating to state aid for schools, school district property taxes, imposing a school district income tax, providing administration by the director of revenue, adopting provisions relating to the state individual income tax, relating to the corporate income tax, and providing aid to cities, towns and counties from sales tax receipts, and the amendment by the committee on ways and means.

CALL OF THE SENATE

The Secretary called the roll and the Chair announced all members present with the exception of Senators Kyhl and Rabedeaux.

The Senate resumed consideration of the Van Gilst, Nicholson, et al., amendment filed May 18 and offered on May 21.

Senator Van Gilst asked and received unanimous consent to correct the amendment, page 1, line 4, by striking the word "inserting" and inserting the word "substituting".

Senator Van Gilst moved the adoption of the amendment and requested a roll call.

On the question "Shall the Van Gilst, Nicholson, et al., amendment be adopted?" (H.F. 654) the vote was:

Ayes, 18:

Balloun	Coleman	Keith	Lamborn
Brownlee	Gilley	Kennedy	Lavery

Miller
Mowry
Nicholson

Potgeter
Potter
Shaff

Shawver
Smith

Stephens
Van Gilst

Nays, 30:

Anderson
Arbuckle
Bass
Briles
Carlson
Conklin
Curran
Davis

DeKoster
Doderer
Erskine
Gaudineer
Glenn
Graham
Griffin
Gross

Hill
Messerly
Milligan
Neu
Ollenburg
Palmer
Rhodes

Riley
Robinson
Schaben
Tapscott
Thordsen
Van Drie
Walsh

Absent or not voting, 2:

Kyhl Rabedeaux

The amendment lost.

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

The Senate resumed session, President Jepsen presiding.

Division 1 of the committee amendment was taken up for further consideration.

Senator Neu offered the following amendment to Division 1 filed by him on May 14:

- 1 Amend the ways and means committee amendment
- 2 filed May 13, 1971, to House File 654, page 2, line 15,
- 3 by inserting after the period the following:
- 4 "For the purpose of determining a school district's
- 5 relative wealth only, per pupil enrollment includes the
- 6 number of students residing in the district or the state
- 7 and attending nonpublic schools, as well as the students
- 8 attending public schools, and shared-time students shall
- 9 not be separately counted."

Senator Brownlee took the chair at 11:10 a.m.

Senator Neu moved the adoption of his amendment and requested a roll call.

On the question "Shall the Neu amendment to Division 1 be adopted?" (H.F. 654) the vote was:

Ayes, 41:

Anderson
Arbuckle
Balloun
Briles
Brownlee
Carlson
Coleman
Conklin
Davis
DeKoster
Doderer

Erskine
Gaudineer
Glenn
Graham
Griffin
Gross
Keith
Kennedy
Lamborn
Laverty

Messerly
Miller
Milligan
Mowry
Neu
Ollenburg
Palmer
Potter
Rhodes
Riley

Robinson
Schaben
Shaff
Shawver
Smith
Stephens
Tapscott
Thordsen
Van Gilst
Walsh

Nays, 6:

Bass	Hill	Potgeter	Van Drie
Gilley	Nicholson		

Absent or not voting, 3:

Curran	Kyhl	Rabedaux
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The amendment to Division 1 was adopted.

The Doderer-Gaudineer amendment to Division 1, offered and deferred on May 20 and found on pages 1447-1449 of the Senate Journal, was taken up for further consideration.

Senator Doderer moved the adoption of the amendment to Division 1 and requested a roll call.

On the question "Shall the Doderer-Gaudineer amendment to Division 1 be adopted?" (H.F. 654) the vote was:

Ayes, 18:

Coleman	Gross	Palmer	Shawver
DeKoster	Hill	Potgeter	Tapscott
Doderer	Kennedy	Riley	Van Drie
Gaudineer	Miller	Robinson	Van Gilst
Glenn	Neu		

Nays, 27:

Anderson	Conklin	Lamborn	Rhodes
Arbuckle	Davis	Laverty	Shaff
Balloun	Erskine	Messerly	Smith
Bass	Gilley	Mowry	Stephens
Briles	Graham	Nicholson	Thordsen
Brownlee	Griffin	Ollenburg	Walsh
Carlson	Keith	Potter	

Voting present, 1:

Milligan

Absent or not voting, 4:

Curran	Kyhl	Rabedaux	Schaben
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The amendment to Division 1 lost.

Senator Lamborn asked and received unanimous consent that Senator Palmer be temporarily excused from the Call of the Senate.

Senator Doderer offered the following amendment to Division 1 and moved its adoption:

- 1 Amend the Senate committee on ways and means amendment
- 2 to House File 654, as amended, passed, and reprinted by
- 3 the House, filed May 13, 1971, commencing on page 1258 of
- 4 the Journal of the Senate, as follows:
- 5 1. Page 2, lines 6 and 7, strike the words "assessed
- 6 valuation" and insert in lieu thereof the words "actual
- 7 value".
- 8 2. Page 2, line 11, strike the words "assessed

9 valuation" and insert in lieu thereof the words "actual
10 value".

Division was called for.

The amendment to Division 1 lost.

Final action on Division 1 of the committee amendment was deferred.

Division 7 of the committee amendment was taken up for consideration.

DIVISION 7

8
9 Sec. 37. There is appropriated from the general
10 fund of the state to the department of public instruction
11 for the fiscal year beginning July 1, 1972 and ending
12 June 30, 1973, the sum of two hundred forty-six million
13 (246,000,000) dollars, or so much thereof as may be
14 necessary, to be distributed to public school districts
15 as general state aid in the manner provided by the
16 general assembly.

17 Sec. 38. The total amount of general state aid to
18 be paid to each school district shall be increased
19 annually by the dollar amount of the percentage growth
20 factor for the state, which the state comptroller shall
21 compute each year as follows:

22 1. Determine the percent of increase or decrease
23 in state revenue from taxes other than any school
24 district income surtax, adjusted for changes in rates
25 or basis, for each year of the last three calendar years

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1 for which accurate figures are available, and divide
2 the total by three.

3 2. The total general state aid for the last preceding
4 school year multiplied by the percentage growth factor
5 gives the additional amount of general state aid which
6 shall be added to the last preceding appropriation to
7 determine the appropriation for the current school year.

8 There is appropriated annually, for the fiscal year
9 beginning July 1, 1973, and each fiscal year thereafter,
10 from the general fund of the state to the department
11 of public instruction for general state aid to public
12 school districts, an amount sufficient to carry out
13 the provisions of this section.

14 2. Amend the title, page 1, by striking all after
15 the word "to" in line 1 and inserting in lieu thereof
16 the words: "financing of governmental programs by pro-
17 viding state aid to schools, school district property
18 taxes, imposing a school district income tax including
19 administration by the director of revenue and adoption
20 of administrative provisions for the state individual
21 income tax including interest and penalties, providing
22 for an increase in the rate of sales and use taxes, pro-

- 23 viding for a sales tax credit, providing aid to cities
- 24 and towns from sales tax receipts, relating to the state
- 25 individual and corporate income taxes and providing that

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- 1 the corporation income tax rates are retroactive, pro-
- 2 viding property tax relief for the elderly and totally
- 3 disabled, and appropriating moneys from the general
- 4 fund of the state for aid to public schools."

Senator Gaudineer offered the following amendment to Division 7 filed by him on May 19:

- 1 Amend the Senate ways and means committee amendment
- 2 to House File 654, as amended, passed, and reprinted by
- 3 the House, filed May 13, 1971, commencing on page 1258
- 4 of the Journal of the Senate, by adding on page 30, after
- 5 line 13, the following new paragraph:
- 6 "There is appropriated annually, for the fiscal year
- 7 beginning July 1, 1973, and each fiscal year thereafter,
- 8 from the general fund of the state to the department of
- 9 public instruction for reimbursable aid pursuant to
- 10 chapter two hundred eighty-one (281) of the Code, an
- 11 amount sufficient to pay the sums as provided in sections
- 12 two hundred eighty-one point nine (281.9) and two hundred
- 13 eighty-one point ten (281.10) of the Code."

President Jepsen took the chair at 12:15 p.m.

Senator Gaudineer moved the adoption of his amendment to Division 7.

Division was called for.

The amendment to Division 7 was adopted.

Division 2 of the Griffin-Walsh-Riley amendment to Division 7 was taken up for further consideration.

On motion of Senator Griffin, division 2 of the amendment to Division 7 was adopted.

Senator Conklin asked and received unanimous consent to withdraw division 2 of the Conklin-Davis, et al., amendment offered on May 19 and found on page 1409 of the Senate Journal.

Senator Hill asked and received unanimous consent to withdraw division 2 of the Hill amendment filed May 17, offered and deferred on May 18, and found on page 1336 of the Senate Journal.

Final action on Division 7 of the committee amendment was deferred.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 332, a bill for an act relating to the seasons and limits on fish and frogs.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 473, a bill for an act relating to remedies for the dilution of the distinctiveness of a mark.

Also: That the House has concurred in Senate amendment to House amendment and repassed the following bill in which the concurrence of the House was asked:

Senate File 474, a bill for an act relating to disabled and retired policemen and firemen.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 205, a bill for an act relating to assessments levied by drainage and levee districts.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 530, a bill for an act relating to conditions of withdrawal from a county library district.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 33, a bill for an act relating to distance requirements for pipeline regulation.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 324, a bill for an act relating to the means of disbursement of support money in domestic relations cases.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 546, a bill for an act relating to contempt actions in paternity cases.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 688, a bill for an act making an appropriation to the department of public instruction to provide school lunch assistance.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 692, a bill for an act to appropriate administration and education and training aid funds from the general fund of the state to the department of public instruction.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 695, a bill for an act to appropriate from motor vehicle fuel tax fund to the state comptroller.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 707, a bill for an act to permit certain populated cities to enter into contract for construction of waste treatment facility.

WILLIAM R. KENDRICK, Chief Clerk

HOUSE AMENDMENT TO SENATE FILE 332

1 Amend Senate File 332, as passed by the Senate, by
2 striking everything after the enacting clause and inserting
3 in lieu thereof the following:

4 "Section 1. Section one hundred nine point sixty-
5 seven (109.67), Code 1971, is amended by striking the
6 section and inserting in lieu thereof the following:

7 It is unlawful for any person, except as otherwise
8 expressly provided, to take, capture, or kill fish or
9 frogs except during the open season established by the
10 state conservation commission. It is unlawful during open
11 season to take in any one day an amount in excess of the
12 daily catch limit designated for each variety or each
13 locality, or have in possession any variety of fish or
14 frog in excess of the possession limit, or have in
15 possession any frog or fish at any time under the minimum
16 length or weight. The open season, possession limit, daily
17 catch limit, and the minimum length or weight for each
18 variety of fish or frog shall be established by rule of
19 the commission under the authority of sections one hundred
20 seven point twenty-four (107.24), one hundred nine point
21 thirty-eight (109.38), and one hundred nine point thirty-
22 nine (109.39) of the Code."

HOUSE AMENDMENT TO SENATE FILE 473

1 Amend Senate File 473, as passed by the Senate, as
2 follows:

3 Page 1, by striking lines 8 through 14 and inserting
4 in lieu thereof the following:

5 "2. Likelihood of injury to business reputation or
6 to a trade name valid at common law, or of dilution of
7 the distinctive quality of a mark, whether registered or
8 not registered under this chapter, shall be a ground
9 for injunctive relief notwithstanding the absence of
10 competition between the parties or the absence of
11 confusion as to the sources of goods or services."

HOUSE MESSAGES CONSIDERED

House File 33, a bill for an act relating to distance requirements for pipeline regulation.

Read first time and **passed on file.**

House File 324, a bill for an act relating to the means of disbursement of support money paid pursuant to court order or decree in domestic relations cases.

Read first time and **passed on file.**

House File 546, a bill for an act relating to contempt actions in paternity cases.

Read first time and **passed on file.**

House File 695, a bill for an act to appropriate from the motor vehicle fuel tax fund for the biennium beginning July 1, 1971, and ending June 30, 1973, to the state comptroller.

Read first time and **passed on file.**

House File 688, a bill for an act making an appropriation to the department of public instruction to provide school lunch assistance.

Read first time and **passed on file.**

House File 692, a bill for an act to appropriate administration and educational and training aid funds from the general fund of the state to the department of public instruction.

Read first time and **passed on file.**

House File 707, a bill for an act to permit cities of not less than thirteen nor more than seventeen thousand population, located on a navigable river, to enter into a single responsibility contract for construction of a waste treatment facility.

Read first time and **passed on file.**

On motion of Senator Lamborn, the Senate recessed until 1:45 p.m.

AFTERNOON SESSION

The Senate reconvened, President Jepsen presiding.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File 386, a bill for an act relating to travel trailers.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 573, a bill for an act relating to fish and game licenses and fees.

WILLIAM R. KENDRICK, Chief Clerk

HOUSE MESSAGES CONSIDERED

House File 386, a bill for an act relating to travel trailers.

Read first time and **passed on file**.

House File 573, a bill for an act relating to fish and game licenses and fees.

Read first time and **passed on file**.

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

The Senate resumed session, President Jepsen presiding.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Rhodes, from the joint committee on enrolled bills, submitted the following report and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate Files 138, 302, 402, 425, 433, 460, 461 and 468.

JOHN C. RHODES
Chairman, Senate Committee
ELIZABETH R. MILLER
Chairman, House Committee

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate the following bills: Senate Files 138, 302, 402, 425, 433, 460, 461 and 468.

BILLS SENT TO THE GOVERNOR

Senator Rhodes, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 24th day of May, 1971, sent to the Governor for his approval: Senate Files 138, 302, 402, 425, 433, 460, 461 and 468.

JOHN C. RHODES, Chairman

Passed on file.

SPECIAL ORDER CONTINUED

House File 654

The Senate resumed consideration of House File 654 and the ways and means committee amendment.

Senator Davis offered the following amendment to the amendment filed by him on May 19 and moved its adoption:

- 1 Amend the committee on ways and means amendment to House
- 2 File 654, filed May 13, 1971, as follows:
- 3 1. Page 30, after line 13, add the following new section:
- 4 "Sec. Notwithstanding any provisions of the Code, interstate
- 5 bridges owned by a city or town may be subject to assessment and
- 6 taxation in the discretion of the governing body of the city or
- 7 town owning such bridge."
- 8 2. Page 30, line 24, by inserting after the comma the words
- 9 "relating to the taxation of interstate bridges owned by a city
- 10 or town,".

Division was called for.

The amendment to the amendment was adopted.

Senator Walsh asked and received unanimous consent to withdraw divisions 2 and 3 of the Walsh, Neu, et al., amendment filed May 17, offered, divided and deferred on May 20, and found on pages 1315, 1316 and 1317 of the Senate Journal.

Senator Walsh offered the following amendment to the amendment filed by him on May 19 and moved its adoption:

- 1 Amend the Senate committee on ways and means amendment
- 2 to House File 654, as amended, passed, and reprinted by
- 3 the House, filed May 13, 1971, commencing on page 1258
- 4 of the Senate Journal, as follows:
- 5 1. Page 30, by inserting after line 13 the following
- 6 new division:

7 DIVISION 8

- 8 Sec. 39. Section four hundred twenty-two point forty-
- 9 five (422.45), Code 1971, is amended by adding the follow-
- 10 ing new subsection:

- 11 "The gross receipts from sales of tangible personal
- 12 property or services to an urban transit company as
- 13 defined in section three hundred eighty-six C point one
- 14 (386C.1) of the Code."

- 15 Sec. 40. Section four hundred twenty-three point four
- 16 (423.4), Code 1971, is amended by adding the following new
- 17 subsection:

- 18 "Tangible personal property used by an urban transit
- 19 company as defined in section three hundred eighty-six C
- 20 point one (386C.1) of the Code."

- 21 2. Amend the title, page 30, line 22, by inserting
- 22 after the word "taxes," the words "exempting sales of
- 23 tangible personal property to urban transit companies
- 24 from the sales and use tax,".

The amendment to the amendment was adopted.

Senator Walsh asked and received unanimous consent to withdraw the amendment to the amendment offered, divided and deferred on May 20, and found on pages 1442-1447, inclusive, of the Senate Journal.

Senator Griffin asked and received unanimous consent to withdraw the following amendment to the amendment by Senators Griffin and Potgeter:

- 1 Amend the Senate committee on ways and means amendment
- 2 to House File 654, as amended, passed, and reprinted by
- 3 the House, filed May 13, 1971, commencing on page 1258
- 4 of the Senate Journal, as follows:
- 5 1. Page 30, by inserting after line 13 the following
- 6 new division:

7 Division 8

- 8 Sec. 39. Section four hundred thirty-two point one
- 9 (432.1), unnumbered paragraph one (1), Code 1971, is
- 10 amended as follows:

11 Every insurance company or association of whatever kind
12 or character, not including fraternal beneficiary associa-
13 tions, [and nonprofit hospital and medical service corpora-
14 tions,] shall, at the time of making the annual statement
15 as required by law, pay to the director of the department
16 of revenue, or to a depository designated by the director,
17 as taxes, an amount equal to the following, except that
18 the premium tax applicable to county mutual associations
19 shall be governed by section 518.18.

- 20 Sec. 40. Taxes imposed on nonprofit hospital and
- 21 medical service corporations pursuant to section four
- 22 hundred thirty-two point one (432.1) of the Code shall
- 23 first be imposed upon a nonprofit hospital and medical
- 24 service corporation when such corporation increases
- 25 premium rates to be paid by its subscribers after the

Page 2

- 1 effective date of this Act.
- 2 The taxes herein imposed on nonprofit hospital and
- 3 medical service corporations shall not include the
- 4 premiums charged people over age sixty-five.
- 5 2. Renumber sections and correct internal references
- 6 as necessary in accordance with this amendment.
- 7 3. Amend the title, page 31, line 3, by inserting
- 8 after the word "disabled," the words "relating to the
- 9 collection of premiums taxes on insurance premiums of
- 10 nonprofit hospital and medical service corporations,".

JAMES W. GRIFFIN, SR.

MOTION TO RECONSIDER

Senator Gaudineer called up the following motion and moved its adoption:

MR. PRESIDENT: I move to reconsider the vote by which the Van Gilst amendment, filed May 18, to House File 654, as amended, passed and re-

printed by the House, failed to be adopted.

LEE H. GAUDINEER, JR.
JAMES F. SCHABEN
MINNETTE F. DODERER
G. WILLIAM GROSS
EUGENE M. HILL
WILLIAM D. PALMER
CLOYD E. ROBINSON
JOHN E. TAPSCOTT
GENE W. GLENN

Division was called for.

The motion lost.

Division 2 of the committee amendment, amended on May 17, further considered and deferred on May 18 and May 21, was taken up for further consideration.

Senator Shaff moved the adoption of Division 2 of the amendment as amended.

Roll call was requested.

On the question "Shall Division 2 of committee amendment as amended be adopted?" (H.F. 654) the vote was:

Ayes, 27:

Balloun	Gilley	Nicholson	Shawver
Briles	Graham	Ollenburg	Smith
Brownlee	Keith	Potgeter	Stephens
Conklin	Lamborn	Potter	Thordsen
Curran	Lavery	Rhodes	Van Drie
Davis	Messerly	Riley	Walsh
Erskine	Mowry	Shaff	

Nays, 21:

Anderson	Doderer	Hill	Palmer
Arbuckle	Gaudineer	Kennedy	Robinson
Bass	Glenn	Miller	Schaben
Carlson	Griffin	Milligan	Tapscott
Coleman	Gross	Neu	Van Gilst
DeKoster			

Absent or not voting, 2:

Kyhl Rabedeaux

Division 2 of the amendment as amended was adopted.

Division 5 of the committee amendment, amended on May 18 and May 21, further considered and deferred on May 19 and 21, was taken up for further consideration.

Senator Keith moved the adoption of Division 5 of the amendment as amended.

Roll call was requested.

On the question "Shall Division 5 of the committee amendment as amended be adopted?" (H.F. 654) the vote was:

Ayes, 30:

Anderson	Erskine	Mowry	Riley
Balloun	Gaudineer	Neu	Shaff
Briles	Gilley	Nicholson	Shawver
Brownlee	Graham	Ollenburg	Smith
Carlson	Griffin	Potgeter	Stephens
Curran	Keith	Potter	Van Drie
Davis	Lamborn	Rhodes	Walsh
DeKoster	Laverty		

Nays, 18

Arbuckle	Glenn	Miller	Schaben
Bass	Gross	Milligan	Tapscott
Coleman	Hill	Palmer	Thordsen
Conklin	Kennedy	Robinson	Van Gilst
Doderer	Messerly		

Absent or not voting, 2:

Kyhl Rabedeaux

Division 5 of the amendment as amended was adopted.

Division 3 of the committee amendment, amended and deferred on May 19 and May 21, was taken up for further consideration.

Senator Bass moved the adoption of Division 3 of the amendment as amended.

Roll call was requested.

On the question "Shall Division 3 of the committee amendment as amended be adopted?" (H.F. 654) the vote was:

Ayes, 35:

Balloun	Glenn	Milligan	Schaben
Bass	Griffin	Neu	Shaff
Briles	Gross	Nicholson	Shawver
Brownlee	Hill	Ollenburg	Stephens
Coleman	Keith	Palmer	Tapscott
Curran	Kennedy	Potter	Thordsen
Davis	Lamborn	Rhodes	Van Gilst
Erskine	Laverty	Riley	Walsh
Gaudineer	Miller	Robinson	

Nays, 13:

Anderson	DeKoster	Graham	Potgeter
Arbuckle	Doderer	Messerly	Smith
Carlson	Gilley	Mowry	Van Drie
Conklin			

Absent or not voting, 2:

Kyhl Rabedeaux

Division 3 of the amendment as amended was adopted.

Senator Gaudineer took the chair at 3:55 p.m.

Division 1 of the committee amendment, amended on May 19, further considered and deferred on May 20 and 21, was taken up for further consideration.

Senator Ollenburg moved the adoption of Division 1 of the amendment as amended.

Roll call was requested.

On the question "Shall Division 1 of the committee amendment as amended be adopted?" (H.F. 654) the vote was:

Rule 24 was invoked.

Ayes, 25

Anderson	Davis	Lamborn	Rhodes
Balloun	Erschine	Laverty	Shaff
Bass	Gilley	Mowry	Shawver
Briles	Graham	Nicholson	Smith
Brownlee	Griffin	Ollenburg	Stephens
Coleman	Keith	Potter	Walsh
Curran			

Nays, 23:

Arbuckle	Glenn	Milligan	Schaben
Carlson	Gross	Neu	Tapscott
Conklin	Hill	Palmer	Thordsen
DeKoster	Kennedy	Potgeter	Van Drie
Doderer	Messerly	Riley	Van Gilst
Gaudineer	Miller	Robinson	

Absent or not voting, 2:

Kyhl Rabedeaux

Division 1 of the amendment as amended was adopted.

Division 6 of the committee amendment, amended and deferred on May 20, was taken up for further consideration.

Senator Riley offered the following amendment to the amendment and moved its adoption:

- 1 Amend the ways and means committee amendment filed May 13, 1971,
- 2 page 31, line 3, by inserting after the word "disabled" the
- 3 words "including penalties for filing fraudulent claims,".

On motion of Senator Riley, the amendment to the amendment was adopted.

Senator Ollenburg moved the adoption of Division 6 of the amendment as amended.

Roll call was requested.

On the question "Shall Division 6 of the committee amendment as amended be adopted?" (H.F. 654) the vote was:

Ayes, 44:

Anderson	Doderer	Lavery	Robinson
Balloun	Erskine	Miller	Schaben
Bass	Gaudineer	Milligan	Shaff
Briles	Gilley	Neu	Shawver
Brownlee	Glenn	Nicholson	Smith
Carlson	Graham	Ollenburg	Stephens
Coleman	Griffin	Palmer	Tapscott
Conklin	Gross	Potgeter	Thordsen
Curran	Keith	Potter	Van Drie
Davis	Kennedy	Rhodes	Van Gilst
DeKoster	Lamborn	Riley	Walsh

Nays, 3:

Hill	Messerly	Mowry
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Absent or not voting, 3:

Arbuckle	Kyhl	Rabedaux
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Division 6 of the amendment as amended was adopted.

Division 4 of the committee amendment, amended and deferred on May 21, was taken up for further consideration.

Senator Potter moved the adoption of Division 4 of the amendment as amended.

Roll call was requested.

On the question "Shall Division 4 of the committee amendment as amended be adopted?" (H.F. 654) the vote was:

Rule 24 was invoked.

Ayes, 43:

Balloun	Gaudineer	Milligan	Schaben
Briles	Gilley	Mowry	Shaff
Brownlee	Glenn	Neu	Shawver
Carlson	Graham	Nicholson	Smith
Coleman	Griffin	Ollenburg	Stephens
Conklin	Gross	Palmer	Tapscott
Curran	Keith	Potgeter	Thordsen
Davis	Kennedy	Potter	Van Drie
DeKoster	Lamborn	Rhodes	Van Gilst
Doderer	Lavery	Riley	Walsh
Erskine	Miller	Robinson	

Nays, 5:

Anderson	Bass	Hill	Messerly
Arbuckle			

Absent or not voting, 2:

Kyhl	Rabedaux
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Division 4 of the amendment as amended was adopted.

Division 7 of the committee amendment as amended was taken up for further consideration.

Senator Shaff offered the following amendment to Division 7 and moved its adoption:

- 1 Amend the Senate committee on ways and means amendment to
- 2 House File 654, as amended, passed, and reprinted by the House,
- 3 filed May 13, 1971, commencing on page 1258 of the Senate Journal,
- 4 page 29, lines 12 and 13, by striking the words and figures "two
- 5 hundred forty-six million (246,000,000) and inserting in lieu
- 6 thereof the words and figures "two hundred thirty-six million
- 7 (236,000,000)".

The amendment to Division 7 was adopted.

Senator Shaff moved the adoption of Division 7 of the amendment as amended.

On the question "Shall Division 7 of the committee amendment as amended be adopted?" (H.F. 654) the vote was:

Ayes, 25:

Anderson	Erskine	Laverty	Potter
Balloun	Gilley	Mowry	Rhodes
Briles	Graham	Neu	Shaff
Brownlee	Griffin	Nicholson	Smith
Curran	Keith	Ollenburg	Stephens
Davis	Lamborn	Potgeter	Walsh
Doderer			

Nays, 23:

Arbuckle	Gaudineer	Miller	Shawver
Bass	Glenn	Milligan	Tapscott
Carlson	Gross	Palmer	Thordsen
Coleman	Hill	Riley	Van Drie
Conklin	Kennedy	Robinson	Van Gilst
DeKoster	Messerly	Schaben	

Absent or not voting, 2:

Kyhl	Rabedeaux
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Division 7 of the amendment as amended was adopted.

Senator Brownlee took the chair at 4:58 p.m.

President Jepsen took the chair at 5:26 p.m.

Senator Shaff moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 654) the vote was:

Rule 24 was invoked.

Ayes, 26:

Anderson	Erskine	Nicholson	Shaff
Balloun	Gilley	Ollenburg	Shawver
Bass	Graham	Potgeter	Smith
Briles	Keith	Potter	Stephens
Brownlee	Lamborn	Rhodes	Van Gilst
Curran	Laverty	Riley	Walsh
Davis	Mowry		

Nays, 22:

Arbuckle	Gaudineer	Messerly	Robinson
Carlson	Glenn	Miller	Schaben
Coleman	Griffin	Milligan	Tapscott
Conklin	Gross	Neu	Thordsen
DeKoster	Hill	Palmer	Van Drie
Doderer	Kennedy		

Absent or not voting, 2:

Kyhl	Rabedeaux
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The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senator Lamborn asked unanimous consent that House File 654, be immediately messaged to the House.

Objection was raised.

Senator Lamborn moved that House File 654 be immediately messaged to the House.

Roll call was requested.

On the question "Shall the motion to immediately message be adopted?" (H.F. 654) the vote was:

Ayes, 34:

Anderson	DeKoster	Milligan	Riley
Balloun	Doderer	Mowry	Shaff
Bass	Erskine	Neu	Shawver
Briles	Gilley	Nicholson	Smith
Brownlee	Graham	Ollenburg	Stephens
Carlson	Griffin	Potgeter	Thordsen
Conklin	Keith	Potter	Van Drie
Curran	Lamborn	Rhodes	Walsh
Davis	Laverty		

Nays, 13:

Arbuckle	Gross	Messerly	Robinson
Coleman	Hill	Miller	Tapscott
Gaudineer	Kennedy	Palmer	Van Gilst
Glenn			

Voting present, 1:

Schaben

Absent or not voting, 2:

Kyhl	Rabedeaux
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The motion prevailed and **House File 654** was immediately messaged to the House.

BILLS ASSIGNED TO COMMITTEE

President Jepsen announced the assignment of the following bills to committee:

H. F. 33 Commerce
H. F. 324 Judiciary
H. F. 454 Transportation
H. F. 539 State government
H. F. 546 Judiciary
H. F. 688 Appropriations
H. F. 692 Appropriations
H. F. 695 Appropriations
H. F. 699 Appropriations
H. F. 700 Appropriations
H. F. 701 Appropriations
H. F. 702 Appropriations
H. F. 703 Appropriations

AMENDMENTS FILED

- 1 Amend the committee on cities and towns amendment, filed
2 March 31, 1971 to Senate File 77, page 1, by striking in line
3 25 the word "*thorough*".

JOHN TAPSCOTT

- 1 Amend Senate File 544, page 2, by striking line 11
2 and inserting in lieu thereof the following:
3 "poses: \$45,465.00 \$45,465.00"

ARTHUR A. NEU

- 1 Amend Senate File 544, page 2, line 19 by striking
2 the figures "500,000.00" and "500,000.00" and inserting
3 the figures "650,000.00" and "650,000.00".

JOHN TAPSCOTT
MINNETTE DODERER
JOHN WALSH
LEE GAUDINEER
WILLIAM PALMER
JAMES BRILES

- 1 Amend Senate File 544, by striking from page 2, all after the
2 period on line 24, and all of lines 25, 26, and 27.

GEORGE F. MILLIGAN
LEE H. GAUDINEER, JR.
REINHOLD O. CARLSON
WILLIAM D. PALMER
JOHN E. TAPSCOTT

- 1 Amend House File 539 by striking lines 7 and 8
2 and inserting in lieu thereof the following:
3 "of general application that implements or
4 interprets law, prescribes policy, or describes the
5 organization, pro".

JOHN L. MOWRY

- 1 Amend House File 567 as follows:
2 1. Page 2, line 27, strike the word "shall" and
3 insert in lieu thereof the word "may".
4 2. Page 2, strike lines 28 through 35, inclusive, and
5 strike lines 1 and 2 on page 3, and insert in lieu there-
6 of the following:
7 *"submit to the voters of the city, either at the next*
8 *regular city election or at a special election, the ques-*
9 *tion of whether to change to a council consisting of a*
10 *mayor and two councilmen, as provided in section 363B.2.*
11 *If the question is submitted at a special election and*
12 *the change is approved by a majority of the voters, the*
13 *change shall become effective with the term of office*
14 *beginning the following January. If the question is sub-*
15 *mitted at the next regular election and the change is*
16 *approved by a majority of the voters, the change shall*
17 *become effective with the term of office beginning in*
18 *January two years subsequent to the January next following*
19 *the election. If the question is submitted at either the*
20 *next regular election or a special election and a change*
21 *is not approved by a majority of the voters, the city*
22 *shall continue to be governed by a council consisting of*
23 *a mayor and four councilmen, as provided in section*
24 *363B.1."*

GENE W. GLENN

On motion of Senator Lamborn, the Senate adjourned until 9:00 a.m., Tuesday, May 25, 1971.

JOURNAL OF THE SENATE

ONE HUNDRED THIRTY-FIFTH DAY

SENATE CHAMBER

DES MOINES, IOWA, TUESDAY, MAY 25, 1971

The Senate met in regular session, Senator Brownlee presiding.

Prayer was offered by the Reverend Kenneth E. Metcalf, pastor of the St. John's United Methodist Church, Davenport, Iowa.

The Senate pledged allegiance to the flag.

The Journal of Monday, May 24, 1971, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Milligan for the day on request of Senator Lamborn; Senator Rabedeaux for the day on request of Senator Lamborn.

PRESENTATION OF VISITORS

The Chair announced that the following visitors were present in the Senate gallery:

Thirty-five students from Central Junior High School and Iowa City High School, Iowa City, Iowa, accompanied by their instructors, Mrs. Pohorille, Mrs. Jenkins and Mr. Coapstick.

Twenty-seven students from Hillside Junior High School, West Des Moines, Iowa, accompanied by their instructor, Mrs. Shirley Henry.

Twenty Camp Fire Girls, students from Marion and Springville, Iowa, accompanied by Mrs. Clary, Mrs. Long, Mrs. Grief, Mrs. Hington, Mrs. Harrison, Mrs. Dawson and Mrs. Franks.

Thirty-four students from Edwards Elementary School, Ames, Iowa, accompanied by Mrs. Richard Bunker.

Twenty-five students from Blackhurst Elementary School, Urbandale, Iowa, accompanied by Connie Duffust.

PETITION

The following petition was presented and placed on file:

By Senator Keith, from eighteen residents of Pocahontas and Humboldt Counties opposing repeal of the Iowa Meat and Poultry Inspection law.

SENATE FILES WITHDRAWN

Senator Lamborn asked and received unanimous consent that the following bills be **withdrawn** from further consideration of the Senate: **Senate Files 511, 513, 519, 512, 521, 515 and 522.**

CONSIDERATION OF BILLS

House File 211

On motion of Senator Riley, House File 211, a bill for an act relating to the term of office of county attorneys, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Riley offered the following amendment filed by Senators Riley, Brownlee and Gaudineer, recommended by the committee on county government:

- 1 Amend House File 211 as follows:
- 2 1. Page 1, line 8, by inserting after the word "auditor"
- 3 the following: "*, a county attorney,*".
- 4 2. Page 1, by striking lines 14 through 20, inclusive,
- 5 and inserting in lieu thereof the following:
- 6 "[There shall be elected in each county, at each
- 7 general election, a county attorney, who shall hold office
- 8 for a term of two years.]"

Senator Riley moved the adoption of the amendment and requested a roll call.

On the question "Shall the amendment be adopted?" (H.F. 211) the vote was:

Ayes, 27:

Anderson	DeKoster	Keith	Riley
Brownlee	Doderer	Kennedy	Robinson
Carlson	Erskine	Lamborn	Smith
Coleman	Gaudineer	Miller	Tapscott
Conklin	Glenn	Neu	Thordsen
Curran	Griffin	Nicholson	Walsh
Davis	Gross	Palmer	

Nays, 19:

Arbuckle	Graham	Potgeter	Shawver
Balloun	Hill	Potter	Stephens
Bass	Messerly	Rhodes	Van Drie
Briles	Mowry	Schaben	Van Gilst
Gilley	Ollenburg	Shaff	

Absent or not voting, 4:

Kyhl	Laverty	Milligan	Rabedeaux
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The amendment was adopted.

Senator Riley moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 211) the vote was:

Ayes, 41:

Arbuckle	Erskine	Laverty	Robinson
Balloun	Gaudineer	Miller	Schaben
Briles	Gilley	Neu	Shaff
Brownlee	Graham	Nicholson	Shawver
Carlson	Griffin	Ollenburg	Smith
Coleman	Gross	Palmer	Tapscott
Conklin	Hill	Potgeter	Thordsen
Curran	Keith	Potter	Van Drie
Davis	Kennedy	Rhodes	Van Gilst
DeKoster	Lamborn	Riley	Walsh
Doderer			

Nays, 5:

Anderson	Glenn	Mowry	Stephens
Bass			

Absent or not voting, 4:

Kyhl	Messerly	Milligan	Rabedeaux
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 542

On motion of Senator Mowry, Senate File 542, a bill for an act making an appropriation from the general fund of the state of Iowa to the department of public defense for various capital improvements, repairs, replacements, alterations, equipment and rehabilitation purposes, was taken up and considered.

SENATE FILE DEFERRED

Senator Glenn asked and received unanimous consent that further action on **Senate File 542** be deferred and that the bill **retain its place on the calendar**.

CONSIDERATION OF BILLS

Senate File 545

On motion of Senator Mowry, Senate File 545, a bill for an act to appropriate from the general fund of the state for capital improvements for physical plant and facilities and for the discharge of duties by the superintendent of public buildings and grounds, was taken up and considered.

Senator Potgeter took the chair at 10:15 a.m.

Senator Mowry moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 545) the vote was:

Ayes, 45:

Anderson	Erskine	Laverty	Robinson
Arbuckle	Gaudineer	Messerly	Schaben
Balloun	Gilley	Miller	Shaff
Bass	Glenn	Mowry	Shawver
Briles	Graham	Neu	Smith
Carlson	Griffin	Nicholson	Stephens
Coleman	Gross	Ollenburg	Tapscott
Conklin	Hill	Palmer	Thordsen
Curran	Keith	Potgeter	Van Drie
Davis	Kennedy	Potter	Van Gilst
DeKoster	Lamborn	Riley	Walsh
Doderer			

Nays, none.

Absent or not voting, 5:

Brownlee	Milligan	Rabedaux	Rhodes
Kyhl			

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

Senate File 543

On motion of Senator Anderson, Senate File 543, a bill for an act to appropriate from the general fund of the state for capital improvements for institutions under the department of social services, including construction of new buildings, repairs, improvements, replacements, or alterations, was taken up and considered.

Senator Brownlee took the chair at 10:40 a.m.

Senator Neu offered the following amendment:

- 1 Amend Senate File 543, page 2, by striking lines
- 2 15 through 22.

President Jepsen took the chair at 11:11 a.m.

Senator Neu moved the adoption of the amendment and requested a roll call.

On the question "Shall the amendment be adopted?" (S.F. 543) the vote was:

Rule 24 was invoked.

Ayes, 19:

Bass	Doderer	Kennedy	Riley
Brownlee	Gaudineer	Miller	Robinson
Conklin	Glenn	Neu	Shaff
Davis	Gross	Palmer	Tapscott
DeKoster	Hill	Potgeter	

Nays, 28:

Anderson	Erschine	Messerly	Shawver
Arbuckle	Gilley	Mowry	Smith
Balloun	Graham	Nicholson	Stephens
Briles	Griffin	Ollenburg	Thordsen
Carlson	Keith	Potter	Van Drie
Coleman	Lamborn	Rhodes	Van Gilst
Curran	Laverty	Schaben	Walsh

Absent or not voting, 3:

Kyhl	Milligan	Rabedeaux
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The amendment lost.

Senator Walsh offered the following amendment:

- 1 Amend Senate File 543, page 2, line 19, by striking
- 2 the words "for approval".

Senator Coleman raised a point of order on the amendment for the reason that the same subject matter had already been considered and rejected by the Senate.

The Chair ruled the point well taken and the amendment out of order.

Senator Anderson moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 543) the vote was:

Ayes, 42:

Anderson	Gaudineer	Messerly	Riley
Arbuckle	Gilley	Miller	Schaben
Balloun	Glenn	Mowry	Shaff
Bass	Graham	Neu	Shawver
Brownlee	Griffin	Nicholson	Smith
Carlson	Gross	Ollenburg	Stephens
Coleman	Hill	Palmer	Tapscott
Curran	Keith	Potgeter	Thordsen
DeKoster	Kennedy	Potter	Van Drie
Doderer	Lamborn	Rhodes	Walsh
Erschine	Laverty		

Nays, 1:

Conklin

Absent or not voting, 7:

Briles	Kyhl	Rabedeaux	Van Gilst
Davis	Milligan	Robinson	

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Lamborn, the Senate recessed until 1:15 p.m.

AFTERNOON SESSION

The Senate reconvened, President Jepsen presiding.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 89, a bill for an act relating to the issuance of certificates of convenience and necessity to motor vehicle carriers.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 10, a bill for an act relating to the maintenance of access roads.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 144, a bill for an act relating to the board of educational examiners.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 314, a bill for an act relating to the acquisition of property by public bodies, corporations and individuals.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 347, a bill for an act relating to the dispossession of a landowner under condemnation proceedings for highway purposes.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 439, a bill for an act relating to misuse of food stamps and providing a penalty.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 694, a bill for an act to appropriate from the motor vehicle fuel tax fund to the department of revenue.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 704, a bill for an act to extend and improve the federal-state unemployment compensation program.

Also: That the House has adopted the following concurrent resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 39, concerning adjournment on Friday, May 28, 1971, to reconvene on Tuesday, June 1, 1971.

WILLIAM R. KENDRICK, Chief Clerk

HOUSE CONCURRENT RESOLUTION 39

By Varley and Cochran

Be It Resolved by the House, the Senate Concurring: That when adjournment is had on Friday, May 28, 1971, it be to reconvene on Tuesday, June 1, 1971, at 9:30 a.m.

HOUSE AMENDMENT TO SENATE FILE 89

- 1 Amend Senate File 89, as amended and passed by the
- 2 Senate, as follows:
- 3 1. Page 1, by striking lines 9 and 10 and
- 4 inserting in lieu thereof the words "lic convenience
- 5 and necessity and the service would not be provided if
- 6 the expense of a public hearing was placed upon the
- 7 applicant."
- 8 2. Page 1, line 21, by striking the word "A".
- 9 3. Page 1, by striking lines 22 through 24.
- 10 4. Page 2, by striking lines 1 through 6.
- 11 5. Page 2, line 13, by inserting after the word
- 12 "points" the words "or no carrier is currently serving
- 13 those points".

HOUSE MESSAGES CONSIDERED

House File 10, a bill for an act relating to the maintenance of access roads.

Read first time and **passed on file**.

House File 144, a bill for an act relating to the board of educational examiners.

Read first time and **passed on file**.

House File 314, a bill for an act relating to the acquisition of property by public bodies, corporations and individuals.

Read first time and **passed on file**.

House File 347, a bill for an act relating to the dispossession of a landowner under condemnation proceedings for highway purposes.

Read first time and **passed on file**.

House File 439, a bill for an act relating to misuse of food stamps and providing a penalty.

Read first time and **passed on file**.

House File 694, a bill for an act relating to and to appropriate from the motor vehicle fuel tax fund to the department of revenue.

Read first time and **passed on file**.

House File 704, a bill for an act to extend and improve the federal-state unemployment compensation program.

Read first time and **passed on file**.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Rhodes, from the joint committee on enrolled bills, submitted the following report and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate Files 217, 355, 442 and 484.

JOHN C. RHODES
Chairman, Senate Committee
ELIZABETH R. MILLER
Chairman, House Committee

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate the following bills: Senate Files 217, 355, 442 and 484.

BILLS SENT TO THE GOVERNOR

Senator Rhodes, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 25th day of May, 1971, sent to the Governor for his approval: Senate Files 217, 355, 442 and 484.

JOHN C. RHODES, Chairman

Passed on file.

CONSIDERATION OF BILLS

Senate File 544

On motion of Senator Anderson, Senate File 544, a bill for an act making an appropriation from the general fund of the state to the commission on alcoholism, was taken up and considered.

Senator Neu offered the following amendment filed by him on May 24:

- 1 Amend Senate File 544, page 2, by striking line 11
- 2 and inserting in lieu thereof the following:
- 3 "poses: \$45,465.00 \$45,465.00"

Senator Neu moved the adoption of his amendment and called for a division.

The amendment lost.

Senator Tapscott offered the following amendment by Senators Tapscott, et al., on May 24:

- 1 Amend Senate File 544, page 2, line 19 by striking
- 2 the figures "500,000.00" and "500,000.00" and inserting
- 3 the figures "650,000.00" and "650,000.00".

Senator Tapscott moved the adoption of the amendment and requested a roll call.

On the question "Shall the Tapscott, et al., amendment be adopted?" (S.F. 544) the vote was:

Ayes, 16:

Carlson	Gross	Miller	Robinson
Doderer	Hill	Neu	Schaben
Gaudineer	Kennedy	Palmer	Tapscott
Glenn	Laverty	Riley	Walsh

Nays, 29:

Anderson	DeKoster	Messerly	Shaff
Arbuckle	Erschine	Mowry	Shawver
Balloun	Gilley	Nicholson	Smith
Bass	Graham	Ollenburg	Stephens
Brownlee	Griffin	Potgeter	Thordsen
Coleman	Keith	Potter	Van Drie
Conklin	Lamborn	Rhodes	Van Gilst
Curran			

Absent or not voting, 5:

Briles	Kyhl	Milligan	Rabedeaux
Davis			

The amendment lost.

Senator Gaudineer offered the following amendment filed by Senators Milligan, Gaudineer, et al., on May 24:

- 1 Amend Senate File 544, by striking from page 2, all after the
- 2 period on line 24, and all of lines 25, 26, and 27.

Senator Miller took the chair at 2:40 p.m.

Senator Gaudineer moved the adoption of the amendment and requested a roll call.

On the question "Shall the Milligan, Gaudineer, et al., amendment be adopted?" (S.F. 544) the vote was:

Ayes, 18:

Carlson	Gross	Palmer	Schaben
DeKoster	Kennedy	Potgeter	Shawver
Doderer	Laverty	Rhodes	Tapscott
Gaudineer	Miller	Robinson	Van Drie
Glenn	Neu		

Nays, 25:

Anderson	Erskine	Lamborn	Shaff
Arbuckle	Gilley	Messerly	Smith
Balloun	Graham	Mowry	Stephens
Bass	Griffin	Nicholson	Thordsen
Brownlee	Hill	Ollenburg	Van Gilst
Coleman	Keith	Potter	Walsh
Conklin			

Absent or not voting, 7:

Briles	Davis	Milligan	Riley
Curran	Kyhl	Rabedeaux	

The amendment lost.

Senator Neu offered the following amendment filed by him on May 21:

- 1 Amend Senate File 544 as follows:
- 2 1. Page 2, by striking lines 31 through 35 and
- 3 inserting in lieu thereof the following:
- 4 "Sec. 3. Any balance remaining in the funds for
- 5 which appropriations are made by this Act at the end
- 6 of the first fiscal year of the biennium shall carry
- 7 forward to the second fiscal year of the biennium."
- 8 2. Page 3, by striking lines 1 through 7.

Senator Neu moved the adoption of his amendment and called for a division.

The amendment lost.

Senator Doderer offered the following amendment:

- 1 Amend Senate File 544, page 2, line 25 by
- 2 striking the word "ten" and inserting in lieu
- 3 thereof the word "fifteen".

Senator Doderer moved the adoption of the amendment and called for a division.

The amendment lost.

Senator Gaudineer offered the following amendment and moved its adoption:

- 1 Amend Senate File 544, page 3, line 1, by inserting
- 2 after the word, "appropriated." the following:
- 3 "The commission to which this appropriation is made
- 4 may make application to the appropriations committees
- 5 for the reappropriation of any funds that revert on
- 6 September 30, 1972, and the respective appropriations
- 7 committees or a subcommittee thereof shall hold a
- 8 hearing upon such application."

The amendment was adopted.

Senator Doderer offered the following amendment:

- 1 Amend Senate File 544, page 2, line 27, by inserting after

2 the word "section" the words "except that one hundred thousand
3 dollars (\$100,000) shall go to the University of Iowa Alcoholism
4 Center at Oakdale".

President Jepsen took the chair at 3:40 p.m.

Senator Doderer moved the adoption of her amendment and requested a roll call.

On the question "Shall the Doderer amendment be adopted?" (S.F. 544) the vote was:

Ayes, 12:

Doderer	Gross	Neu	Robinson
Gaudineer	Hill	Palmer	Tapscott
Glenn	Miller	Riley	Walsh

Nays, 29:

Anderson	Curran	Messerly	Shaff
Arbuckle	Gilley	Mowry	Shawver
Balloun	Graham	Nicholson	Smith
Bass	Griffin	Ollenburg	Stephens
Briles	Keith	Potgeter	Thordsen
Brownlee	Lamborn	Potter	Van Drie
Coleman	Laverty	Rhodes	Van Gilst
Conklin			

Absent or not voting, 9:

Carlson	Erskine	Kyhl	Rabedeaux
Davis	Kennedy	Milligan	Schaben
DeKoster			

The amendment lost.

Senator Tapscott offered the following amendment:

- 1 Amend Senate File 544, page 2, line 27, by inserting
- 2 after the word "section" the words "except that one
- 3 hundred and fifty thousand (150,000) dollars, annually,
- 4 shall go to the Harrison Treatment Center".

Senator Stephens raised a point of order on the amendment for the reason that the same subject matter had already been considered.

The Chair ruled the point not well taken and the amendment in order.

Senator Tapscott moved the adoption of his amendment and requested a roll call.

On the question "Shall the Tapscott amendment be adopted?" (S.F. 544) the vote was:

Ayes, 11:

Carlson	Glenn	Neu	Tapscott
Doderer	Gross	Palmer	Van Gilst
Gaudineer	Miller	Riley	

Nays, 28:

Anderson	Conklin	Hill	Rhodes
Arbuckle	Curran	Lamborn	Shawver
Balloun	DeKoster	Messerly	Smith
Bass	Erskine	Mowry	Stephens
Briles	Gilley	Nicholson	Thordsen
Brownlee	Graham	Ollenburg	Van Drie
Coleman	Griffin	Potter	Walsh

Absent or not voting, 11:

Davis	Kyhl	Potgeter	Schaben
Keith	Laverty	Rabedaux	Shaff
Kennedy	Milligan	Robinson	

The amendment lost.

Senator Anderson moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 544) the vote was:

Ayes, 43:

Anderson	Doderer	Laverty	Riley
Arbuckle	Erskine	Messerly	Schaben
Balloun	Gaudineer	Miller	Shawver
Bass	Gilley	Mowry	Smith
Briles	Glenn	Neu	Stephens
Brownlee	Graham	Nicholson	Tapscott
Carlson	Griffin	Ollenburg	Thordsen
Coleman	Gross	Palmer	Van Drie
Conklin	Hill	Potgeter	Van Gilst
Curran	Keith	Potter	Walsh
DeKoster	Lamborn	Rhodes	

Nays, none.

Absent or not voting, 7:

Davis	Kyhl	Rabedaux	Shaff
Kennedy	Milligan	Robinson	

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File 271, a bill for an act to require that railway employees be provided adequate sanitation and shelter.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 693, a bill for an act to appropriate from moneys received by the Iowa aeronautics commission.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 280, a bill for an act relating to garnishment of wages, liability for costs, and discharge of employees.

WILLIAM R. KENDRICK, Chief Clerk

HOUSE AMENDMENT TO SENATE FILE 280

- 1 Amend Senate File 280, as amended and passed by the
- 2 Senate, page 2, by striking from lines 11 and 12 the
- 3 words "five thousand (5,000) dollars of such employee's
- 4 earnings" and inserting in lieu thereof the words
- 5 "judgment creditor".

HOUSE MESSAGES CONSIDERED

House File 271, a bill for an act to require that railway employees be provided adequate sanitation and shelter.

Read first time and **passed on file**.

House File 693, a bill for an act to appropriate from moneys received by the Iowa aeronautics commission.

Read first time and **passed on file**.

On motion of Senator Lamborn, the Senate recessed until the fall of the gavel.

The Senate reconvened, President Jepsen presiding.

MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has refused to concur in the Senate amendments to the following bill in which the concurrence of the House was asked:

House File 654, a bill for an act relating to state aid for schools, property taxes, and state sales and use tax.

WILLIAM R. KENDRICK, Chief Clerk

BILLS ASSIGNED TO COMMITTEE

President Jepsen announced the assignment of the following bills to committee:

H. F. 10 Commerce

H. F. 144 Schools

H. F. 314 Commerce

H. F. 439 Judiciary

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on May 24, 1971, the Governor approved and transmitted to the Secretary of State the following bills:

- S.J.R. 10—Establishing legislative compensation to be paid because of a vacancy resulting in the Senate membership.
- S. F. 76—Relating to temporary registration of snowmobiles.
- S. F. 289—Relating to providing protective eyeglass lens and frames and providing a penalty.
- S. F. 308—Relating to delegates to political party caucuses and conventions.
- S. F. 345—To provide protection for the institutional officers of the Iowa Security Medical Facility.
- S. F. 487—Making appropriations to certain state agencies.
- H. F. 262—Relating to traffic control signals.
- H. F. 399—Relating to exemptions from the Merit System and providing for work test appointments.
- H. F. 420—Relating to reduction of sentence for prisoners held in county jails.
- H. F. 479—Relating to the extension of operators' and chauffeurs' licenses for persons separated from military service.
- H. F. 587—Relating to rules of statutory construction.
- H. F. 605—Relating to the regulated use of ground water.

REPORT OF COMMITTEE

Senator Walsh submitted the following report:

MR. PRESIDENT: Your committee on transportation, to which was referred **House File 454**, a bill for an act relating to motor vehicle registration cards, begs leave to report it has had the same under consideration and recommends the same **be amended in accordance with the Coleman amendment, filed May 25, 1971; and when so amended the bill do pass.**

JOHN M. WALSH, Chairman

Ordered passed on file.

AMENDMENTS FILED

- 1 Amend the House amendment to Senate File 296 as follows:
- 2 1. Page 1, line 4, by striking the word "raised" and inserting
- 3 the word "grown".
- 4 2. Page 1, by striking lines 5 through 9, inclusive, and
- 5 renumber the remaining items.
- 6 3. Page 1, by striking lines 10 through 12, inclusive, and
- 7 renumber remaining items.
- 8 4. Page 1, by adding after the period in line 25 the following:

9 "All actions taken by the board shall be without reference
10 to political affiliation, religion, sex, age, marital
11 status, race, color or national origin. The nomination
12 of the initial board and compliance with this Act shall
13 conform with this section."

JAMES A. POTGETER

1 Amend Senate File 441 by adding the following new
2 section:

3 "The provisions of section one (1) of this Act shall
4 not apply to any condemnation proceedings pending on the
5 effective date of this Act, but shall apply in all con-
6 demnation proceedings commenced after the effective date
7 of this Act in which the application for condemnation has
8 been filed with the chief judge of the judicial district
9 after the effective date of this Act."

RALPH W. POTTER

1 Amend Senate File 514 as follows:

2 1. Page 2, by striking lines 1 through 15, inclu-
3 sive, and renumbering the remaining section accordingly.
4 2. Amend the title, page 1, line 1, by striking
5 the words "beverages containing alcohol" and inserting
6 in lieu thereof the word "beer".

ROGER J. SHAFF

1 Amend Senate File 528, page 3, line 1, by inserting
2 after the word "appropriated." the following:

3 "The department to which this appropriation is made
4 may make application to the appropriations committees of
5 the General Assembly to reappropriate any funds herein
6 appropriated that may revert on September 30, 1972 and
7 each appropriations committee or a subcommittee thereof
8 shall hold a public hearing upon such application."

LEE H. GAUDINEER, JR.

1 Amend House File 268, page 3, line 11, by inserting after the
2 word "misdemeanor" the following: "and punishable by a fine
3 of not more than \$100 or thirty days in jail".

JOHN L. MOWRY

1 Amend House File 454, page 1, by striking from lines 9,
2 10, 11, and 12 the words "and shall be displayed in the
3 container furnished or approved by the department. Such
4 certificate container shall be attached to the vehicle in
5 the driver's compartment", and inserting the following:
6 "[and shall be displayed in the container furnished or
7 approved by the department. Such certificate container
8 shall be attached to the vehicle in the driver's compart-
9 ment"].

C. JOSEPH COLEMAN

On motion of Senator Potgeter, the Senate adjourned until 9:00
a.m., Wednesday, May 26, 1971.

JOURNAL OF THE SENATE

ONE HUNDRED THIRTY-SIXTH DAY

SENATE CHAMBER

DES MOINES, IOWA, WEDNESDAY, MAY 26, 1971

The Senate met in regular session, President Jepsen presiding.

Prayer was offered by the Reverend Arnold B. Stillwell, Jr., pastor of the Bethlehem Lutheran Church, Cedar Falls, Iowa.

The Senate pledged allegiance to the flag.

The Journal of Tuesday, May 25, 1971, was approved.

PETITION

The following petition was presented and placed on file:

By Senator Van Drie, from eleven hundred ninety-one residents of Iowa favoring legislation to provide for a cost of living adjustment, the concept of longevity pay for all state employees and that gasoline taxes be used for designing, constructing and maintaining highways as constitutionally provided.

PRESENTATION OF VISITORS

The Chair announced that the following visitors were present in the Senate gallery:

Twenty students from the Forest Avenue Day Care Incorporated, Des Moines, Iowa, accompanied by Mrs. Floyd Loggins.

Thirty-seven students from Orient-Macksburg Community School, Orient, Iowa, accompanied by their instructor, Mrs. Ramsbottom.

Twelve students from St. Peter and St. Paul Schools, West Bend, Iowa, accompanied by Sister Emma and Father Greving.

Six Camp Fire Girls, students from All Saints School, Cedar Rapids, Iowa, accompanied by Mrs. Roshar and Mrs. Welsh.

Thirteen Camp Fire girls, students from Cedar Rapids, Iowa, accompanied by Miss Hugenel, Mrs. Vopelka, Mrs. Washburn and Mrs. Gorsh.

INTRODUCTION OF BILL

Senate File 549, by committee on judiciary, a bill for an act relating to the appointment and election of state judicial nominating commissioners.

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

SENATE INSISTS

House File 654

Senator Lamborn called up House File 654, a bill for an act relating to state aid for schools, school district property taxes, imposing a school district income tax, providing administration by the director of revenue, adopting provisions relating to the state individual income tax, relating to the corporate income tax, and providing aid to cities, towns and counties from sales tax receipts, and moved that the Senate insist on its amendments.

The motion prevailed and the Senate insisted on its amendments.

APPOINTMENT OF CONFERENCE COMMITTEE

President Jepsen announced the appointment of the following conference committee on House File 654 on the part of the Senate: Senators Shaff, chairman; Ollenburg, Davis and Gaudineer.

HOUSE AMENDMENTS TO SENATE AMENDMENT CONSIDERED

House File 73

Senator Lavery called up for consideration House File 73, a bill for an act relating to conservation of soil and water resources of the state, and to control of water pollution, amended by the Senate, further amended by the House, and moved that the Senate concur in the following amendments:

- 1 Amend the Senate amendment to House File 73, as amended,
- 2 passed and reprinted by the House, as follows:
- 3 1. By striking Senate amendments 1 and 9.
- 4 2. Line 15, by striking the numerals "21" and
- 5 inserting in lieu thereof the numerals "24".
- 6 3. Line 22, by inserting after the word "complete"
- 7 the word "six-year".
- 8 4. Line 35, by inserting after the period the following:
- 9 "However, fall plowing of soil which is commonly known
- 10 as gumbo shall always be permitted."
- 11 5. By adding thereto the following amendment:
- 12 Page 44, line 23, by inserting after the word
- 13 "practices" the words "as defined in section 29, sub-
- 14 section 3, of this Act".

Senator Griffin took the chair at 9:38 a.m.

Roll call was requested.

On the question "Shall the Senate concur in the House amendments to the Senate amendment" (H.F. 73) the vote was:

Ayes, 29:

Briles	Glenn	Miller	Riley
Brownlee	Griffin	Neu	Robinson
Carlson	Gross	Nicholson	Schaben
Conklin	Kennedy	Ollenburger	Shawver
Curran	Lamborn	Palmer	Tapscott
Doderer	Laverty	Potter	Van Drie
Erskine	Messerly	Rabedeaux	Van Gilst
Gaudineer			

Nays, 17:

Anderson	DeKoster	Mowry	Smith
Arbuckle	Gilley	Potgeter	Stephens
Balloun	Graham	Rhodes	Thordsen
Bass	Hill	Shaff	Walsh
Coleman			

Absent or not voting, 4:

Davis	Keith	Kyhl	Milligan
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The motion prevailed, and the Senate concurred in the House amendments to the Senate amendment.

Senator Laverty moved that the bill as amended by the Senate, further amended by the House and concurred in by the Senate be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 73) the vote was:

Ayes, 37:

Arbuckle	Glenn	Mowry	Schaben
Balloun	Griffin	Neu	Shaff
Briles	Gross	Nicholson	Shawver
Carlson	Kennedy	Ollenburger	Smith
Conklin	Lamborn	Palmer	Tapscott
Curran	Laverty	Potgeter	Thordsen
DeKoster	Messerly	Potter	Van Drie
Doderer	Miller	Rhodes	Van Gilst
Erskine	Milligan	Riley	Walsh
Gaudineer			

Nays, 7:

Anderson	Gilley	Hill	Stephens
Coleman	Graham	Rabedeaux	

Absent or not voting, 6:

Bass	Davis	Kyhl	Robinson
Brownlee	Keith		

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

HOUSE AMENDMENTS CONSIDERED

Senate File 296

Senator Stephens called up for consideration Senate File 296, a bill for an act relating to the establishment of a soybean promotion fund to receive assessments made on the sale of soybeans; to establish an Iowa soybean promotion board; to provide for a referendum among soybean producers to make an appropriation and to provide penalties, amended by the House, as follows:

- 1 Amend Senate File 296, as amended and passed by the
- 2 Senate and reprinted, as follows:
- 3 1. Page 3, line 6, by inserting after the word
- 4 "soybeans" the words "raised and".
- 5 2. Page 6, line 3, by adding after the word
- 6 "received" the following "thirty dollars per day and".
- 7 3. Page 6, line 5, by inserting after the word
- 8 "functions" the following: "not to exceed forty days
- 9 per year".
- 10 4. Page 6, lines 17 and 18, by striking the words
- 11 "twice thirty" and inserting in lieu thereof the word
- 12 "ten".
- 13 5. Page 7A, lines 18 and 19, by striking the following:
- 14 "Odd lot purchases of less than one hundred bushels are
- 15 exempted from this Act."
- 16 6. Page 8A, line 13, by striking the word
- 17 "appropriations" and inserting in lieu thereof the word
- 18 "grant".
- 19 7. Page 8A, by striking lines 17 and 18 and inserting
- 20 in lieu thereof the following: "first pay the costs of
- 21 referendums, elections and other expenses in-".
- 22 8. Page 10, by inserting after line 3 the following
- 23 new section:
- 24 "Sec. 34. The Iowa soybean promotion board shall not
- 25 be a state agency."

Page 2

- 1 9. Amend the title, lines 4 and 5, by striking the
- 2 words "to make an appropriation."

Senator Potgeter offered the following amendment to the House amendment and called for a division of the amendment, section 1 to be considered as division 1; sections 2 and 3, as division 2, and section 4, as division 3.

Division 1

- 1 Amend the House amendment to Senate File 296 as follows:
- 2 1. Page 1, line 4, by striking the word "raised" and inserting
- 3 the word "grown".

Division 2

- 4 2. Page 1, by striking lines 5 through 9, inclusive, and
- 5 renumber the remaining items.

- 6 3. Page 1, by striking lines 10 through 12, inclusive, and
7 renumber remaining items.

Division 3

- 8 4. Page 1, by adding after the period in line 25 the following:
9 "All actions taken by the board shall be without reference
10 to political affiliation, religion, sex, age, marital
11 status, race, color, or national origin. The nomination
12 of the initial board and compliance with this Act shall
13 conform with this section."

Senator Potgeter moved the adoption of division 1 of his amendment to the House amendment.

Division was called for.

Division 1 of the amendment to the House amendment lost.

Senator Potgeter moved the adoption of division 2 of his amendment to the House amendment and called for a division.

Division 2 of the amendment to the House amendment lost.

Senator Potgeter moved the adoption of division 3 of his amendment to the House amendment and requested a roll call.

President Jepsen took the chair at 10:40 a.m.

On the question "Shall Division 3 of the amendment to the House amendment be adopted?" (S.F. 296) the vote was:

Rule 24 was invoked.

Ayes, 21:

Balloun	Gross	Neu	Schaben
Bass	Hill	Palmer	Tapscott
Conklin	Kennedy	Potgeter	Thordsen
Doderer	Miller	Potter	Van Drie
Gaudineer	Milligan	Riley	Walsh
Glenn			

Nays, 25:

Arbuckle	Erskine	Laverty	Rhodes
Briles	Gilley	Messerly	Shaff
Brownlee	Graham	Mowry	Shawver
Carlson	Griffin	Nicholson	Smith
Coleman	Keith	Ollenburg	Stephens
Curran	Lamborn	Rabedeaux	Van Gilst
DeKoster			

Absent or not voting, 4:

Anderson	Davis	Kyhl	Robinson
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Division 3 of the amendment to the House amendment lost.

Senator Stephens moved that the Senate concur in the House amendment.

Roll call was requested.

On the question "Shall the Senate concur in the House amendment?" (S.F. 296) the vote was:

Ayes, 30:

Arbuckle	Gilley	Mowry	Shaff
Balloun	Graham	Nicholson	Shawver
Briles	Griffin	Ollenburg	Smith
Brownlee	Gross	Potter	Stephens
Carlson	Keith	Rabedeaux	Thordsen
Coleman	Lamborn	Rhodes	Van Gilst
Curran	Laverty	Riley	Walsh
Erskine	Messerly		

Nays, 15:

Anderson	Glenn	Neu	Schaben
Bass	Hill	Palmer	Tapscott
DeKoster	Kennedy	Potgeter	Van Drie
Doderer	Milligan	Robinson	

Absent or not voting, 5:

Conklin	Gaudineer	Kyhl	Miller
Davis			

The motion prevailed and the Senate concurred in the House amendment.

Senator Stephens moved that the bill as amended by the House and concurred in the Senate be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 296) the vote was:

Rule 24 was invoked.

Ayes, 37:

Arbuckle	Gaudineer	Messerly	Robinson
Balloun	Gilley	Miller	Shaff
Bass	Graham	Mowry	Shawver
Briles	Griffin	Nicholson	Smith
Brownlee	Gross	Ollenburg	Stephens
Carlson	Keith	Potter	Thordsen
Coleman	Kennedy	Rabedeaux	Van Drie
Conklin	Lamborn	Rhodes	Van Gilst
Curran	Laverty	Riley	Walsh
Erskine			

Nays, 9:

Anderson	Milligan	Palmer	Schaben
Glenn	Neu	Potgeter	Tapscott
Hill			

Absent or not voting, 4:

Davis	DeKoster	Doderer	Kyhl
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The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senator Stephens moved that the vote by which **Senate File 296** passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate File 332

Senator Erskine called up for consideration Senate File 332, a bill for an act relating to the seasons and limit on fish and frogs, amended by the House, and moved that the Senate concur in the following amendment:

- 1 Amend Senate File 332, as passed by the Senate, by
- 2 striking everything after the enacting clause and inserting
- 3 in lieu thereof the following:
- 4 "Section 1. Section one hundred nine point sixty-
- 5 seven (109.67), Code 1971, is amended by striking the
- 6 section and inserting in lieu thereof the following:
- 7 It is unlawful for any person, except as otherwise
- 8 expressly provided, to take, capture, or kill fish or
- 9 frogs except during the open season established by the
- 10 state conservation commission. It is unlawful during open
- 11 season to take in any one day an amount in excess of the
- 12 daily catch limit designated for each variety or each
- 13 locality, or have in possession any variety of fish or
- 14 frog in excess of the possession limit, or have in
- 15 possession any frog or fish at any time under the minimum
- 16 length or weight. The open season, possession limit, daily
- 17 catch limit, and the minimum length or weight for each
- 18 variety of fish or frog shall be established by rule of
- 19 the commission under the authority of sections one hundred
- 20 seven point twenty-four (107.24), one hundred nine point
- 21 thirty-eight (109.38), and one hundred nine point thirty-
- 22 nine (109.39) of the Code."

Division was called for.

The motion prevailed and the Senate concurred in the House amendment.

Senator Erskine moved that the bill as amended by the House and concurred in by the Senate be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 332) the vote was:

Ayes, 46:

Anderson	Gaudineer	Miller	Robinson
Arbuckle	Gilley	Milligan	Schaben
Bass	Glenn	Neu	Shaff
Briles	Graham	Nicholson	Shawver
Brownlee	Griffin	Ollenburg	Smith
Carlson	Gross	Palmer	Stephens
Coleman	Hill	Potgeter	Tapscott
Conklin	Keith	Potter	Thordsen
Curran	Kennedy	Rabedeaux	Van Drie
DeKoster	Lamborn	Rhodes	Van Gilst
Doderer	Lavery	Riley	Walsh
Erskine	Messerly		

Nays, 1:

Balloun

Absent or not voting, 3:

Davis

Kyhl

Mowry

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

Senate File 473

Senator DeKoster called up for consideration Senate File 473, a bill for an act relating to remedies for the dilution of the distinctiveness of a mark, amended by the House, and moved that the Senate concur in the following amendment:

- 1 Amend Senate File 473, as passed by the Senate, as
- 2 follows:
- 3 Page 1, by striking lines 8 through 14 and inserting
- 4 in lieu thereof the following:
- 5 "2. Likelihood of injury to business reputation or
- 6 to a trade name valid at common law, or of dilution of
- 7 the distinctive quality of a mark, whether registered or
- 8 not registered under this chapter, shall be a ground
- 9 for injunctive relief notwithstanding the absence of
- 10 competition between the parties or the absence of
- 11 confusion as to the sources of goods or services."

The motion prevailed and the Senate concurred in the House amendment.

Senator DeKoster moved that the bill as amended by the House and concurred in by the Senate be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 473) the vote was:

Ayes, 45:

Anderson	Gaudineer	Messerly	Riley
Arbuckle	Gilley	Miller	Robinson
Balloun	Glenn	Milligan	Schaben
Bass	Graham	Mowry	Shaff
Briles	Griffin	Neu	Shawver
Brownlee	Gross	Nicholson	Smith
Carlson	Hill	Ollenburg	Stephens
Coleman	Keith	Palmer	Tapscott
Conklin	Kennedy	Potter	Van Drie
DeKoster	Lamborn	Rabedeaux	Van Gilst
Doderer	Laverty	Rhodes	Walsh
Erskine			

Nays, none.

Absent or not voting, 5:

Curran
Davis

Kyhl

Potgeter

Thordsen

The bill having received a constitutional majority was declared

to have passed the Senate and the title was agreed to.

Senate File 89

Senator Neu called up for consideration Senate File 89, a bill for an act relating to the issuance of certificates of convenience and necessity to motor vehicle carriers, amended by the House, and moved that the Senate concur in the following amendments:

- 1 Amend Senate File 89, as amended and passed by the
- 2 Senate, as follows:
- 3 1. Page 1, by striking lines 9 and 10 and
- 4 inserting in lieu thereof the words "lic convenience
- 5 and necessity and the service would not be provided if
- 6 the expense of a public hearing was placed upon the
- 7 applicant."
- 8 2. Page 1, line 21, by striking the word "A".
- 9 3. Page 1, by striking lines 22 through 24.
- 10 4. Page 2, by striking lines 1 through 6.
- 11 5. Page 2, line 13, by inserting after the word
- 12 "points" the words "or no carrier is currently serving
- 13 those points".

The motion prevailed and the Senate concurred in the House amendments.

Senator Neu moved that the bill as amended by the House and concurred in by the Senate be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 89) the vote was:

Ayes, 47:

Anderson	Gaudineer	Miller	Robinson
Arbuckle	Gilley	Milligan	Schaben
Bass	Glenn	Mowry	Shaff
Briles	Graham	Neu	Shawver
Brownlee	Griffin	Nicholson	Smith
Carlson	Gross	Ollenburg	Stephens
Coleman	Hill	Palmer	Tapscott
Conklin	Keith	Potgeter	Thordsen
Curran	Kennedy	Potter	Van Drie
DeKoster	Lamborn	Rabedeaux	Van Gilst
Doderer	Laverty	Rhodes	Walsh
Erskine	Messerly	Riley	

Nays, none.

Absent or not voting, 3:

Balloun	Davis	Kyhl
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 280

Senator Riley called up for consideration Senate File 280, a bill for an act relating to garnishment of wages, liability for costs, and

discharge of employees, amended by the House, and moved that the Senate concur in the following amendment:

- 1 Amend Senate File 280, as amended and passed by the
- 2 Senate, page 2, by striking from lines 11 and 12 the
- 3 words "five thousand (5,000) dollars of such employee's
- 4 earnings" and inserting in lieu thereof the words
- 5 "judgment creditor".

Division was called for.

The motion prevailed and the Senate concurred in the House amendment.

Senator Riley moved that the bill as amended by the House and concurred in by the Senate be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 280) the vote was:

Ayes, 41:

Anderson	Glenn	Milligan	Riley
Briles	Graham	Mowry	Robinson
Brownlee	Griffin	Neu	Shaff
Carlson	Gross	Nicholson	Shawver
Coleman	Hill	Ollenburg	Smith
Conklin	Keith	Palmer	Stephens
Curran	Kennedy	Potgeter	Tapscott
DeKoster	Lamborn	Potter	Van Drie
Doderer	Laverty	Rabedaux	Van Gilst
Erskine	Miller	Rhodes	Walsh
Gaudineer			

Nays, 2:

Bass Gilley

Absent or not voting, 7:

Arbuckle	Davis	Messery	Thordsen
Balloun	Kyhl	Schaben	

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

CONSIDERATION OF BILLS

House File 686

On motion of Senator Ollenburg, House File 686, a bill for an act relating to the review of school budgets for the school year commencing July 1, 1971, by the school budget review committee, and the filing of tentative budgets by individual school districts, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Ollenburg offered the following amendment by the committee on ways and means and moved its adoption:

- 1 Amend House File 686, as passed by the House, page 2, by
- 2 inserting after the period in line 6 the following:
- 3 "In addition, the school budget review committee may
- 4 meet at any other time during the year, at the call of
- 5 the chairman."

The amendment was adopted.

Senator Ollenburg moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 686) the vote was:

Ayes, 44:

Anderson	Gaudineer	Miller	Robinson
Arbuckle	Gilley	Milligan	Schaben
Briles	Glenn	Mowry	Shaff
Brownlee	Graham	Neu	Shawver
Carlson	Griffin	Nicholson	Smith
Coleman	Gross	Ollenburg	Stephens
Conklin	Hill	Palmer	Tapscott
Curran	Keith	Potgeter	Thorsden
DeKoster	Kennedy	Potter	Van Drie
Doderer	Lamborn	Rabedeaux	Van Gilst
Erskine	Laverty	Rhodes	Walsh

Nays, 1:

Bass

Absent or not voting, 5:

Balloun	Kyhl	Messerly	Riley
Davis			

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

Senator Lamborn asked and received unanimous consent to take up out of order Senate File 541.

Senate File 541

On motion of Senator Glenn, Senate File 541, a bill for an act relating to the commission form government in the city of Ottumwa, was taken up and considered.

SUBSTITUTION

Senator Glenn asked and received unanimous consent that the rules be suspended and that **House File 567** be substituted for **Senate File 541**.

House File 567

On motion of Senator Glenn, House File 567, a bill for an act relating to commission form cities, was taken up and considered.

Senator Glenn offered the following amendment filed by him and moved its adoption:

- 1 Amend House File 567 as follows:
- 2 1. Page 2, line 27, strike the word "shall" and
- 3 insert in lieu thereof the word "may".
- 4 2. Page 2, strike lines 28 through 35, inclusive, and
- 5 strike lines 1 and 2 on page 3, and insert in lieu there-
- 6 of the following:
- 7 "submit to the voters of the city, either at the next
- 8 regular city election or at a special election, the ques-
- 9 tion of whether to change to a council consisting of a
- 10 mayor and two councilmen, as provided in section 363B.2.
- 11 If the question is submitted at a special election and
- 12 the change is approved by a majority of the voters, the
- 13 change shall become effective with the term of office
- 14 beginning the following January. If the question is sub-
- 15 mitted at the next regular election and the change is
- 16 approved by a majority of the voters, the change shall
- 17 become effective with the term of office beginning in
- 18 January two years subsequent to the January next following
- 19 the election. If the question is submitted at either the
- 20 next regular election or a special election and a change
- 21 is not approved by a majority of the voters, the city
- 22 shall continue to be governed by a council consisting of
- 23 a mayor and four councilmen, as provided in section
- 24 363B.1."

The amendment was adopted.

Senator Glenn moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 567) the vote was:

Ayes, 44:

Anderson	Erschine	Messerly	Riley
Arbuckle	Gaudineer	Miller	Robinson
Balloun	Gilley	Milligan	Schaben
Bass	Glenn	Mowry	Shawver
Briles	Graham	Nicholson	Smith
Carlson	Gross	Ollenburg	Stephens
Coleman	Hill	Palmer	Tapscott
Conklin	Keith	Potgeter	Thordsen
Curran	Kennedy	Potter	Van Drie
DeKoster	Lamborn	Rabedaux	Van Gilst
Doderer	Laverty	Rhodes	Walsh

Nays, none.

Absent or not voting, 6:

Brownlee	Griffin	Neu	Shaff
Davis	Kyhl		

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

IMMEDIATELY MESSAGED

Senator Glenn asked and received unanimous consent that **House File 567** be **immediately messaged** to the House, which request was complied with.

SENATE FILE WITHDRAWN

Senator Glenn asked and received unanimous consent that **Senate File 541** be **withdrawn** from further consideration of the Senate.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Rhodes, from the joint committee on enrolled bills, submitted the following report and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate Files 205, 474 and 530.

JOHN C. RHODES
Chairman, Senate Committee
ELIZABETH R. MILLER
Chairman, House Committee

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that as President of the Senate, he had signed in the presence of the Senate the following bills: Senate Files 205, 474 and 530.

BILLS SENT TO THE GOVERNOR

Senator Rhodes, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 26th day of May, 1971, sent to the Governor for his approval: Senate Files 205, 474 and 530.

JOHN C. RHODES, Chairman

Passed on file.

On motion of Senator Lamborn, the Senate recessed until 1:15 p.m.

AFTERNOON SESSION

The Senate reconvened, Senator Walsh presiding.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the

House has appointed, on the part of the House, as members of the conference committee on House File 654, a bill for an act relating to state aid for schools, property taxes, and state sales and use tax, the following Representatives: Mr. Holden of Scott, chairman; Mr. Varley of Adair, Mr. Lawson of Cerro Gordo and Mr. Cochran of Webster.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 164, a bill for an act relating to the adoption of children.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 705, a bill for an act to make an appropriation to the department of history and archives.

WILLIAM R. KENDRICK, Chief Clerk

INTRODUCTION OF BILL

Senate File 550, by committee on appropriations, a bill for an act relating to the judicial retirement system.

Read first time and placed on calendar.

HOUSE MESSAGES CONSIDERED

House File 164, a bill for an act relating to the adoption of children.

Read first time and passed on file.

House File 705, a bill for an act to make an appropriation to the department of history and archives.

Read first time and passed on file.

CONSIDERATION OF BILLS

Senate File 528

On motion of Senator Balloun, Senate File 528, a bill for an act to appropriate funds from the general fund of the state to the higher education facilities commission for the state supported scholarship and medical student tuition loan programs, was taken up and considered.

Senator Neu withdrew the following amendment filed May 7:

- 1 Amend Senate File 528 as follows:
- 2 1. Page 2, by striking lines 31 through 35, inclu-
- 3 sive.
- 4 2. Page 3, by striking lines 1 through 7, inclusive,
- 5 and inserting in lieu thereof the following:
- 6 "Sec. 4. Any balance remaining in the funds for
- 7 which appropriations are made by this Act at the end of

- 8 the first fiscal year of the biennium shall carry forward
9 to the second fiscal year of the biennium."

Senator Gaudineer withdrew the following amendment filed May 25:

- 1 Amend Senate File 528, page 3, line 1, by inserting
- 2 after the word "appropriated." the following:
- 3 "The department to which this appropriation is made
- 4 may make application to the appropriations committees of
- 5 the General Assembly to reappropriate any funds herein
- 6 appropriated that may revert on September 30, 1972 and
- 7 each appropriations committee or a subcommittee thereof
- 8 shall hold a public hearing upon such application."

Senator Gaudineer offered the following amendment by Senators Gaudineer and Messerly:

- 1 Amend Senate File 528, page 3, line 1, by inserting
- 2 after the word, "appropriated." the following:
- 3 "The commission to which this appropriation is made may
- 4 make application to the appropriation committees for the
- 5 reappropriation of any funds that do revert, or probably
- 6 will revert upon the dates herein set and the respective
- 7 appropriation committees or a subcommittee thereof shall
- 8 hold a hearing upon such application while the
- 9 General Assembly is in regular session.

President Jepsen took the chair at 1:55 p.m.

Senator Gaudineer moved the adoption of the amendment.

Division was called for.

The amendment was adopted.

Senator Balloun moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 528) the vote was:

Ayes, 43:

Anderson	Gaudineer	Milligan	Robinson
Arbuckle	Gilley	Mowry	Schaben
Balloun	Glenn	Neu	Shawver
Bass	Graham	Nicholson	Smith
Briles	Griffin	Ollenburg	Stephens
Brownlee	Gross	Palmer	Tapscott
Carlson	Keith	Potgeter	Thordsen
Conklin	Kennedy	Potter	Van Drie
DeKoster	Lamborn	Rabedeaux	Van Gilst
Doderer	Lavery	Rhodes	Walsh
Erskine	Messerly	Riley	

Nays, 3:

Coleman	Hill	Miller
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Absent or not voting, 4:

Curran	Davis	Kyhl	Shaff
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

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

The Senate resumed session, President Jepsen presiding.

MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File 708, a bill for an act making an appropriation to the commission on aging.

WILLIAM R. KENDRICK, Chief Clerk

INTRODUCTION OF BILLS

Senate File 551, by committee on appropriations, a bill for an act to appropriate from the general fund of the state of Iowa to the department of public safety for radio equipment for the division of radio communication.

Read first time and placed on calendar.

Senate File 552, by committee on appropriations, a bill for an act to appropriate from moneys received by certain commissions, boards, and departments.

Read first time and placed on calendar.

Senate File 553, by committee on appropriations, a bill for an act making appropriations to certain state agencies and divisions thereof.

Read first time and placed on calendar.

Senate File 554, by committee on appropriations, a bill for an act to appropriate from the general fund of the state of Iowa to the Iowa state fair board.

Read first time and placed on calendar.

Senate File 555, by committee on appropriations, a bill for an act to provide an appropriation from the general fund of the state for capital improvements for the Iowa law enforcement academy.

Read first time and placed on calendar.

Senate File 556, by committee on appropriations, a bill for an act creating and making an appropriation to the executive council general contingent fund.

Read first time and placed on the calendar.

HOUSE MESSAGE CONSIDERED

House File 708, a bill for an act making an appropriation to the commission on aging.

Read first time and **passed on file**.

CONSIDERATION OF BILLS

Senate File 77

On motion of Senator Tapscott, Senate File 77, a bill for an act relating to the referendum for approval of low-rent housing projects, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Potter offered the following amendment by the committee on cities and towns:

- 1 Amend Senate File 77 as follows:
- 2 1. Page 2, line 2, by striking the words and figure
- 3 "and two (2)" and inserting in lieu thereof the words and
- 4 figures "two (2), and eight (8)".
- 5 2. Page 2, lines 15 through 19, by striking the words
- 6 "Nothing herein shall prevent such an agency, if one is
- 7 established by the local governing body, from making in-
- 8 vestigations, studies, reports and recommendations with
- 9 respect to the necessity for, the location and the size
- 10 of any proposed low-rent housing project", and inserting
- 11 in lieu thereof the words "[Nothing herein shall prevent
- 12 such an agency, if one is established by the local govern-
- 13 ing body, from making investigations studies, reports and
- 14 recommendations with respect to the necessity for, the
- 15 location and size of any proposed low-rent housing project]".
- 16 3. Page 2, by inserting after line 20 the following:
- 17 "A municipality may itself exercise the powers in
- 18 connection with municipal housing as defined in this
- 19 chapter, or may, if the local governing body by resolu-
- 20 tion determines such action to be in the public interest,
- 21 elect to have such powers exercised by the low-rent hous-
- 22 ing agency, if one exists, or is subsequently established
- 23 in the community. *Prior to the exercise of municipal*
- 24 *housing powers by the local governing body or the low-*
- 25 *rent housing agency, a thorough study, report, and*

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- 1 *recommendation concerning available housing within the*
- 2 *community shall be made public, and the local governing*
- 3 *body or low-rent housing agency shall include this hous-*
- 4 *ing report and recommendation in its consideration of*
- 5 *the situation. In the event the local governing body*
- 6 *makes such determination, the low-rent housing agency*
- 7 *shall be vested with all of the low-rent housing project*
- 8 *powers in the same manner as though all such powers were*
- 9 *conferred on such agency instead of the municipality.*

10 If the local governing body does not elect to make such
11 determination, the municipality in its discretion may
12 exercise its low-rent housing project powers through a
13 board or commissioner, or through such officers of the
14 municipality as the local governing body may by resolu-
15 tion determine."

Senator Tapscott offered the following amendment to the amendment:

- 1 Amend the committee on cities and towns amendment, filed
- 2 March 31, 1971 to Senate File 77, page 1, by striking in line
- 3 25 the word "*thorough*".

Senator Griffin moved that Senate File 77 be referred to the committee on commerce.

CALL OF THE SENATE

The Chair announced the following Call of the Senate had been filed at the desk and directed the Secretary to call the roll:

MR. PRESIDENT: Pursuant to Rule 19 of the Permanent Rules of the Senate, we, the undersigned, request a call of the Senate on Senate File 77 and all amendments and motions thereto.

LEE H. GAUDINEER, JR.
GENE W. GLENN
EUGENE M. HILL
GENE V. KENNEDY
CHARLES P. MILLER
WILLIAM D. PALMER
JAMES F. SCHABEN
JOHN E. TAPSCOTT
BASS VAN GILST
C. JOSEPH COLEMAN
MINNETTE F. DODERER
G. WILLIAM GROSS
CLOYD ROBINSON

Senator Lamborn asked and received unanimous consent that the Call of the Senate be lifted.

Senator Lamborn asked and received unanimous consent that further action on **Senate File 77** be deferred and that the bill be placed on the calendar under **unfinished business**.

CONSIDERATION OF BILLS

Senator Lamborn asked and received unanimous consent to take up out of order Senate File 413.

Senate File 413

On motion of Senator Brownlee, Senate File 413, a bill for an act relating to the period of time for which a merged area may levy a tax for certain purposes, was taken up and considered.

Senator Potgeter took the chair at 5:36 p.m.

Senator Brownlee moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 413) the vote was:

Ayes, 36:

Brownlee	Griffin	Neu	Schaben
Carlson	Gross	Nicholson	Shaff
Coleman	Hill	Ollenburg	Shawver
Conklin	Keith	Palmer	Smith
Davis	Kennedy	Potter	Tapscott
Doderer	Lamborn	Rabedeaux	Thordsen
Erskine	Lavery	Rhodes	Van Drie
Gaudineer	Miller	Riley	Van Gilst
Glenn	Milligan	Robinson	Walsh

Nays, 9:

Arbuckle	Gilley	Messerly	Potgeter
Balloun	Graham	Mowry	Stephens
Bass			

Absent or not voting, 5:

Anderson	Curran	DeKoster	Kyhl
Briles			

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

Senator Brownlee moved that the vote by which **Senate File 413** passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

CALL OF THE SENATE LIFTED

Senator Lamborn asked and received unanimous consent that the Call of the Senate on **House File 654** be lifted.

SENATE CONCURRENT RESOLUTION 44

By Gaudineer and Lamborn

Whereas, George (Lefty) Mills has been reporting the Capitol Building activities for Iowa newspapers for more than forty years, and

Whereas, the members of the General Assembly have, over these many years, known and respected the abilities, integrity and fairness of Mr. Mills, and

Whereas, since Mr. Mills is about to retire, the General Assembly wishes to express its appreciation of his indefatigable quest for factual news, his unrelenting exposure of misdirection, his talents as a biographer and historian, his expert knowledge of Lincolniana and, above all, as a journalist his exemplification of the best traditions of the Fourth Estate, Now, Therefore,

Be It Resolved by the Senate of the Sixty-fourth General Assembly of the State of Iowa, the House Concurring:

The General Assembly extends to George (Lefty) Mills its congratula-

tions for an eminently successful career as a journalist and its best wishes for a long and happy retirement with time to pursue his many advocations, and

Be It Further Resolved: Mr. Mills will be long remembered as a pioneer in aid of Iowa lawmaking processes and the General Assembly recommends to the Pioneer Lawmakers Association, consideration of Mr. Mills for an honorary membership.

Be It Further Resolved: a copy of this resolution be enrolled and signed by the presiding officers of this body and presented to Mr. and Mrs. Mills; and a copy forwarded to the Department of History and Archives for display.

REPORTS OF STEERING COMMITTEE

MR. PRESIDENT: Your steering committee begs leave to report it has had the following bills under consideration and recommends that they be placed on the steering calendar:

S. F. 446	S. F. 128	H. F. 145
H. F. 466	S. F. 478	H. F. 178
S. F. 546	H. F. 180	S. F. 498
S. F. 387	S. F. 374	S. F. 167
S. F. 185	S. F. 393	S. F. 471
S. F. 144	H. F. 391	S. F. 223
S. F. 314	S. F. 410	S. F. 329

CLIFTON C. LAMBORN, Chairman

Also:

MR. PRESIDENT: Your steering committee begs leave to report it has had the following bills under consideration and recommends that they be placed on the noncontroversial calendar:

S. F. 7	S. F. 548	H. F. 537
S. F. 369	H. F. 373	H. F. 546
S. F. 538	S. F. 549	H. F. 625
S. F. 539	H. F. 393	

CLIFTON C. LAMBORN, Chairman

BILLS ASSIGNED TO COMMITTEE

President Jepsen announced the assignment of the following bills to committee:

H. F. 164 Social services
H. F. 693 Appropriations
H. F. 705 Appropriations

REPORTS OF COMMITTEES

Senator Messerly submitted the following reports:

MR. PRESIDENT: Your committee on appropriations, to which was referred **Senate File 387**, a bill for an act relating to collective bargaining in public employment, providing penalties for violations, and making an appropria-

tion therefor, begs leave to report it has had the same under consideration and **returns the bill without recommendation.**

FRANCIS L. MESSERLY, Chairman

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on appropriations, to which was referred **House File 236**, a bill for an act relating to the establishment of rest areas or rest area buildings on interstate highways, begs leave to report it has had the same under consideration and recommends the same **do pass.**

FRANCIS L. MESSERLY, Chairman

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on appropriations, to which was referred **House File 694**, a bill for an act to appropriate from the motor vehicle fuel tax fund to the department of revenue, begs leave to report it has had the same under consideration and recommends the same **do pass.**

FRANCIS L. MESSERLY, Chairman

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on appropriations, to which was referred **House File 695**, a bill for an act to appropriate from the motor vehicle fuel tax fund for the biennium beginning July 1, 1971, and ending June 30, 1973, to the state comptroller, begs leave to report it has had the same under consideration and recommends the same **do pass.**

FRANCIS L. MESSERLY, Chairman

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on appropriations, to which was referred **House File 696**, a bill for an act to appropriate from the Iowa public employees' retirement system fund to the employment security commission for costs of the administration of the Iowa public employees' retirement system, begs leave to report it has had the same under consideration and recommends the same **do pass.**

FRANCIS L. MESSERLY, Chairman

Ordered passed on file.

Senator Briles submitted the following report :

MR. PRESIDENT: Your committee on county government, to which was referred **House File 466**, a bill for an act to authorize counties operating county public hospitals to issue revenue bonds, begs leave to report it has had the same under consideration and recommends the same **do pass.**

JAMES E. BRILES, Chairman

Ordered passed on file.

Senator DeKoster submitted the following report :

MR. PRESIDENT: Your committee on judiciary, to which was referred **House File 393**, a bill for an act relating to waiver of right to jury trial in

indictable misdemeanor cases, begs leave to report it has had the same under consideration and recommends the same **do pass**.

LUCAS J. DeKOSTER, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary, to which was referred **House File 537**, a bill for an act relating to the age requirement for marriage, begs leave to report it has had the same under consideration and recommends the same **do pass**.

LUCAS J. DeKOSTER, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary, to which was referred **House File 546**, a bill for an act relating to contempt actions in paternity cases, begs leave to report it has had the same under consideration and recommends the same **do pass**.

LUCAS J. DeKOSTER, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary, to which was referred **House File 625**, a bill for an act relating to city and town ordinances, begs leave to report it has had the same under consideration and recommends the same **do pass**.

LUCAS J. DeKOSTER, Chairman

Ordered passed on file.

AMENDMENTS FILED

- 1 Amend Senate File 184, page 7, by striking all of
- 2 lines 26, 27, and 28, and inserting in lieu thereof the
- 3 following:
- 4 "This Act does not apply to licensed physicians and
- 5 surgeons, osteopaths or osteopathic physicians and
- 6 surgeons who are engaged in the practice of their profession."

EDWARD E. NICHOLSON

- 1 Amend Senate File 447, page 6, by striking line 6 and inserting
- 2 in lieu thereof the following: *"be ten dollars but there shall be no"*.

J. WESLEY GRAHAM

- 1 Amend Senate File 523 as follows:
- 2 1. Page 2, by striking lines 4 through 6, inclusive,
- 3 and inserting in lieu thereof the following:
- 4 "Sec. 2. Section one hundred sixty-one point three
- 5 (161.3), Code 1971, is amended as follows:
- 6 161.3 FOREST RESERVATION. A forest reservation
- 7 shall contain not less than two hundred growing forest
- 8 trees on each acre *or a number of forest trees designated*
- 9 *in a timber management plan approved by the state*
- 10 *forester*. If the area selected is a forest containing
- 11 the required number of growing forest trees, it shall

12 be accepted as a forest reservation under the provisions
13 of this chapter. If the area selected is a forest
14 containing less than two hundred forest trees to the
15 acre or less than approved by the state forester, or
16 if it is a grove or an area to be planted to trees,
17 the owner or owners thereof shall have planted,
18 cultivated, and otherwise properly cared for the number
19 of forest trees necessary to bring the total number
20 of growing trees to not less than two hundred on each
21 acre or not less than approved by the state forester,
22 during a period of not more than two years, after it
23 has been accepted as a forest reservation within the
24 meaning of this chapter. No ground upon which any farm
25 buildings stand shall be recognized as part of any such

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1 reservation. *No tract of land surrounding any dwelling,*
2 *farm building, or other improvement shall be recognized*
3 *as a forest reservation, or any part thereof.*

4 Sec. 3. Section one hundred sixty-one point twelve
5 (161.12), Code 1971, is amended as follows:

6 161.12 ASSESSOR. It shall be the duty of the
7 assessor to secure the facts relative to fruit-tree
8 and forest reservations by taking the sworn statement,
9 or affirmation, of the owner or owners making application
10 under this chapter, or if a forest reservation, a signed
11 statement of the state forester or his designee; and
12 to make special report to the county auditor of all
13 reservations made in the county under the provisions
14 of this chapter.

15 Sec. 4. Section four hundred forty-one point twenty-
16 two (441.22), Code 1971, is amended as follows:

17 441.22 FOREST AND FRUIT-TREE RESERVATIONS. Forest
18 reservations fulfilling the conditions of sections 161.1
19 to 161.13, inclusive, shall be assessed [on a taxable
20 valuation of four dollars per acre] *at thirteen and one-*
21 *half percent of actual value.* Fruit-tree reservations
22 shall be assessed [on a taxable valuation of four dollars
23 per acre] *at thirteen and one-half percent of actual*
24 *value* for a period of eight years from the time of
25 planting. In all other cases where trees are planted

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1 upon any tract of land, without regard to area, for
2 forest, fruit, shade, or ornamental purposes, or for
3 windbreaks, the assessor shall not increase the valua-
4 tion of such property because of such improvements."

5 2. Renumber remaining section in accordance with
6 this amendment.

ALDEN J. ERSKINE
RALPH W. POTTER
EDWARD E. NICHOLSON
H. L. OLLENBURG

On motion of Senator Lamborn, the Senate adjourned until 9:00
a.m., Thursday, May 27, 1971.

JOURNAL OF THE SENATE

ONE HUNDRED THIRTY-SEVENTH DAY

SENATE CHAMBER
DES MOINES, IOWA, THURSDAY, MAY 27, 1971

The Senate met in regular session, President Jepsen presiding.

Prayer was offered by the Reverend Lawrence Burns, pastor of the St. Thomas Aquinas Church, Indianola, Iowa.

The Senate pledged allegiance to the flag.

The Journal of Wednesday, May 26, 1971, was approved.

PRESENTATION OF VISITORS

The Chair announced that the following visitors were present in the Senate gallery:

Thirty-nine students from Central Lutheran School, Newhall, Iowa, accompanied by their instructor, Ervin Glinsmann.

Eleven students from Central City Community School, and Erskine Elementary School, Cedar Rapids, Iowa, accompanied by Mrs. Reif, Mrs. Hughes, Mrs. Wayne Fuller, Mr. and Mrs. Enabnit and Mr. and Mrs. Lester Bailey.

Seventy-four students from Holy Trinity School, Dubuque, Iowa, accompanied by Sister Jean, Sister Elizabeth, Sister Lois, Father Hagen and Mr. Minges.

PETITION

The following petition was presented and placed on file:

By Senator Graham, from one hundred sixty-one residents of Ida and Calhoun Counties opposing repeal of the Iowa Meat and Poultry Inspection Law.

HOUSE CONCURRENT RESOLUTION 39 ADOPTED

Senator Lamborn called up for consideration the following resolution and moved its adoption:

HOUSE CONCURRENT RESOLUTION 39

By Varley and Cochran

Be It Resolved by the House, the Senate Concurring: That when adjourn-

ment is had on Friday, May 28, 1971, it be to reconvene on Tuesday, June 1, 1971, at 9:30 a.m.

The motion prevailed and the resolution was adopted.

UNFINISHED BUSINESS

Senate File 77

On motion of Senator Tapscott, Senate File 77, a bill for an act relating to the referendum for approval of low-rent housing projects, was taken up for further consideration.

Senator Griffin renewed his motion to refer Senate File 77 to the committee on commerce.

Roll call was requested.

On the question "Shall the motion to refer to committee be adopted?" (S.F. 77) the vote was:

Ayes, 7:

Arbuckle	Gilley	Hill	Thordsen
Bass	Griffin	Stephens	

Nays, 36:

Anderson	Erskine	Milligan	Riley
Balloun	Gaudineer	Mowry	Robinson
Briles	Glenn	Neu	Schaben
Brownlee	Graham	Nicholson	Shawver
Carlson	Gross	Palmer	Smith
Coleman	Kennedy	Potgeter	Tapscott
Conklin	Lamborn	Potter	Van Drie
Davis	Laverty	Rabedeaux	Van Gilst
Doderer	Miller	Rhodes	Walsh

Absent or not voting, 7:

Curran	Keith	Messerly	Shaff
DeKoster	Kyhl	Ollenburg	

The motion lost.

The Senate resumed consideration of the amendment by the committee on cities and towns, and the following amendment to the amendment by Senator Tapscott:

- 1 Amend the committee on cities and towns amendment, filed
- 2 March 31, 1971 to Senate File 77, page 1, by striking in line
- 3 25 the word "*thorough*".

Senator Tapscott moved the adoption of his amendment to the amendment.

The Chair called for a division.

The amendment to the amendment was adopted.

On motion of Senator Potter, the committee amendment as amended was adopted.

Senator Tapscott moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 77) the vote was:

Ayes, 33:

Briles	Gilley	Miller	Riley
Brownlee	Glenn	Milligan	Robinson
Carlson	Graham	Neu	Schaben
Coleman	Gross	Palmer	Shawver
Conklin	Keith	Potgeter	Tapscott
Davis	Kennedy	Potter	Van Drie
Doderer	Lamborn	Rabedaux	Van Gilst
Erskine	Laverty	Rhodes	Walsh
Gaudineer			

Nays, 11:

Anderson	Bass	Messerly	Stephens
Arbuckle	Griffin	Mowry	Thordsen
Balloun	Hill	Nicholson	

Voting present, 3:

Ollenburg	Shaff	Smith
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Absent or not voting, 3:

Curran	DeKoster	Kyhl
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Tapscott moved that the vote by which **Senate File 77** passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

CONSIDERATION OF BILLS

Senate File 503

On motion of Senator Briles, Senate File 503, a bill for an act relating to the salaries of county officers, was taken up and considered.

Senator Erskine offered the following amendment filed by him:

- 1 Amend Senate File 503 on page 1, by inserting
- 2 after line 21 the following new section:
- 3 Sec. 2. Section three hundred forty point nine
- 4 (340.9), Code 1971, is amended by striking subsections
- 5 ten (10), eleven (11), and twelve (12) and inserting in
- 6 lieu thereof the following new subsection:
- 7 "One hundred thousand or more, an annual salary
- 8 established by the county board of supervisors, except
- 9 that in no case shall his annual salary be less than the
- 10 annual salary established in December, 1969."

Senator Erskine moved the adoption of his amendment and called for a division.

The amendment lost.

Senator Briles moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 503) the vote was:

Ayes, 37:

Anderson	Erskine	Kennedy	Riley
Arbuckle	Gaudineer	Lamborn	Robinson
Balloun	Gilley	Laverty	Schaben
Briles	Glenn	Neu	Shaff
Brownlee	Graham	Nicholson	Shawver
Carlson	Griffin	Ollenburg	Smith
Coleman	Gross	Potgeter	Stephens
Conklin	Hill	Rabedeaux	Van Gilst
Davis	Keith	Rhodes	Walsh
Doderer			

Nays, 9:

Bass	Mowry	Potter	Thordsen
Messerly	Palmer	Tapscott	Van Drie
Milligan			

Absent or not voting, 4:

Curran	DeKoster	Kyhl	Miller
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Rhodes, from the joint committee on enrolled bills, submitted the following report and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: House Files 14, 23 and 132.

JOHN C. RHODES
Chairman, Senate Committee
ELIZABETH R. MILLER
Chairman, House Committee

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate the following bills: House Files 14, 23 and 132.

SPECIAL ORDER

Senator Lamborn asked and received unanimous consent that

Senate File 546 be made a **special order** of business for Wednesday, June 2, 1971, at 9:30 a.m.

CONSIDERATION OF BILLS

Senate File 446

On motion of Senator Walsh, Senate File 446, a bill for an act relating to the overall length of combinations of vehicles, was taken up and considered.

Senator Griffin offered the following amendment filed by Senators Griffin and Walsh on May 13:

1 Amend Senate File 446 as follows:

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

3 section:

4 "Section 1. Section three hundred twenty-one point
5 four hundred fifty-seven (321.457), Code 1971, is amended
6 by striking subsection five (5) and inserting in lieu
7 thereof the following:

8 5. No combination of vehicles consisting of a truck-
9 tractor and semitrailer coupled together which are being
10 used exclusively for the transportation of vehicles or
11 boats, unladen or with load, shall have an overall length
12 inclusive of front and rear bumpers, in excess of sixty
13 feet."

14 2. Page 1, line 4, by striking the figure "1" and
15 inserting in lieu thereof the figure "2".

16 3. Page 1, by adding after line 19 the following:

17 "Sec. 3. Section three hundred twenty-one point
18 four hundred fifty-seven (321.457), Code 1971, is amended
19 by adding the following new subsections:

20 7. No combination of vehicles consisting of a motor
21 truck and semitrailer coupled together which are being
22 used exclusively for the transportation of vehicles or
23 boats, unladen or with load, shall have an overall length
24 inclusive of front and rear bumpers in excess of sixty-
25 five feet.

Page 2

1 8. No combination of motor vehicles, wholly or
2 partially assembled, connected by towbar, saddle mount or
3 full mount mechanisms or a combination thereof in full
4 compliance with all applicable federal laws, rules and
5 regulations and all applicable laws, rules and regulations
6 of the state of Iowa shall have an overall length inclu-
7 sive of front and rear bumpers, in excess of sixty-five
8 feet."

Senator Arbuckle took the chair at 11:50 a.m.

Senator Griffin asked unanimous consent to withdraw the Griffin-Walsh amendment.

Objection was raised.

Senator Walsh moved that the Griffin-Walsh amendment be withdrawn.

The motion prevailed and the amendment was withdrawn.

Senator Kennedy offered the following amendment by Senators Kennedy and Miller:

- 1 Amend Senate File 446, page 1, by adding the following
- 2 new subsection after line 19:
- 3 3. *On highways of twenty-four or more feet in width*
- 4 *with creeper lanes constructed thereon, if connected to*
- 5 *four-lane highways, and to and from points within five*
- 6 *miles, on the most direct route.*

President Jepsen took the chair at 12:01 p.m.

On motion of Senator Lamborn, the Senate recessed until 1:15 p.m.

AFTERNOON SESSION

The Senate reconvened, President Jepsen presiding.

CONSIDERATION OF BILLS

Senate File 446

The Senate resumed consideration of Senate File 446 and the amendment by Senators Kennedy and Miller.

Senator Kennedy asked and received unanimous consent to withdraw the Kennedy-Miller amendment.

Senator Riley offered the following amendment and moved its adoption:

- 1 Amend Senate File 446, page 1, line 17, by striking
- 2 the words "*five miles*" and inserting in lieu thereof
- 3 the words "*one-half mile*".

The amendment lost.

Senator Doderer offered the following amendment by Senators Doderer and Riley:

- 1 Amend Senate File 446 as follows:
- 2 1. By inserting after the word "*lane*" in line 16
- 3 the word "*interstate*".
- 4 2. By inserting after the word "*lane*" in line 17
- 5 the word "*interstate*".

Senator Doderer moved the adoption of the amendment and requested a roll call.

On the question "Shall the Doderer-Riley amendment be adopted?" (S.F. 446) the vote was:

Rule 24 was invoked.

Ayes, 15:

Carlson	Glenn	Rabedeaux	Stephens
Conklin	Graham	Riley	Van Drie
Doderer	Hill	Robinson	Van Gilst
Gaudineer	Milligan	Shawver	

Nays, 29:

Anderson	Erskine	Laverty	Potter
Arbuckle	Gilley	Messerly	Rhodes
Balloun	Griffin	Miller	Schaben
Bass	Gross	Neu	Smith
Briles	Keith	Nicholson	Tapscott
Brownlee	Kennedy	Palmer	Thordsen
Coleman	Lamborn	Potgeter	Walsh
Curran			

Absent or not voting, 6:

Davis	Kyhl	Ollenburg	Shaff
DeKoster	Mowry		

The amendment lost.

Senator Riley offered the following amendment:

- 1 Amend Senate File 446, page 1, by striking lines 16 through 19 and
- 2 inserting in lieu thereof the following:
- 3 "2. *On all Interstate Highway Systems, as defined by section*
- 4 *321.286, Code of Iowa, or other multi-laned and divided highways,*
- 5 *having no less than four lanes, directly connected to a highway*
- 6 *which is part of the Interstate Highway System and, solely for*
- 7 *the limited purpose of servicing the vehicle or picking up or*
- 8 *delivering cargo, within five miles on the most direct route of*
- 9 *such Interstate Highway or said multi-laned divided highway*
- 10 *directly connected thereto. To be "directly connected" for*
- 11 *purposes of this section, a highway shall have no less than four*
- 12 *lanes continuously and without interruption between its inter-*
- 13 *section with the Interstate System and any point whereon such*
- 14 *combination of three vehicles not in excess of sixty-five feet*
- 15 *may operate."*

Senator Griffin took the chair at 3:08 p.m.

President Jepsen took the chair at 3:13 p.m.

Senator Kennedy raised a point of order on the amendment for the reason that the same subject matter had already been considered and rejected by the Senate.

The Chair ruled the point not well taken and the amendment in order.

Senator Riley moved the adoption of his amendment and requested a roll call.

On the question "Shall the Riley amendment be adopted?" (S.F. 446) the vote was:

Rule 24 was invoked.

Ayes, 20:

Bass	Gaudineer	Neu	Shawver
Carlson	Glenn	Palmer	Stephens
Conklin	Graham	Rabedeaux	Thordsen
Davis	Hill	Riley	Van Drie
Doderer	Milligan	Robinson	Van Gilst

Nays, 26:

Anderson	Erskine	Messerly	Rhodes
Arbuckle	Griffin	Mowry	Schaben
Balloun	Gross	Nicholson	Shaff
Briles	Keith	Ollenburg	Smith
Brownlee	Kennedy	Potgeter	Tapscott
Coleman	Lamborn	Potter	Walsh
Curran	Laverty		

Absent or not voting, 4:

DeKoster	Gilley	Kyhl	Miller
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The amendment lost.

Senator Riley offered the following amendment:

- 1 Amend Senate File 446, page 1, by adding after line 19
- 2 the following new section:
- 3 Sec. 2. Section three hundred twenty-one point four
- 4 hundred fifty-seven (321.457), subsection three (3), Code
- 5 1971, is amended as follows:
- 6 "3. Except as to combinations of vehicles, provisions for
- 7 which are otherwise made in this chapter, no combination
- 8 of truck tractor and semitrailer, nor any other combination
- 9 of vehicles coupled together, unladen or with load, shall
- 10 have an over-all length, inclusive of front and rear
- 11 bumpers, in excess of fifty-five feet, *nor shall any single*
- 12 *vehicle in the combination, have a length in excess of forty*
- 13 *feet, unless such vehicle was registered in Iowa prior to*
- 14 *July 1, 1971.*"

Senator Milligan moved that further action on Senate File 446 be deferred until 10:30 a.m., Tuesday, June 1, 1971.

Senator Stephens moved as a substitute motion that Senate File 446 be laid on the table.

Roll call was requested.

On the question "Shall the motion to lay Senate File 446 on the table be adopted?" (S.F. 446) the vote was:

Ayes, 13:

Bass	Doderer	Graham	Shawver
Carlson	Gaudineer	Hill	Stephens
Conklin	Gilley	Riley	Van Gilst
DeKoster			

Nays, 32:

Anderson	Griffin	Milligan	Rhodes
Arbuckle	Gross	Mowry	Robinson
Balloun	Keith	Neu	Schaben
Briles	Kennedy	Nicholson	Smith
Coleman	Lamborn	Palmer	Tapscott
Curran	Laverty	Potgeter	Thordsen
Erskine	Messerly	Potter	Van Drie
Glenn	Miller	Rabedeaux	Walsh

Absent or not voting, 5:

Brownlee	Kyhl	Ollenburg	Shaff
Davis			

The motion to lay the bill on the table lost.

Senator Milligan requested a roll call on his motion to defer.

On the question "Shall the motion to defer be adopted?" (S.F. 446) the vote was:

Rule 24 was invoked.

Ayes, 13:

Carlson	Gaudineer	Laverty	Shawver
Conklin	Gilley	Milligan	Stephens
DeKoster	Hill	Riley	Van Gilst
Doderer			

Nays, 35:

Anderson	Erskine	Miller	Rhodes
Arbuckle	Glenn	Mowry	Robinson
Balloun	Graham	Neu	Schaben
Bass	Griffin	Nicholson	Smith
Briles	Gross	Ollenburg	Tapscott
Brownlee	Keith	Palmer	Thordsen
Coleman	Kennedy	Potgeter	Van Drie
Curran	Lamborn	Potter	Walsh
Davis	Messerly	Rabedeaux	

Absent or not voting, 2:

Kyhl	Shaff
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The motion to defer lost.

Senator Riley moved the adoption of his amendment and requested a roll call.

On the question "Shall the Riley amendment be adopted?" (S.F. 446) the vote was:

Ayes, 9:

Carlson	Hill	Neu	Stephens
Doderer	Milligan	Riley	Van Gilst
Gilley			

Nays, 34:

Anderson	Bass	Coleman	Erskine
Arbuckle	Briles	Conklin	Glenn
Balloun	Brownlee	Curran	Graham

Griffin	Miller	Rabedeaux	Smith
Gross	Mowry	Rhodes	Tapscott
Keith	Nicholson	Robinson	Thordsen
Kennedy	Palmer	Schaben	Van Drie
Lamborn	Potgeter	Shawver	Walsh
Laverty	Potter		

Absent or not voting, 7:

Davis	Gaudineer	Messerly	Shaff
DeKoster	Kyhl	Ollenburg	

The amendment lost.

Senator Walsh offered the following amendment and moved its adoption:

- 1 Amend Senate File 446, line 14, by striking the word "a"
- 2 and inserting the words "*an annual*".

The amendment was adopted.

Senator Walsh offered the following amendment and moved its adoption:

- 1 Amend Senate File 446 as follows:
- 2 1. Line 16, by inserting after the word "On" the words "*inter-*
- 3 *state and other*".
- 4 2. Line 17, by inserting after the word "*any*" the words "*inter-*
- 5 *state and other*".

The amendment was adopted.

Senator Doderer offered the following amendment and moved its adoption:

- 1 Amend Senate File 446 by striking lines 14 and 15 and
- 2 renumbering the remaining subsection to conform with this amend-
- 3 ment.

The amendment was adopted.

Senator Walsh moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 446) the vote was:

Ayes, 28:

Anderson	Glenn	Miller	Rabedeaux
Arbuckle	Griffin	Neu	Rhodes
Balloun	Gross	Nicholson	Schaben
Brownlee	Keith	Ollenburg	Smith
Coleman	Kennedy	Palmer	Tapscott
Davis	Lamborn	Potgeter	Thordsen
Erskine	Messerly	Potter	Walsh

Nays, 19:

Briles	Doderer	Laverty	Shawver
Carlson	Gaudineer	Milligan	Stephens
Conklin	Gilley	Mowry	Van Drie
Curran	Graham	Riley	Van Gilst
DeKoster	Hill	Robinson	

Absent or not voting, 3:

Bass Kyhl Shaff

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

Senator Walsh moved that the vote by which Senate File 446 passed the Senate be reconsidered and the motion to reconsider be laid on the table.

Roll call was requested.

On the question "Shall the motion to reconsider be laid on the table? (S.F. 446) the vote was:

Ayes, 27:

Anderson	Glenn	Miller	Schaben
Arbuckle	Griffin	Neu	Smith
Balloun	Gross	Nicholson	Tapscott
Brownlee	Keith	Potgeter	Thordsen
Coleman	Kennedy	Potter	Van Drie
Curran	Lamborn	Rabedaux	Walsh
Erskine	Messerly	Rhodes	

Nays, 18:

Briles	Gaudineer	Milligan	Robinson
Carlson	Gilley	Mowry	Shawver
Conklin	Graham	Palmer	Stephens
DeKoster	Hill	Riley	Van Gilst
Doderer	Laverty		

Absent or not voting, 5:

Bass Kyhl Ollenburg Shaff
Davis

The motion prevailed.

MOTION TO RECONSIDER

Senate File 503

Senator Lamborn called up the following motion to reconsider and moved its adoption:

MR. PRESIDENT: I move to reconsider the vote by which Senate File 503 passed the Senate.

C. JOSEPH COLEMAN

On the question "Shall the motion to reconsider be adopted?" (S.F. 503) the vote was:

Ayes, 40:

Anderson	DeKoster	Gross	Neu
Balloun	Doderer	Hill	Nicholson
Briles	Erskine	Kennedy	Palmer
Brownlee	Gaudineer	Lamborn	Potter
Carlson	Gilley	Laverty	Rabedaux
Coleman	Glenn	Miller	Rhodes
Conklin	Graham	Milligan	Riley
Curran	Griffin	Mowry	Robinson

Schaben
Shawver

Smith
Stephens

Tapscott
Thordsen

Van Gilst
Walsh

Nays, 1:
Van Drie

Absent or not voting, 9:

Arbuckle
Bass
Davis

Keith
Kyh

Messerly
Ollenburg

Potgeter
Shaff

The motion prevailed.

Senator Lamborn moved to reconsider to vote by which Senate File 503 went to its last reading, which motion prevailed.

On motion of Senator Lamborn, Senate File 503, a bill for an act relating to the salaries of county officers, was taken up for reconsideration.

Senator Lamborn moved to reconsider the vote by which the Erskine amendment of May 6, 1971, failed to be adopted by the Senate, which motion prevailed.

The amendment by Senator Erskine was taken up for reconsideration.

Senator Gaudineer offered the following amendment to the amendment:

- 1 Amend the Erskine amendment to Senate File 503,
- 2 line 10, by adding after the figure "1969." the following:
- 3 "The board may accept and utilize private grants or
- 4 federal funds, or both, for the purpose of paying the
- 5 salary of the county attorney and his assistants."

Senator Kennedy took the chair at 4:57 p.m.

Senator Gaudineer moved the adoption of the amendment to the amendment and called for a division.

The amendment to the amendment was adopted.

Senator Erskine moved the adoption of his amendment as amended.

Roll call was requested.

On the question "Shall the amendment as amended be adopted?" (S.F. 503) the vote was:

Ayes, 31:

Anderson
Briles
Brownlee

Carlson
Coleman
DeKoster

Doderer
Erskine
Gaudineer

Graham
Griffin
Gross

Keith	Milligan	Potter	Tapscott
Kennedy	Mowry	Riley	Thordsen
Lamborn	Neu	Robinson	Van Gilst
Laverty	Nicholson	Schaben	Walsh
Miller	Palmer	Shawver	

Nays, 13:

Arbuckle	Glenn	Potgeter	Smith
Balloun	Hill	Rabedeaux	Stephens
Conklin	Messerly	Rhodes	Van Drie
Gilley			

Absent or not voting, 6:

Bass	Davis	Ollenburg	Shaff
Curran	Kyhl		

The amendment as amended was adopted.

Senator Briles moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 503) the vote was:

Ayes, 34:

Anderson	Gaudineer	Laverty	Rhodes
Arbuckle	Gilley	Miller	Riley
Briles	Glenn	Mowry	Robinson
Brownlee	Graham	Neu	Schaben
Carlson	Griffin	Nicholson	Shawver
Coleman	Gross	Potgeter	Thordsen
DeKoster	Keith	Potter	Van Gilst
Doderer	Kennedy	Rabedeaux	Walsh
Erskine	Lamborn		

Nays, 10:

Balloun	Messerly	Smith	Tapscott
Conklin	Milligan	Stephens	Van Drie
Hill	Palmer		

Absent or not voting, 6:

Bass	Davis	Ollenburg	Shaff
Curran	Kyhl		

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

IMMEDIATELY MESSAGED

Senator Briles asked and received unanimous consent that **Senate File 503** be **immediately messaged** to the House, which request was complied with.

CONSIDERATION OF BILLS

Senator Lamborn asked and received unanimous consent to take up for consideration Senate File 555.

Senate File 555

On motion of Senator Mowry, Senate File 555, a bill for an act to provide an appropriation from the general fund of the state for capital improvements for the Iowa law enforcement academy, was taken up and considered.

Senator Mowry moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 555) the vote was:

Ayes, 41:

Anderson	Gilley	Miller	Riley
Arbuckle	Glenn	Milligan	Robinson
Briles	Graham	Mowry	Schaben
Brownlee	Gross	Neu	Shawver
Carlson	Hill	Nicholson	Smith
Coleman	Keith	Palmer	Stephens
Conklin	Kennedy	Potgeter	Tapscott
Curran	Lamborn	Potter	Thordsen
DeKoster	Laverty	Rabedeaux	Van Drie
Doderer	Messerly	Rhodes	Van Gilst
Erskine			

Nays, 1:

Balloun

Absent or not voting, 8:

Bass	Gaudineer	Kyhl	Shaff
Davis	Griffin	Ollenburg	Walsh

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

Senator Lamborn asked and received unanimous consent to take up for consideration Senate File 556.

Senate File 556

On motion of Senator Mowry, Senate File 556, a bill for an act creating and making an appropriation to the executive council general contingent fund, was taken up and considered.

Senator Mowry moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 556) the vote was:

Ayes, 42:

Anderson	Curran	Glenn	Messerly
Arbuckle	Davis	Graham	Miller
Balloun	DeKoster	Gross	Milligan
Brownlee	Doderer	Hill	Mowry
Carlson	Erskine	Keith	Neu
Coleman	Gaudineer	Kennedy	Nicholson
Conklin	Gilley	Lamborn	Ollenburg

Palmer	Rhodes	Smith	Thordsen
Potgeter	Riley	Stephens	Van Drie
Potter	Robinson	Tapscott	Van Gilst
Rabedeaux	Shawver		

Nays, none.

Absent or not voting, 8:

Bass	Griffin	Laverty	Shaff
Briles	Kyhl	Schaben	Walsh

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

Senator Lamborn asked and received unanimous consent to take up for consideration House File 694.

House File 694

On motion of Senator Mowry, House File 694, a bill for an act relating to and to appropriate from the motor vehicle fuel tax fund to the department of revenue, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Mowry moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 694) the vote was:

Ayes, 43:

Anderson	Erskine	Miller	Riley
Arbuckle	Gaudineer	Milligan	Robinson
Balloun	Gilley	Mowry	Schaben
Brownlee	Glenn	Neu	Shawver
Carlson	Graham	Nicholson	Smith
Coleman	Gross	Ollenburg	Stephens
Conklin	Keith	Palmer	Tapscott
Curran	Kennedy	Potgeter	Thordsen
Davis	Lamborn	Potter	Van Drie
DeKoster	Laverty	Rabedeaux	Van Gilst
Doderer	Messerly	Rhodes	

Nays, none.

Absent or not voting, 7:

Bass	Griffin	Kyhl	Walsh
Briles	Hill	Shaff	

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

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the

House has passed the following bill in which the concurrence of the Senate is asked:

House File 710, a bill for an act relating to sewage treatment projects and to appropriate from general fund of the state for sewage works construction fund.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 297, a bill for an act relating to motor vehicle inspection and safety and providing penalties.

WILLIAM R. KENDRICK, Chief Clerk

HOUSE AMENDMENT TO SENATE FILE 297

1 Amend Senate File 297, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 1, line 8, by adding after the period the
4 following:

5 "The commissioner may adopt such rules and regulations,
6 subject to the provisions of chapter seventeen A (17A) of
7 the Code, as shall be necessary for the efficient operation
8 and maintenance of vehicle inspection stations.

9 2. Page 2, line 10, by striking the words "regular
10 United States mail" and inserting in lieu thereof the
11 words "certified mail, return receipt requested,".

12 3. By adding the following new sections:

13 1. Section three hundred twenty-one point one
14 hundred sixty-seven (321.167), Code 1971, is hereby
15 amended as follows:

16 321.167 DELIVERY OF PLATES OR EMBLEMS. On or before
17 the first day of December of each year, the department shall
18 deliver or cause to be delivered to the county treasurer
19 of each county, approximately as many duplicate number plates
20 [and certificate containers] as there are motor vehicles
21 registered in such county during the preceding year, the
22 plates so delivered to each county treasurer to be in
23 numerical sequence.

24 In lieu of plates, the department may furnish the county
25 treasurers appropriate distinguishing emblems as provided

Page 2

1 in section 321.34.

2 2. Section three hundred twenty-one point one
3 hundred sixty-eight (321.168), Code 1971, is hereby
4 amended as follows:

5 321.168 ADDITIONAL DELIVERIES. Thereafter, during
6 the year, the department, upon requisition of the
7 county treasurer, shall deliver additional number plates
8 [and certificate containers.]

9 4. Amend the title, line 1, by inserting after the
10 word "safety" the following: "and relating to
11 registration certificates and containers,".

HOUSE MESSAGE CONSIDERED

House File 710, a bill for an act relating to sewage treatment projects and to appropriate from the general fund of the state for the sewage works construction fund.

Read first time and **passed on file.**

AMENDMENTS FILED

1 Amend Senate File 356, page 2, by striking lines 1 and 2,
2 and inserting in lieu thereof the following:

3 Section 1. Section six hundred ninety-five point two
4 (695.2), unnumbered paragraph 2, Code 1971, is amended as
5 follows:

6 "However, it shall be lawful to carry one or more un-
7 loaded pistols or revolvers for the purpose of or in connection
8 with lawful target practice, lawful hunting, lawful sale or
9 attempted sale, lawful exhibit or showing, or other lawful use,
10 if such unloaded weapon or weapons are carried [either (1)] in
11 the trunk compartment of a vehicle. [or (2) in a closed con-
12 tainer which is too large to be effectively concealed on the
13 person or within the clothing of an individual, and such con-
14 tainer may be carried in a vehicle or in any other manner; and
15 no permit shall be required therefor.]"

GENE V. KENNEDY
HAROLD A. THORDSEN

1 Amend Senate File 551 as follows:

2 1. Page 2, by striking in lines 10 and 11 the words
3 "and the state comptroller" and inserting the words
4 "and the budget and financial control committee".

COMMITTEE ON APPROPRIATIONS
FRANCIS L. MESSERLY, Chairman

1 Amend Senate File 554 as follows:

2 1. Page 2, line 14, by striking the figures
3 "210,000.00 and 210,000.00" and inserting in lieu
4 thereof the figures "100,000.00 and 100,000.00".

5 2. Page 2, line 23, by striking the figures "2,100"
6 and inserting in lieu thereof the figures "1,100".

7 3. Page 3, line 1, by striking the figures "280,000.00
8 and 280,000.00" and inserting in lieu thereof the
9 figures "180,000.00 and 180,000.00".

JOHN E. TAPSCOTT
MINNETTE DODERER

1 Amend the Thordsen-Nicholson amendment, filed April 21, 1971,
2 to House File 216, line 6, by striking the word "construction" and
3 insert the word "construct".

HAROLD A. THORDSEN

1 Amend House File 696, page 2, line 19, by inserting
2 after the word, "appropriated." the following:

3 "The commission to which this appropriation is made
4 may make application to the appropriation committees for

- 5 the reappropriation of any funds that revert on September
6 30, 1972, and the respective appropriation committees or a
7 subcommittee thereof shall hold a public hearing upon
8 such application."

LEE H. GAUDINEER, JR.

On motion of Senator Lamborn, the Senate adjourned until 9:00 a.m., Friday, May 28, 1971.

JOURNAL OF THE SENATE

ONE HUNDRED THIRTY-EIGHTH DAY

SENATE CHAMBER
DES MOINES, IOWA, FRIDAY, MAY 28, 1971

The Senate met in regular session, Senator Brownlee presiding.

Prayer was offered by the Reverend George Thompson, pastor of the First Baptist Chapel, Burlington, Iowa.

The Senate pledged allegiance to the flag.

The Journal of Thursday, May 27, 1971, was approved.

PRESENTATION OF VISITORS

The Chair announced that the following visitors were present in the Senate gallery:

Thirty-four students from Harlan Elementary School, Ames, Iowa, accompanied by their instructors, Connie Messerschmidt and Charlan Banwart.

INTRODUCTION OF BILL

Senate File 557, by committee on appropriations, a bill for an act to appropriate from the general fund of the state to the department of public safety and various divisions thereof.

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

CONSIDERATION OF BILLS

House File 268

On motion of Senator Thordsen, House File 268, a bill for an act relating to the issuance and use of distress flags by handicapped persons and providing penalties for violations thereof, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Thordsen offered the following amendment filed by Senator Mowry on May 25 and moved its adoption:

- 1 Amend House File 268, page 3, line 11, by inserting after the
- 2 word "misdemeanor" the following: "and punishable by a fine
- 3 of not more than \$100 or thirty days in jail".

The amendment was adopted.

Senator Thordsen moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 268) the vote was:

Ayes, 35:

Anderson	Gilley	Milligan	Robinson
Arbuckle	Graham	Neu	Schaben
Bass	Griffin	Nicholson	Smith
Briles	Gross	Palmer	Stephens
Brownlee	Keith	Potgeter	Tapscott
Carlson	Kennedy	Potter	Thordsen
Conklin	Lamborn	Rabedaux	Van Drie
Curran	Messerly	Rhodes	Van Gilst
DeKoster	Miller	Riley	

Nays, 5:

Balloun	Glenn	Hill	Shawver
Coleman			

Absent or not voting, 10:

Davis	Gaudineer	Mowry	Shaff
Doderer	Kyhl	Ollenburg	Walsh
Erskine	Laverty		

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

Senate File 551

On motion of Senator Keith, Senate File 551, a bill for an act to appropriate from the general fund of the state of Iowa to the department of public safety for radio equipment for the division of radio communication, was taken up and considered.

Senator Keith offered the following amendment filed by the committee on appropriations and moved its adoption:

- 1 Amend Senate File 551 as follows:
- 2 1. Page 2, by striking in lines 10 and 11 the words
- 3 "and the state comptroller" and inserting the words
- 4 "and the budget and financial control committee".

President Jepsen took the chair at 9:35 a.m.

Roll call was requested.

On the question "Shall the amendment be adopted?" (S.F. 551) the vote was:

Ayes, 17:

Anderson	Gilley	Potter	Smith
Balloun	Graham	Rabedaux	Stephens
Briles	Messerly	Shaff	Thordsen
Coleman	Nicholson	Shawver	Van Gilst
Erskine			

Nays, 26:

Arbuckle	Glenn	Miller	Rhodes
Brownlee	Griffin	Milligan	Riley
Carlson	Gross	Neu	Robinson
Conklin	Hill	Ollenburg	Tapscott
DeKoster	Keith	Palmer	Van Drie
Doderer	Kennedy	Potgeter	Walsh
Gaudineer	Lamborn		

Absent or not voting, 7:

Bass	Davis	Laverty	Schaben
Curran	Kyhl	Mowry	

The amendment lost.

Senator Keith moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 551) the vote was:

Rule 24 was invoked.

Ayes, 41:

Anderson	Gaudineer	Messerly	Riley
Arbuckle	Gilley	Miller	Robinson
Bass	Glenn	Milligan	Shawver
Briles	Graham	Neu	Smith
Brownlee	Griffin	Nicholson	Stephens
Carlson	Gross	Palmer	Tapscott
Coleman	Hill	Potgeter	Thordsen
Conklin	Keith	Potter	Van Drie
DeKoster	Kennedy	Rabedeaux	Van Gilst
Doderer	Lamborn	Rhodes	Walsh
Erskine			

Nays, 1:

Balloun

Absent or not voting, 8:

Curran	Kyhl	Mowry	Schaben
Davis	Laverty	Ollenburg	Shaff

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

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Rhodes, from the joint committee on enrolled bills, submitted the following report and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: House File 73.

JOHN C. RHODES
Chairman, Senate Committee
ELIZABETH R. MILLER
Chairman, House Committee

Report adopted.

BILL SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate the following bill: House File 73.

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

The Senate resumed session, President Jepsen presiding.

CONSIDERATION OF BILLS

House File 503

On motion of Senator Miller, House File 503, a bill for an act relating to levee and drainage districts, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

HOUSE FILE DEFERRED

Senator Miller asked and received unanimous consent that further action on **House File 503** be deferred and that the bill be placed on the calendar under **unfinished business**.

CONSIDERATION OF BILLS

House File 600

On motion of Senator Briles, House File 600, a bill for an act relating to the minimum age for appointment of commissioned and warrant officers in the national guard, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Potgeter offered the following amendment filed by Senators Potgeter and Walsh:

- 1 Amend House File 600, page 2, line 1, by striking the
- 2 word "*twentieth*" and inserting in lieu thereof the word
- 3 "*eighteenth*".

Senator Potgeter moved the adoption of the amendment and requested a roll call.

On the question "Shall the amendment be adopted?" (H.F. 600) the vote was:

Rule 24 was invoked.

Ayes, 37:

Anderson
Brownlee
Carlson

Coleman
Conklin
Davis

DeKoster
Doderer
Erskine

Gaudineer
Glenn
Graham

Griffin	Miller	Potgeter	Schaben
Gross	Milligan	Potter	Shawver
Keith	Neu	Rabedaux	Tapscott
Kennedy	Nicholson	Rhodes	Thordsen
Lamborn	Ollenburg	Riley	Van Drie
Lavery	Palmer	Robinson	Walsh
Messerly			

Nays, 8:

Arbuckle	Bass	Gilley	Stephens
Balloun	Briles	Hill	Van Gilst

Absent or not voting, 5:

Curran	Mowry	Shaff	Smith
Kyhl			

The amendment was adopted.

Senator Briles moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 600) the vote was:

Ayes, 44:

Arbuckle	Doderer	Lavery	Riley
Balloun	Erskine	Messerly	Robinson
Bass	Gaudineer	Miller	Schaben
Briles	Gilley	Milligan	Shawver
Brownlee	Glenn	Nicholson	Smith
Carlson	Graham	Ollenburg	Stephens
Coleman	Griffin	Palmer	Tapscott
Conklin	Gross	Potgeter	Thordsen
Curran	Keith	Potter	Van Drie
Davis	Kennedy	Rabedaux	Van Gilst
DeKoster	Lamborn	Rhodes	Walsh

Nays, 1:

Hill

Absent or not voting, 5:

Anderson	Mowry	Neu	Shaff
Kyhl			

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

House File 675

On motion of Senator Anderson, House File 675, a bill for an act relating to the payment of court costs, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Anderson moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 675) the vote was:

Ayes, 42:

Anderson	Erskine	Laverty	Riley
Arbuckle	Gaudineer	Miller	Robinson
Balloun	Gilley	Milligan	Schaben
Briles	Glenn	Neu	Shawver
Brownlee	Graham	Nicholson	Stephens
Carlson	Griffin	Palmer	Tapscott
Coleman	Gross	Potgeter	Thordsen
Conklin	Hill	Potter	Van Drie
Curran	Keith	Rabedeaux	Van Gilst
Davis	Kennedy	Rhodes	Walsh
DeKoster	Lamborn		

Nays, none.

Absent or not voting, 8:

Bass	Kyhl	Mowry	Shaff
Doderer	Messerly	Ollenburg	Smith

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

Senate File 150

On motion of Senator Erskine, Senate File 150, a bill for an act relating to administrative and maintenance facilities for county conservation boards, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

SUBSTITUTION

Senator Erskine asked and received unanimous consent that **House File 216** be substituted for **Senate File 150**.

House File 216

On motion of Senator Erskine, House File 216, a bill for an act relating to administrative and maintenance facilities for county conservation boards, was taken up and considered.

Senator Thordsen offered the following amendment filed by Senators Thordsen and Nicholson on April 21:

- 1 Amend House File 216 as follows:
- 2 1. Page 2, line 16, by striking the words "offices and
- 3 equipment" and inserting in lieu thereof the words "[offices]
- 4 office space".
- 5 2. Page 2, line 20, by inserting after the word "acquire,"
- 6 the word "construction,".
- 7 3. Page 2, line 23, by inserting after the word "acquisition,"
- 8 the word "construction,".
- 9 4. Page 2, by striking line 35, and page 3, by striking lines
- 10 1 through 6, inclusive.

Senator Erskine withdrew the following amendment to the amendment filed by Senators Thordsen and Erskine:

- 1 Amend the Thordsen, et al., amendment, filed April 21, 1971, to
- 2 House File 216, line 8, by striking the word "construction" and
- 3 inserting the word "*construct*".

Senator Thordsen withdrew the following amendment to the amendment filed May 27:

- 1 Amend the Thordsen-Nicholson amendment, filed April 21, 1971,
- 2 to House File 216, line 6, by striking the word "*construction*" and
- 3 insert the word "*construct*".

Senator Thordsen asked unanimous consent that further action on House File 216 be deferred and that the bill be placed on the calendar under unfinished business.

Objection was raised.

Senator Thordsen moved that further action on House File 216 be deferred and that the bill be placed on the calendar under unfinished business.

The Chair called for a division.

The motion to defer lost.

Senator Thordsen moved the adoption of the Thordsen-Nicholson amendment and called for a division.

The amendment lost.

Senator Potgeter offered the following amendment filed by him on March 30 and called for a division of the amendment, sections 1 and 3 to be considered as division 1, and section 2 as division 2:

Division 1

- 1 Amend House File 216 as follows:
- 2 1. Page 2, by striking in line 21 the words "*from the*
- 3 *county conservation fund.*" and by striking lines 22, 23 and 24
- 4 and inserting in lieu thereof the words "*obtained by gift or*
- 5 *donation*".
- 10 3. Page 3, lines 5 and 6, by striking the words "[the
- 11 same] *them, including buildings for administrative and (it) maintenance*
- 12 *purposes*" and inserting in lieu thereof the words "the same".

Division 2

- 6 2. Page 2, lines 26 and 27, by striking the words "and
- 7 under such regulations as the county conservation board may
- 8 prescribe" and inserting "[and under such regulations as the
- 9 county conservation board may prescribe]".

Senator Potgeter moved the adoption of division 1 of the amendment and called for a division.

Division 1 of the amendment was adopted.

On motion of Senator Potgeter, division 2 of the amendment was adopted.

Senator Erskine moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 216) the vote was:

Ayes, 16:

Carlson	Gaudineer	Kennedy	Robinson
DeKoster	Glenn	Lamborn	Stephens
Doderer	Gross	Miller	Tapscott
Erskine	Keith	Palmer	Van Gilst

Nays, 23:

Anderson	Conklin	Nicholson	Shawver
Arbuckle	Gilley	Potgeter	Smith
Balloun	Graham	Potter	Thordsen
Bass	Hill	Rabedeaux	Van Drie
Brownlee	Milligan	Rhodes	Walsh
Coleman	Neu	Schaben	

Absent or not voting, 11:

Briles	Griffin	Messerly	Riley
Curran	Kyhl	Mowry	Shaff
Davis	Laverty	Ollenburg	

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

SENATE FILE WITHDRAWN

Senator Erskine asked and received unanimous consent that **Senate File 150** be **withdrawn** from further consideration of the Senate.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File 709, a bill for an act making an appropriation from the general fund to the department of public instruction.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 715, a bill for an act to appropriate from moneys received by the department of public safety motor vehicle dealers license fee fund.

WILLIAM R. KENDRICK, Chief Clerk

HOUSE MESSAGES CONSIDERED

House File 709, a bill for an act making an appropriation from

the general fund of the State of Iowa to the department of public instruction.

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

House File 715, a bill for an act to appropriate from moneys received by the department of public safety motor vehicle license fee fund.

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

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

The Senate resumed session, Senator Brownlee presiding.

CONSIDERATION OF BILLS

Senator Lamborn asked and received unanimous consent to take up out of order House File 373.

House File 373

On motion of Senator Messerly, House File 373, a bill for an act to appropriate funds to defray expenses of the inaugural ceremonies, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Messerly moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 373) the vote was:

Ayes, 40:

Anderson	Doderer	Miller	Robinson
Arbuckle	Erskine	Milligan	Schaben
Balloun	Gilley	Neu	Shawver
Bass	Glenn	Nicholson	Smith
Briles	Graham	Palmer	Stephens
Brownlee	Gross	Potgeter	Tapscott
Carlson	Kennedy	Potter	Thordsen
Coleman	Lamborn	Rabedeaux	Van Drie
Conklin	Laverty	Rhodes	Van Gilst
DeKoster	Messerly	Riley	Walsh

Nays, none.

Absent or not voting, 10:

Curran	Griffin	Kyhl	Ollenburg
Davis	Hill	Mowry	Shaff
Gaudineer	Keith		

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

House File 695

On motion of Senator Keith, House File 695, a bill for an act to appropriate from the motor vehicle fuel tax fund for the biennium beginning July 1, 1971, and ending June 30, 1973, to the state comptroller, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senate Hill offered the following amendment filed by Senators Gaudineer and Hill and moved its adoption:

- 1 Amend House File 695, page 2, line 19, by inserting
- 2 after the word "appropriated." the following:
- 3 "The state comptroller may make application to the
- 4 appropriation committees for the reappropriation of any
- 5 funds that revert on September 30, 1972, and the respec-
- 6 tive appropriation committees or a subcommittee thereof
- 7 shall hold a public hearing upon such application."

The amendment was adopted.

Senator Keith moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 695) the vote was:

Ayes, 41:

Anderson	Erskine	Messery	Riley
Arbuckle	Gilley	Miller	Robinson
Balloun	Glenn	Milligan	Schaben
Bass	Graham	Neu	Shawver
Briles	Gross	Nicholson	Stephens
Brownlee	Hill	Palmer	Tapscott
Carlson	Keith	Potgeter	Thordsen
Coleman	Kennedy	Potter	Van Drie
Conklin	Lamborn	Rabedaux	Van Gilst
DeKoster	Laverty	Rhodes	Walsh
Doderer			

Nays, none.

Absent or not voting, 9:

Curran	Griffin	Mowry	Shaff
Davis	Kyhl	Ollenburg	Smith
Gaudineer			

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

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which House File 216 failed to pass the Senate.

JOHN M. WALSH

Also :

MR. PRESIDENT: I move to reconsider the vote by which House File 373 passed the Senate.

JOHN M. WALSH

Also :

MR. PRESIDENT: I move to reconsider the vote by which House File 675 passed the Senate.

JOHN M. WALSH

Also :

MR. PRESIDENT: I move to reconsider the vote by which House File 695 passed the Senate.

JOHN M. WALSH

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on May 27, 1971, the Governor approved and transmitted to the Secretary of State the following bills:

- S. F. 138—To establish a chiropractic examining board fund and to increase the fee for renewal of a license to practice chiropractic.
- S. F. 205—Relating to assessments levied by drainage and levee districts and to interest rates.
- S. F. 217—Relating to compensating state employees for the use of their motor vehicles.
- S. F. 302—Relating to the reporting of motor vehicle accidents.
- S. F. 355—Relating to the tax levy for county hospitals in counties having a population of two hundred twenty-five thousand or more.
- S. F. 402—Relating to benefits under the peace officers' retirement system.
- S. F. 425—To legalize and validate the proceedings of the town council of the Town of Peterson, Clay County, Iowa, levying certain special assessments and issuing special assessment street improvement bonds.
- S. F. 433—To provide for annual validation of motor vehicle registration plates.
- S. F. 442—Relating to the investment of public funds from the sale of school bonds.
- S. F. 460—Providing for enactment of the uniform partnership act.
- S. F. 461—Relating to supreme court officers and employees and their duties, including court administration, as directed by the supreme court.

- S. F. 468—Making additional amendments to the Code of Iowa in conformity to Senate File 1 of the Sixty-fourth General Assembly, updating certain references in the Code of Iowa, and making corrective amendments relating to the imposition of a penalty and other provisions in Senate File 1 of the Sixty-fourth General Assembly.
- S. F. 474—Relating to disabled and retired policemen and firemen, disabled inmates, and disabled elected and appointed officials.
- S. F. 484—To authorize county boards of supervisors to adopt and enforce certain traffic ordinances, and to provide penalties for violations.
- S. F. 530—Relating to conditions of withdrawal from a county library district.

BILLS ASSIGNED TO COMMITTEE

President Jepsen announced the assignment of the following bills to committee:

H. F. 708 Appropriations

H. F. 710 Appropriations

REPORTS OF COMMITTEES

Senator Messerly submitted the following reports:

MR. PRESIDENT: Your committee on appropriations, to which was referred **House File 699**, a bill for an act to make appropriations to certain named persons in settlement of claims made against the State of Iowa, begs leave to report it has had the same under consideration and recommends the same **do pass**.

FRANCIS L. MESSERLY, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred **House File 701**, a bill for an act to appropriate from the general fund of the state to various state departments and their divisions, begs leave to report it has had the same under consideration and recommends the same **do pass**.

FRANCIS L. MESSERLY, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred **House File 702**, a bill for an act to appropriate from moneys received by certain commissions, boards and departments, begs leave to report it has had the same under consideration and recommends the same **do pass**.

FRANCIS L. MESSERLY, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred **House File 703**, a bill for an act making an appropriation from the general fund of the state to the Iowa reciprocity board, begs leave to report it has had the same under consideration and recommends the same **do pass**.

FRANCIS L. MESSERLY, Chairman

Ordered passed on file.

Senator Bass submitted the following report:

MR. PRESIDENT: Your committee on social services, to which was referred **House File 9**, a bill for an act relating to the Governor's committee on employment of the handicapped, begs leave to report it has had the same under consideration and recommends the same **do pass**.

EARL G. BASS, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on social services, to which was referred **House File 164**, a bill for an act relating to the adoption of children, begs leave to report it has had the same under consideration and recommends the same **do pass**.

EARL G. BASS, Chairman

Ordered passed on file.

AMENDMENTS FILED

- 1 Amend Senate File 542, page 2, by striking in lines
- 2 16 and 17 the words " , with the approval of the budget
- 3 and financial control committee,".

EUGENE M. HILL

- 1 Amend Senate File 549 by striking everything after
- 2 the enacting clause and inserting in lieu thereof the
- 3 following:
- 4 Section 1. Section forty-six point one (46.1), Code
- 5 1971, is amended by striking the section and inserting
- 6 in lieu thereof the following:
- 7 46.1 APPOINTMENT OF STATE JUDICIAL NOMINATING COM-
- 8 MISSIONERS. The governor shall appoint, subject to
- 9 confirmation by the senate, one elector of each
- 10 congressional district to the state judicial nominating
- 11 commission, each of whose terms shall commence July
- 12 first of the year of appointment and terminate June
- 13 thirtieth of the year of expiration. Initially, two
- 14 members shall be appointed for two years, two members
- 15 for four years, and two members for six years. Terms
- 16 thereafter shall be for six years. Successor members
- 17 shall be appointed by the governor within thirty days
- 18 following the organization of each regular session of
- 19 the general assembly in years in which the terms of
- 20 members are to expire.
- 21 Sec. 2. Section forty-six point two (46.2), Code

- 22 1971, is amended by striking the section and inserting
23 in lieu thereof the following:
24 46.2 ELECTION OF STATE JUDICIAL NOMINATING COMMIS-
25 SIONERS. The resident members of the bar of each con-

Page 2

- 1 gressional district shall elect one elector of such
2 district to the state judicial nominating commission.
3 The commencement and expiration date and length of terms
4 of elected members shall be the same as provided in
5 section forty-six point one (46.1) for appointed members.
6 Elections of successor members shall be held in January
7 of the year in which the terms of members are to expire.
8 Sec. 3. The terms of office of all members of the
9 state judicial nominating commission appointed and
10 elected prior to the effective date of this Act shall
11 continue, and be extended where necessary, until June
12 30, 1972, at which time all such terms shall expire
13 and successor members appointed and elected as provided
14 by sections one (1) and two (2) of this Act. This
15 section shall be reprinted only in the session laws
16 and shall not be reprinted in the Code.

LUCAS J. DeKOSTER

- 1 Amend Senate File 550 as follows:
2 1. Page 2, line 4, by inserting after the word
3 "annuity" the words "*or a contingent annuitant as*
4 *provided in section five (5) of this Act*".
5 2. Page 3, by striking lines 3 through 26.
6 3. Page 3, by adding the following new section
7 after line 26:
8 "Sec. 5. A judge may at any time prior to his
9 retirement elect in writing to the state comptroller
10 to have his retirement annuity payable under one of
11 the options set forth in this section in lieu of the
12 retirement annuity otherwise payable to him upon
13 retirement under the provisions of this chapter.
14 Judges retired prior to the effective date of this
15 Act may in lieu of their retirement benefits elect
16 one of the following options prior to January 1, 1972.
17 The amount of any optional retirement allowance under
18 subsections one (1) and two (2) of this section shall
19 be the actuarial equivalent of the amount of such
20 retirement allowance otherwise payable to the judge.
21 1. A judge may elect to receive a decreased retire-
22 ment allowance during his lifetime and have the
23 decreased retirement allowance continued after his
24 death to a survivor called a contingent annuitant,
25 during the lifetime of the contingent annuitant.

Page 2

- 1 2. A judge may elect to receive a decreased retire-
2 ment allowance during his lifetime and have one half
3 of the decreased retirement allowance continued after
4 his death to a survivor called a contingent annui-

5 tant, during the lifetime of the contingent annuitant.
6 3. A judge may elect to contribute an additional
7 two percent of his salary over that required by chapter
8 six hundred and five A point four (605A.4), of the
9 Code, and the state shall contribute an amount equal
10 to ten percent of the judge's salary each year to
11 the credit of the judge's account to provide increased
12 retirement benefits under subsections one (1) and
13 two (2) for the judge and his survivor. If a survivor
14 of a judge dies after the retirement of the judge,
15 the judge may have his retirement allowance recomputed
16 in order that his retirement allowance will reflect
17 the fact that there will be no allowance for a survivor
18 and in such case the recomputation shall take into
19 consideration the retirement allowance paid to the
20 judge to the date of death of the survivor.
21 4. In case of an election under subsection one
22 (1), two (2) or three (3) of this section, no death
23 benefits, as might otherwise be provided by this
24 chapter, will be payable upon the death of either
25 the judge or the contingent annuitant after the judge's

Page 3

1 retirement.
2 5. A judge who had elected to take the option
3 stated in subsection one (1), two (2) or three (3)
4 of this section, may at any time prior to his
5 retirement, revoke the election by written notice
6 to the state comptroller.
7 6. If a judge who is eligible for retirement in
8 accordance with the provisions of this chapter dies
9 prior to retirement, the judge's survivor may elect
10 to receive benefits as a contingent annuitant under
11 subsection one (1) or two (2) of this section.
12 7. The state comptroller shall by rule and
13 regulation adopt actuarial tables to be used to deter-
14 mine the amount of the annuities payable under this
15 section.
16 8. If any funds remain to the credit of a judge
17 after both he and the contingent annuitant have died
18 the funds remaining to his credit shall be credited
19 to the state general fund."
20 9. For the purposes of this chapter "survivor"
21 or "contingent annuitant" means the surviving spouse
22 of a person who was a judge, if married to the judge
23 for at least five years next preceding his death,
24 but does not include a surviving spouse who remarries.

MINNETTE DODERER

1 Amend Senate File 552, page 3, line 28, by inserting
2 after the word "appropriated." the following:
3 "The commissions, boards or departments to which this
4 appropriation is made may make application of any funds
5 that revert on September 30, 1972, and the respective
6 appropriation committees or a subcommittee thereof shall

- 7 hold a public hearing upon such application."

LEE H. GAUDINEER, JR.
EUGENE M. HILL

- 1 Amend Senate File 553, page 3, line 4, by inserting
2 after the word "appropriated." the following:
3 "The agencies to which this appropriation is made may
4 make application to the appropriation committees for
5 the reappropriation of any funds that revert on September
6 30, 1972 and the respective appropriation committees or a
7 subcommittee thereof shall hold a public hearing upon
8 such application."

LEE H. GAUDINEER, JR.
EUGENE M. HILL

- 1 Amend Senate File 554, page 3, line 9, by inserting
2 after the word "appropriated." the following:
3 "The board to which this appropriation is made may
4 make application to the appropriation committees for
5 the reappropriation of any funds that revert on September
6 30, 1972 and the respective appropriation committees or a
7 subcommitteee thereof shall hold a public hearing upon
8 such application."

LEE H. GAUDINEER, JR.
EUGENE M. HILL

- 1 Amend House File 46 as passed by the House, page 3,
2 by striking in line 18, the following: "*sunset to*
3 *sunrise*".

JAMES A. POTGETER

- 1 Amend House File 66, page 2, by striking lines 17 through 21,
2 inclusive.

JAMES A. POTGETER

On motion of Senator Lamborn and pursuant to House Concurrent Resolution 39 duly adopted, the Senate adjourned until 9:30 a.m., Tuesday, June 1, 1971.

JOURNAL OF THE SENATE

ONE HUNDRED FORTY-SECOND DAY

SENATE CHAMBER

DES MOINES, IOWA, TUESDAY, JUNE 1, 1971

The Senate met in regular session, President Jepsen presiding.

Prayer was offered by the Reverend Terry Pepper, Des Moines, Iowa, Legislative Index Clerk, who was graduated from the Open Bible College on May 15, 1971.

The Senate pledged allegiance to the flag.

The Journal of Friday, May 28, 1971, was approved.

SENATORS EXCUSED

Senator Lamborn asked and received unanimous consent that Senators Shaff, Ollenburg, Davis and Gaudineer be excused for meetings of the conference committee on House File 654.

GOVERNOR'S DAYS

M. A. (Curly) Hintzman, Secretary of the Clear Lake Chamber of Commerce, appeared in the well of the Senate with Tom Miller, President of the Chamber of Commerce, and extended an invitation to Governor's Days, at Clear Lake, Iowa, August 6, 7 and 8, 1971.

PRESENTATION OF VISITORS

The Chair announced that the following visitors were present in the Senate gallery:

Thirty-eight students from Joice Community School, Joice, Iowa, accompanied by Mrs. Richard Hanna.

PETITIONS

The following petitions favoring legislation to provide for a cost of living wage adjustment for 1971 and 1972, and for the continuation of longevity pay for Iowa Highway Commission employees, were received and placed on file:

By Senator Lamborn, from eighty-nine residents of Marshall County.

By Senator Nicholson, from fourteen hundred residents of Scott County.

The following petition was presented and placed on file:

By Senator Graham, from twenty-four residents of Calhoun County opposing repeal of the Iowa Meat and Poultry Inspection Law.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has refused to concur in Senate amendments to the following bill in which the concurrence of the House was asked:

House File 211, a bill for an act relating to terms of office of county attorneys.

Also: That the House has concurred in Senate amendment to and re-passed the following bill in which the concurrence of the House was asked:

House File 567, a bill for an act relating to commission form of cities.

Also: That the House has concurred in Senate amendment to and re-passed the following bill in which the concurrence of the Senate is asked:

House File 686, a bill for an act relating to review of school budgets for year commencing July 1, 1971.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 509, a bill for an act relating to vocational training and apprenticeship programs.

WILLIAM R. KENDRICK, Chief Clerk

HOUSE AMENDMENT TO SENATE FILE 509

- 1 Amend Senate File 509 by striking everything after
- 2 the enacting clause and inserting in lieu thereof the
- 3 following:
- 4 "Section 1. Section ninety-two point nine (92.9),
- 5 unnumbered paragraph one (1), Code 1971, is amended
- 6 as follows:
- 7 92.9 SCHOOL TRAINING PERMITTED. The provisions
- 8 of [section] sections 92.8 and 92.10 shall not apply
- 9 to pupils working under an instructor in a manual
- 10 training department in the public schools of the state
- 11 or under an instructor in a school shop, or industrial
- 12 plant, or in a course of vocational education, or to
- 13 apprentices provided they are employed under all of
- 14 the following conditions:."

INTRODUCTION OF BILLS

Senate File 558, by committee on appropriations, a bill for an act making an appropriation from the general fund of the state to the

Iowa state commerce commission and its divisions, and providing for the assessment of expenses incurred by the commission.

Read first time and placed on calendar.

Senate File 559, by committee on appropriations, a bill for an act to appropriate and authorize expenditures from the car dispatcher revolving fund.

Read first time and placed on calendar.

CONSIDERATION OF BILLS

Senate File 184

On motion of Senator Nicholson, Senate File 184, a bill for an act relating to licensing and regulation of hearing aid dealers, appropriating license fees for purposes of administration, and providing penalties for a violation, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Arbuckle offered the following amendment by the committee on state government:

- 1 Amend Senate File 184 as follows:
- 2 1. Page 2, by striking lines 4 and 5.
- 3 2. Page 2, line 14, by striking the word "board" and
- 4 inserting in lieu thereof the word "department".
- 5 3. Page 2, line 16, by striking the word "or" and
- 6 inserting in lieu thereof the word "and".
- 7 4. Page 2, line 17, by inserting after the word
- 8 "impressions" the words "as part of the sale of hearing
- 9 aids".
- 10 5. Page 2, by striking lines 22 to 35, inclusive,
- 11 and inserting in lieu thereof the following:
- 12 "Sec. 2. The department shall be the state agency
- 13 for the licensing and regulation of hearing aid dealers.
- 14 The department shall prepare examinations, develop
- 15 guidelines, and prescribe rules and regulations to carry
- 16 out the provisions of this Act."
- 17 6. Page 3, by striking lines 1 to 28, inclusive.
- 18 7. Page 3, lines 29 and 30, by striking the words
- 19 "with the advice and assistance of the board,".
- 20 8. Page 4, line 14, by striking the word "fifty" and
- 21 inserting in lieu thereof the word "twenty".
- 22 9. Page 5, line 6, by striking the word "medical"
- 23 and inserting in lieu thereof the word "professional".
- 24 10. Page 5, line 7, by striking the word "profes-
- 25 sional".

Page 2

- 1 11. Page 6, line 6, by striking the word "board" and
- 2 inserting in lieu thereof the word "department".
- 3 12. Page 6, line 20, by striking the word "fifty"
- 4 and inserting in lieu thereof the word "twenty".

- 5 13. Page 6, line 22, by striking the word "fifty-
6 five" and inserting in lieu thereof the word "twenty-
7 five".
8 14. Page 6, line 24, by striking the word "sixty"
9 and inserting in lieu thereof the word "thirty".
10 15. Page 7, line 9, by striking the word "board" and
11 inserting in lieu thereof the word "department".
12 16. Page 7, line 12, by striking the word "board"
13 and inserting in lieu thereof the word "department".
14 17. Page 7, line 13, by striking the word "board"
15 and inserting in lieu thereof the word "department".
16 18. Page 7, line 15, by striking the word "deems"
17 and inserting in lieu thereof the word "deem".
18 19. Page 8, line 19, by striking the word "or" and
19 inserting in lieu thereof the word "and".
20 20. Page 8, by striking lines 30 through 35, inclu-
21 sive.
22 21. Page 9, by striking lines 1 through 6, inclusive,
23 and inserting in lieu thereof the following:
24 "Sec. 13. The department shall deposit all fees
25 collected under the provisions of this Act in the general

Page 3

- 1 fund of the state. Compensation and travel expenses of
2 members and employees of the board, and other expenses
3 necessary for the board to administer and carry out the
4 provisions of this Act shall be paid from funds appro-
5 priated from the general fund of the state."
6 22. Page 12, line 2, by striking everything after
7 the word "days" and inserting in lieu thereof the follow-
8 ing:
9 "in the county jail, or by both such fine and
10 imprisonment."

Senator Arbuckle offered the following amendment to the amend-
ment filed by him on April 29 and moved its adoption:

- 1 Amend the committee on state government amendment to
2 Senate File 184, filed April 13, 1971, as follows:
3 Page 1, line 16, by inserting after the word "Act." the
4 following:
5 "The department shall ask for and receive guidance, advice
6 and recommendations, without cost to the state, from a council
7 of three licensed hearing aid dealers named for this purpose
8 by the Iowa Hearing Aid Dealers Association."

Division was called for.

The amendment to the amendment lost.

On motion of Senator Arbuckle, the committee amendment was
adopted.

Senator Nicholson offered the following amendment filed by Sena-
tors Nicholson, et al., on May 3 and moved its adoption:

- 1 Amend Senate File 184, page 12, by adding the
2 following new section after line 2:

3 Sec. 18. The provisions of the Act shall become
4 effective January 1, 1972.

The amendment was adopted.

Senator Arbuckle offered the following amendment and moved its adoption:

- 1 Amend Senate File 184 as follows:
- 2 Page 7, lines 16 and 17, by striking the words "fitting or
- 3 selection of" and inserting in lieu thereof the following:
- 4 "practice of recommending".

Division was called for.

The amendment lost.

Senator Nicholson offered the following amendment filed by him on May 26:

- 1 Amend Senate File 184, page 7, by striking all of
- 2 lines 26, 27, and 28, and inserting in lieu thereof the
- 3 following:
- 4 "This Act does not apply to licensed physicians and
- 5 surgeons, osteopaths or osteopathic physicians and
- 6 surgeons who are engaged in the practice of their profession."

Action on the amendment was temporarily deferred for the preparation of an amendment to the amendment.

Senator Lamborn asked and received unanimous consent that further action on **Senate File 184** be deferred and that the bill be placed on the calendar under **unfinished business**.

CONSIDERATION OF BILLS

Senator Lamborn asked and received unanimous consent to take up for consideration House File 703.

House File 703

On motion of Senator Keith, House File 703, a bill for an act making an appropriation from the general fund of the state to the Iowa reciprocity board, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Keith moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 703) the vote was:

Ayes, 41:

Anderson
Balloun
Bass

Briles
Brownlee
Carlson

Coleman
Conklin
Curran

Doderer
Erskine
Gilley

Glenn	Laverty	Palmer	Smith
Graham	Messerly	Potgeter	Stephens
Griffin	Miller	Rabedaux	Tapscott
Gross	Milligan	Rhodes	Thordsen
Hill	Mowry	Riley	Van Drie
Keith	Neu	Robinson	Van Gilst
Kennedy	Nicholson	Schaben	Walsh
Lamborn			

Nays, none.

Absent or not voting, 9:

Arbuckle	Gaudineer	Ollenburg	Shaff
Davis	Kyhl	Potter	Shawver
DeKoster			

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

Senator Lamborn asked and received unanimous consent to take up for consideration Senate File 557.

Senate File 557

On motion of Senator Keith, Senate File 557, a bill for an act to appropriate from the general fund of the state to the department of public safety and various divisions thereof, was taken up and considered.

Senator Keith offered the following amendment:

- 1 Amend Senate File 557 as follows:
- 2 1. Page 2, by striking lines 28 through 35, inclusive.
- 3 2. Page 3, by striking lines 1 through 7, inclusive.
- 4 3. Page 3, by striking lines 27 through 35, inclusive.
- 5 4. Page 4, by striking lines 1 through 5, inclusive.
- 6 5. Page 4, by striking lines 18 through 31, inclusive.

Senator Doderer moved that Senate File 557 be referred to the committee on appropriations.

SENATE FILE DEFERRED

Senator Lamborn asked and received unanimous consent that further action on **Senate File 557** be deferred and that the bill be placed on the calendar under **unfinished business**.

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

The Senate resumed session, President Jepsen presiding.

On motion of Senator Lamborn, the Senate recessed until 1:15 p.m.

AFTERNOON SESSION

The Senate reconvened, President Jepsen presiding.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate File 444, a bill for an act relating to student fees at merged area community colleges and vocational schools.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 485, a bill for an act relating to elections to fill vacancies in the General Assembly.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 518, a bill for an act relating to the condemnation of property by the county for flood and erosion control projects.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 533, a bill for an act to legalize the purchase of real estate by the state historical society.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 533, a bill for an act relating to inspection of patients' records.

WILLIAM R. KENDRICK, Chief Clerk

INTRODUCTION OF BILL

Senate File 560, by committee on appropriations, a bill for an act relating to state aid for the mentally ill and mentally retarded.

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

HOUSE MESSAGE CONSIDERED

House File 533, a bill for an act relating to inspection of patients' records.

Read first time and **passed on file**.

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

The Senate resumed session, Senator Brownlee presiding.

INTRODUCTION OF BILLS

Senate File 561, by committee on appropriations, a bill for an act

to appropriate from the general fund of the state to the Iowa state fair board for capital improvements.

Read first time and placed on calendar.

Senate File 562, by committee on appropriations, a bill for an act to appropriate from the general fund of the state of Iowa to the state historical society for development of designated historical sites.

Read first time and placed on calendar.

Senate File 563, by committee on appropriations, a bill for an act to appropriate funds from the general fund of the state to the state historical society.

Read first time and placed on calendar.

HOUSE AMENDMENTS TO SENATE AMENDMENT CONSIDERED

House File 129

Senator Milligan called up for consideration House File 129, a bill for an act to create a department of general services, transferring services presently performed by designated state agencies to the department of general services, eliminating the performance of certain duties, and providing penalties, amended by the Senate, and further amended by the House, and moved that the Senate refuse to concur in the House amendments to the Senate amendment found on pages 1434 and 1435 of the Senate Journal.

Roll call was requested.

On the question "Shall the motion to refuse to concur in the House amendments to the Senate amendment be adopted?" (H.F. 129) the vote was:

Ayes, 25:

Arbuckle	DeKoster	Lamborn	Potgeter
Bass	Doderer	Laverty	Rhodes
Brownlee	Erskine	Messerly	Riley
Carlson	Gilley	Milligan	Shawver
Coleman	Graham	Mowry	Thordsen
Conklin	Keith	Neu	Van Drie
Curran			

Nays, 17:

Anderson	Gross	Palmer	Stephens
Balloun	Hill	Robinson	Tapscott
Gaudineer	Kennedy	Schaben	Van Gilst
Glenn	Nicholson	Smith	Walsh
Griffin			

Absent or not voting, 8:

Briles
Davis

Kyhl
Miller

Ollenburg
Potter

Rabedaux
Shaff

The motion prevailed and the Senate refused to concur in the House amendments to the Senate amendment.

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

The Senate resumed session, Senator Brownlee presiding.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has concurred in Senate amendment to and repassed the following bill in which the concurrence of the House was asked:

House File 63, a bill for an act relating to compensation for public representatives serving on the committee on child labor.

Also: That the House has concurred in Senate amendment to and repassed the following bill in which the concurrence of the House was asked:

House File 268, a bill for an act relating to issuance and use of distress flags by handicapped persons.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 723, a bill for an act to appropriate from the general fund of the state to the state conservation commission for carrying out specific projects.

WILLIAM R. KENDRICK, Chief Clerk

INTRODUCTION OF BILL

Senate File 564, by committee on appropriations, a bill for an act to make appropriations to members of the advisory investment board of the Iowa public employees' retirement system.

Read first time and placed on calendar.

HOUSE MESSAGE CONSIDERED

House File 723, a bill for an act to appropriate from the general fund of the state of Iowa to the state conservation commission for carrying out specific projects.

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

UNFINISHED BUSINESS

Senator Lamborn asked and received unanimous consent to take up out of order Senate File 85.

Senate File 85

The Senate resumed consideration of Senate File 85, a bill for an act creating a department of environmental quality, specifying its powers, duties and functions, and providing penalties for violations thereof.

Senator Riley called up the following motion filed by him on May 14 and moved its adoption:

MR. PRESIDENT: I move to reconsider the vote by which the Gaudineer and Potgeter amendment filed April 30, 1971, to Senate File 85 was adopted by the Senate.

Roll call was requested.

On the question "Shall the motion to reconsider the Gaudineer-Potgeter amendment be adopted?" (S.F. 85) the vote was:

Rule 24 was invoked.

Ayes, 32:

Arbuckle	Doderer	Milligan	Schaben
Bass	Erschine	Mowry	Shaff
Brownlee	Gilley	Neu	Shawver
Coleman	Griffin	Nicholson	Smith
Conklin	Keith	Ollenburg	Stephens
Curran	Kennedy	Rhodes	Thordsen
Davis	Lamborn	Riley	Van Drie
DeKoster	Laverty	Robinson	Van Gilst

Nays, 14:

Anderson	Glenn	Messerly	Potgeter
Balloun	Graham	Miller	Tapscott
Briles	Gross	Palmer	Walsh
Gaudineer	Hill		

Absent or not voting, 4:

Carlson	Kyhl	Potter	Rabedaux
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The motion prevailed.

Senator Griffin withdrew the following motion filed by him on May 14:

MR. PRESIDENT: I move to reconsider the vote by which the Stephens, et al., amendment, filed May 13, 1971, to the Gaudineer-Potgeter amendment, filed April 30, 1971, to Senate File 85 failed to be adopted by the Senate.

The amendment filed by Senators Gaudineer and Potgeter on April 30, 1971, found on pages 1070-1078, inclusive, of the Senate Journal and adopted on May 14, was taken up for reconsideration.

Senator Gaudineer moved the adoption of the amendment.

Roll call was requested.

On the question "Shall the Gaudineer-Potgeter amendment be adopted?" (S.F. 85) the vote was:

Ayes, 18:

Anderson	Graham	Messeryly	Robinson
Balloun	Griffin	Miller	Schaben
Briles	Gross	Palmer	Tapscott
Gaudineer	Hill	Potgeter	Walsh
Glenn	Kennedy		

Nays, 26:

Bass	Doderer	Mowry	Shawver
Brownlee	Erskine	Neu	Smith
Coleman	Gilley	Nicholson	Stephens
Conklin	Keith	Rhodes	Thordsen
Curran	Lamborn	Riley	Van Drie
Davis	Laverty	Shaff	Van Gilst
DeKoster	Milligan		

Absent or not voting, 6:

Arbuckle	Kyhl	Potter	Rabedeaux
Carlson	Ollenburg		

The amendment lost.

Senator Shawver offered the amendment filed by Senators Shawver and Laverty on April 23, 1971, and found on pages 960, 961 and 962 of the Senate Journal.

Senator Laverty called for a division of the amendment as follows:

Division 1—Pages 1, 2 and 3

Page 4, lines 1 through 24

Page 6, lines 12, 13 and 14

Division 2—Page 4, line 25

Page 5

Page 6, lines 1 through 11

Senator Laverty withdrew division 2 of the amendment.

Action on division 1 of the amendment was deferred for the preparation of an amendment to the amendment.

Senator Walsh withdrew the amendment filed by him on May 12, 1971, and found on pages 1239-1245 of the Senate Journal.

(Senate File 85 pending.)

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which House File 216 failed to pass the Senate.

HAROLD A. THORDSEN

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on May 28, 1971, the Governor approved and transmitted to the Secretary of State the following bills:

- H. F. 14—Relating to the leasing of property by the state conservation commission.
- H. F. 23—Relating to the definition of pipeline and pipeline company.
- H. F. 73—Relating to conservation of soil and water resources of the state, and to control of water pollution.
- H. F. 132—Relating to the penalties for false use of credit cards and fraudulent use of wire services.

REPORTS OF COMMITTEE

Senator Messerly submitted the following reports:

MR. PRESIDENT: Your committee on appropriations, to which was referred **House File 693**, a bill for an act to appropriate from moneys received by the Iowa aeronautics commission, begs leave to report it has had the same under consideration and recommends the same **do pass**.

FRANCIS L. MESSERLY, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred **House File 700**, a bill for an act to appropriate from moneys received by certain commissions, boards and departments, begs leave to report it has had the same under consideration and recommends the same **do pass**.

FRANCIS L. MESSERLY, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred **House File 705**, a bill for an act to make an appropriation to the department of history and archives, begs leave to report it has had the same under consideration and recommends the same **do pass**.

FRANCIS L. MESSERLY, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred **House File 708** a bill for an act making an appropriation to the commission on aging, begs leave to report it has had the same under consideration and recommends the same **do pass**.

FRANCIS L. MESSERLY, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred **House File 715**, a bill for an act to appropriate moneys received by the department of public safety motor vehicle dealers license fee fund, begs leave to report it has had the same under consideration and recommends the same **do pass**.

FRANCIS L. MESSERLY, Chairman

Ordered passed on file.

AMENDMENTS FILED

- 1 Amend the Nicholson amendment, filed May 26, 1971, to Senate
- 2 File 184, line 6, by adding after the word "surgeons", the words
- 3 "and chiropractors."

CHARLES P. MILLER

- 1 Amend Senate File 387, as follows:
- 2 1. Page 19, line 2, by striking the word "may" and
- 3 inserting in lieu thereof the word "shall".
- 4 2. Page 19, by inserting after line 17 the following
- 5 new paragraph:
- 6 "Any judgment or penalty imposed against an employee
- 7 organization or a public employer under this Act shall
- 8 not be nullified, reduced, or affected by any collective
- 9 bargaining agreement negotiated under this Act."

RICHARD L. STEPHENS

- 1 Amend Senate File 552, page 3, line 28, by inserting after the
- 2 word "appropriated." the following:
- 3 "The commissions, boards and departments to which this appropri-
- 4 ation is made may make application to the appropriation committee for
- 5 the reappropriation of any funds that do revert, or probably will
- 6 revert upon the dates herein set and the respective appropriation
- 7 committee or a subcommittee thereof shall hold a hearing upon such
- 8 application while the general assembly is in regular session."

COMMITTEE ON APPROPRIATIONS

FRANCES L. MESSERLY, Chairman

- 1 Amend Senate File 553, page 3, line 4, by inserting after the
- 2 word "appropriated." the following:
- 3 "The state agencies to which this appropriation is made may
- 4 make application to the appropriation committee for the reappropri-
- 5 ation of any funds that do revert, or probably will revert upon the
- 6 dates herein set and the respective appropriation committee or a
- 7 subcommittee thereof shall hold a hearing upon such application
- 8 while the general assembly is in regular session."

COMMITTEE ON APPROPRIATIONS

FRANCIS L. MESSERLY, Chairman

- 1 Amend Senate File 554, page 3, line 9, by inserting after the
- 2 word "appropriated." the following:
- 3 "The board to which this appropriation is made may make appli-
- 4 cation to the appropriation committee for the reappropriation of any

5 funds that do revert, or probably will revert upon the dates herein
6 set and the respective appropriation committee or a subcommittee
7 thereof shall hold a hearing upon such application while the general
8 assembly is in regular session."

COMMITTEE ON APPROPRIATIONS
FRANCIS L. MESSERLY, Chairman

- 1 Amend Senate File 557 as follows:
2 1. Page 2, by striking line 11 and insert in lieu thereof the
3 following: "nance, and miscellaneous purposes. \$300,389.00
4 \$309,789.00".
5 2. Page 2, by striking line 14 and insert in lieu thereof the
6 following: "Total \$400,389.00 \$409,789.00".
7 3. Page 3, by striking line 10 and insert in lieu thereof the
8 following: "nance, and miscellaneous purposes. \$165,110.00
9 \$171,260.00".
10 4. Page 3, by striking line 26 and insert in lieu thereof the
11 following: "sonnel included in the system. \$7,592,238.00
12 \$7,646,212.00".
13 5. Page 5, by striking line 11 and insert in lieu thereof the
14 following: "(1 of this Act. \$10,502,771.00 \$10,584,214.00".

HAROLD A. THORSEN
ARTHUR A. NEU

- 1 Amend Senate File 557, page 5, line 22, by inserting
2 after the word "appropriated." the following:
3 "The department to which this appropriation is made may
4 make application to the appropriation committees for
5 the reappropriation of any funds that revert on September
6 30, 1972 and the respective appropriation committees or a
7 subcommittee thereof shall hold a public hearing upon
8 such application."

EUGENE M. HILL

- 1 Amend Senate File 557, page 5, line 31, by adding a new section:
2 Sec. The department of public safety is hereby directed to
3 conduct a study to determine the extent of the usefulness and safety
4 aspects of the life lite and the feasibility of the installation of
5 the life lite on all automobiles.
6 The department of public safety shall use no more than \$10,000
7 of the state's appropriated funds for this study but may use any and
8 all matching federal funds.
9 The department of public safety shall install the life lite
10 on one hundred and fifty (150) state owned cars to conduct the study.
11 The study shall be conducted for one year and the results and re-
12 commendations of the department of public safety shall be presented
13 to the Sixty-fifth General Assembly.

JOHN M. WALSH

- 1 Amend House File 46, page 3, line 15 by striking the
2 words "[may] shall" and inserting in lieu thereof the word
3 "may".

CHARLES F. BALLOUN

- 1 Amend House File 696, page 2, line 19, by inserting after the
2 word "appropriated." the following:
3 "The commission to which this appropriation is made may make
4 application to the appropriation committee for the reappropriation
5 of any funds that do revert, or probably will revert upon the dates
6 herein set and the respective appropriation committee or a sub-
7 committee thereof shall hold a hearing upon such application while
8 the general assembly is in regular session."

COMMITTEE ON APPROPRIATIONS
FRANCIS L. MESSERLY, Chairman

- 1 Amend House File 701, page 3, line 30, by inserting
2 after the word "appropriated." the following:
3 "The department to which this appropriation is made may
4 make application to the appropriation committees for
5 the reappropriation of any funds that revert on September
6 30, 1972 and the respective appropriation committees or a
7 subcommittee thereof shall hold a public hearing upon
8 such application."

EUGENE M. HILL

- 1 Amend House File 704 as amended by the House as
2 follows:
3 1. Page 2, line 12, by striking the figures "1973"
4 and inserting the figures "1972".
5 2. Page 3, line 48, by striking the word "twelve"
6 and inserting in lieu thereof the word "nine".
7 3. Page 3, line 49, by inserting before the period
8 the words "but in no event shall benefits be withheld
9 after twelve weeks from the date on which the claim
10 was filed."

LEE GAUDINEER
TOM RILEY
CLOYD ROBINSON
W. R. RABEDEAUX

- 1 Amend House File 704 as follows:
2 1. Page 2, by striking lines 12 through 15 inclusive
3 and substituting in lieu thereof the words: "Such maximum".

WILSON L. DAVIS

- 1 Amend House File 704, page 3, by striking lines 27 through
2 39, inclusive, and inserting in lieu thereof the following:
3 "a. He left his employment in good faith for the sole
4 purpose of accepting better employment, which he did accept,
5 and that he remained continuously in said new employment for
6 not less than six weeks. Wages earned with the employer that
7 he has left shall, for the purpose of computing and charging
8 benefits, be deemed wages earned from the employer with whom
9 the individual accepted better employment and benefits shall
10 be charged to the employer with whom he accepted better employment.
11 The commission shall advise the chargeable employer of the name
12 and address of the other employer, the period covered, and the
13 extent of benefits which may be charged to the account of the

14 chargeable employer. In those cases where the new employment
 15 is in another state, no employers account shall be charged
 16 with benefits so paid except that employers who are required
 17 by law or by their election to reimburse the fund for benefits
 18 paid shall be charged with benefits under this paragraph."

LUCAS J. DeKOSTER

1 Amend House File 704, page 9, by striking lines 15 through 35
 2 and on page 10, line 1, and inserting in lieu thereof the following:
 3 Contribution If the percentage of excess is:

4 Rates					
5 Shall Be	Table	Table	Table	Table	Table
6 %	1	2	3	4	5
7 2.7	0.0 to 2.2	0.0 to 1.9	0.0 to 1.6	0.0 to 1.3	0.0 to 1.0
8 2.5	2.2 to 2.4	1.9 to 2.1	1.6 to 1.7	1.3 to 1.4	1.0 to 1.1
9 2.3	2.4 to 2.6	2.1 to 2.3	1.7 to 1.8	1.4 to 1.5	1.1 to 1.2
10 2.1	2.6 to 2.8	2.3 to 2.5	1.8 to 1.9	1.5 to 1.6	1.2 to 1.3
11 1.9	2.8 to 3.0	2.5 to 2.7	1.9 to 2.0	1.6 to 1.7	1.3 to 1.4
12 1.7	3.0 to 3.2	2.7 to 2.9	2.0 to 2.2	1.7 to 1.8	1.4 to 1.5
13 1.5	3.2 to 3.4	2.9 to 3.1	2.2 to 2.4	1.8 to 1.9	1.5 to 1.6
14 1.3	3.4 to 3.6	3.1 to 3.3	2.4 to 2.6	1.9 to 2.0	1.6 to 1.7
15 1.1	3.6 to 3.9	3.3 to 3.5	2.6 to 2.8	2.0 to 2.2	1.7 to 1.8
16 .9	3.9 to 4.3	3.5 to 3.7	2.8 to 3.1	2.2 to 2.4	1.8 to 1.9
17 .7	4.3 to 4.8	3.7 to 4.1	3.1 to 3.6	2.4 to 2.7	1.9 to 2.0
18 .5	4.8 to 5.5	4.1 to 4.7	3.6 to 4.4	2.7 to 3.2	2.0 to 2.2
19 .3	5.5 to 6.4	4.7 to 5.7	4.4 to 5.5	3.2 to 4.7	2.2 to 2.5
20 .2	-	-	-	-	2.5 to 2.9
21 .1	6.4 to 7.5	5.7 to 7.2	5.5 to 7.0	4.7 to 6.7	2.9 to 3.4
22 .075	-	-	-	-	3.4 to 4.1
23 .050	-	-	-	-	4.1 to 5.1
24 0.025	-	-	-	-	5.1 to 6.5

LUCAS J. DeKOSTER

1 Amend House File 704, page 11, by adding the following after
 2 line 4:

3 "On or before the fifth day of December of each calendar
 4 year, beginning in 1971, the commission shall notify each
 5 employer of the table which will apply to the contribution
 6 rates in the following calendar year."

LUCAS J. DeKOSTER

1 Amend House File 704, page 21, by adding the following new
 2 section after line 25, and renumber the remaining sections and
 3 correct internal references if needed to conform with this
 4 amendment:

5 Sec. 17. Section ninety-six point fourteen (96.14), sub-
 6 section 2, Code 1971, is amended by striking unnumbered paragraph
 7 three (3) and inserting in lieu thereof the following:

8 "However, in the event an employer is not required to make a
 9 contribution, the penalties for failure to file a report when
 10 due, or an insufficient report when due, shall be an amount
 11 equal to two percent (2.0%) of the contributions which would
 12 have been required to be paid had the employer's rate been
 13 one percent (1.0%) of his taxable payroll, for each month or

- 14 part thereof for failure to file such report, provided that
15 the total of such penalties shall not exceed ten percent (10%)
16 of the contribution so determined. After December 31, 1971
17 no penalty or penalties shall be less than ten dollars (\$10.00).

RUDY VAN DRIE

On motion of Senator Lamborn, the Senate adjourned until 9:00
a.m., Wednesday, June 2, 1971.

JOURNAL OF THE SENATE

ONE HUNDRED FORTY-THIRD DAY

SENATE CHAMBER

DES MOINES, IOWA, WEDNESDAY, JUNE 2, 1971

The Senate met in regular session, President Jepsen presiding.

Prayer was offered by the Reverend Leslie W. Chapman, pastor of the Congregational Church, Charles City, Iowa.

The Senate pledged allegiance to the flag.

The Journal of Tuesday, June 1, 1971, was approved.

PRESENTATION OF VISITORS

The Chair announced that the following visitors were present in the Senate gallery:

Sixty students from Essex Community School, Essex, Iowa, accompanied by Mrs. Belle Ruhl and Mrs. Leland Tillman.

REPORTS OF INVESTIGATING COMMITTEES

Senator Carlson submitted the following report and moved its adoption:

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Mrs. Elizabeth Kruidenier, Des Moines, Polk County, Iowa, for appointment as a member of the Civil Rights Commission for the State of Iowa pursuant to section 105A.3, 1971 Code of Iowa, for a regular four-year term commencing July 1, 1971, and ending June 30, 1975, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

REINHOLD O. CARLSON, Chairman
R. DEAN ARBUCKLE
CHARLES O. LAVERTY
RUDY VAN DRIE
BASS VAN GILST

The motion prevailed and the report was adopted.

Senator Carlson moved that the appointment of Mrs. Elizabeth Kruidenier be confirmed.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 42:

Anderson	Erskine	Messerly	Riley
Arbuckle	Gaudineer	Miller	Robinson
Balloun	Gilley	Milligan	Shaff
Bass	Glenn	Neu	Shawver
Briles	Graham	Nicholson	Smith
Brownlee	Griffin	Ollenburg	Stephens
Carlson	Gross	Palmer	Thordsen
Coleman	Hill	Potgeter	Van Drie
Conklin	Keith	Potter	Van Gilst
DeKoster	Lamborn	Rhodes	Walsh
Doderer	Laverty		

Nays, none.

Absent or not voting, 8:

Curran	Kennedy	Mowry	Schaben
Davis	Kyhl	Rabedeaux	Tapscott

President Jepsen declared the appointment of Mrs. Elizabeth Kruidenier as a member of the Civil Rights Commission confirmed for the regular four-year term ending June 30, 1975.

Senator Stephens submitted the following report and moved its adoption:

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of DeEdwin F. White of Burlington, Des Moines County, Iowa, for appointment as a member of the Civil Rights Commission for the State of Iowa under the provisions of section 105A.3, 1971 Code of Iowa, for a regular four-year term commencing July 1, 1971, and ending June 30, 1975, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

RICHARD L. STEPHENS, Chairman
 WILSON L. DAVIS
 CHARLES P. MILLER
 EDWARD E. NICHOLSON
 W. R. RABEDEAUX

The motion prevailed and the report was adopted.

Senator Stephens moved that the appointment of DeEdwin F. White be confirmed.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 43:

Anderson	Doderer	Messerly	Riley
Arbuckle	Erskine	Miller	Robinson
Bass	Gaudineer	Milligan	Schaben
Briles	Gilley	Mowry	Shaff
Brownlee	Glenn	Neu	Shawver
Carlson	Graham	Nicholson	Stephens
Coleman	Gross	Ollenburg	Thordsen
Conklin	Hill	Palmer	Van Drie
Curran	Keith	Potgeter	Van Gilst
Davis	Kennedy	Potter	Walsh
DeKoster	Lamborn	Rhodes	

Nays, none.

Absent or not voting, 7:

Balloun	Kyhl	Rabedaux	Tapscott
Griffin	Laverty	Smith	

President Jepsen declared the appointment of DeEdwin F. White as a member of the Civil Rights Commission confirmed for the regular four-year term ending June 30, 1975.

Senator Erskine submitted the following report and moved its adoption:

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Lawrence S. Slotsky of Sioux City, Woodbury County, Iowa, for appointment as a member of the Civil Rights Commission for the State of Iowa under the provisions of section 105A.3, Code 1971, for the regular four-year term beginning July 1, 1971, and ending June 30, 1975, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

ALDEN J. ERSKINE, Chairman
LUCAS J. DeKOSTER
J. WESLEY GRAHAM
G. WILLIAM GROSS
MARVIN W. SMITH

The motion prevailed and the report was adopted.

Senator Erskine moved that the appointment of Lawrence S. Slotsky be confirmed.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 47:

Anderson	Doderer	Messerly	Robinson
Arbuckle	Erskine	Miller	Schaben
Balloun	Gaudineer	Milligan	Shaff
Bass	Gilley	Mowry	Shawver
Briles	Glenn	Neu	Smith
Brownlee	Graham	Nicholson	Stephens
Carlson	Griffin	Ollenburg	Tapscott
Coleman	Gross	Palmer	Thordsen
Conklin	Hill	Potgeter	Van Drie
Curran	Keith	Potter	Van Gilst
Davis	Lamborn	Rhodes	Walsh
DeKoster	Laverty	Riley	

Nays, none.

Absent or not voting, 3:

Kennedy	Kyhl	Rabedaux
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President Jepsen declared the appointment of Lawrence S. Slotsky as a member of the Civil Rights Commission confirmed for the regular four-year term ending June 30, 1975.

SPECIAL ORDER OF BUSINESS

Senate File 546

The hour having arrived, the Chair announced the special order of business for the consideration of Senate File 546.

Senator DeKoster asked and received unanimous consent that James T. Klein, member of the Employment Security Commission, be permitted to remain in the Senate chamber as his consultant on Senate File 546.

On motion of Senator DeKoster, Senate File 546, a bill for an act to extend and improve the federal-state unemployment compensation program, was taken up and considered.

SUBSTITUTION

Senator DeKoster asked and received unanimous consent that **House File 704** be substituted for **Senate File 546**.

House File 704

On motion of Senator DeKoster, House File 704, a bill for an act to extend and improve the federal-state unemployment compensation program, was taken up and considered.

Senator Gaudineer offered the following amendment filed by Senators Gaudineer, Riley, et al.:

- 1 Amend House File 704, as amended by the House, as
- 2 follows:

Division 1

- 3 1. Page 2, line 12, by striking the figures "1973"
- 4 and inserting the figures "1972".

Division 2

- 5 2. Page 3, line 48, by striking the word "twelve"
- 6 and inserting in lieu thereof the word "nine".

Division 3

- 7 3. Page 3, line 49, by inserting before the period
- 8 the words " , but in no event shall benefits be withheld
- 9 after twelve weeks from the date on which the claim
- 10 was filed."

Senator DeKoster called for a division of the amendment, section 1 to be considered as division 1, section 2 as division 2, and section 3 as division 3.

Senator Gaudineer moved the adoption of division 1 of the amendment.

Roll call was requested.

On the question "Shall division 1 of the Gaudineer, et al., amendment be adopted?" (H.F. 704) the vote was:

Rule 24 was invoked.

Ayes, 21:

Carlson	Gross	Neu	Robinson
Coleman	Kennedy	Nicholson	Schaben
DeKoster	Laverty	Palmer	Tapscott
Doderer	Miller	Potter	Thordsen
Gaudineer	Milligan	Riley	Van Gilst
Glenn			

Nays, 24:

Arbuckle	Curran	Hill	Rhodes
Balloun	Davis	Keith	Shawver
Bass	Erskine	Lamborn	Smith
Briles	Gilley	Messerly	Stephens
Brownlee	Graham	Mowry	Van Drie
Conklin	Griffin	Potgeter	Walsh

Absent or not voting, 5:

Anderson	Ollenburg	Rabedaux	Shaff
Kyhl			

Division 1 of the amendment lost.

Senator Gaudineer moved the adoption of division 2 of the amendment.

Roll call was requested.

On the question "Shall division 2 of the Gaudineer, et al., amendment be adopted?" (H.F. 704) the vote was:

Ayes, 31:

Arbuckle	Doderer	Mowry	Schaben
Briles	Gaudineer	Neu	Shawver
Brownlee	Glenn	Nicholson	Stephens
Carlson	Gross	Palmer	Tapscott
Coleman	Hill	Potter	Thordsen
Conklin	Kennedy	Rhodes	Van Gilst
Davis	Miller	Riley	Walsh
DeKoster	Milligan	Robinson	

Nays, 12:

Balloun	Erskine	Griffin	Potgeter
Bass	Gilley	Keith	Smith
Curran	Graham	Lamborn	Van Drie

Absent or not voting, 7:

Anderson	Laverty	Ollenburg	Shaff
Kyhl	Messerly	Rabedaux	

Division 2 of the amendment was adopted.

Senator Rhodes took the chair at 11:02 a.m.

Senator Gaudineer moved the adoption of division 3 of the amendment and requested a roll call.

On the question "Shall division 3 of the Gaudineer, et al., amendment be adopted?" (H.F. 704) the vote was:

Rule 24 was invoked.

Ayes, 20:

Carlson	Glenn	Nicholson	Schaben
Coleman	Gross	Palmer	Tapscott
Conklin	Hill	Potter	Thordsen
Doderer	Kennedy	Riley	Van Gilst
Gaudineer	Miller	Robinson	Walsh

Nays, 25:

Arbuckle	DeKoster	Lamborn	Rhodes
Balloun	Erskine	Lavery	Shaff
Bass	Gilley	Milligan	Shawver
Briles	Graham	Mowry	Smith
Brownlee	Griffin	Neu	Stephens
Curran	Keith	Potgeter	Van Drie
Davis			

Absent or not voting, 5:

Anderson	Messerly	Ollenburg	Rabedaux
Kyhl			

Division 3 of the amendment lost.

Senator DeKoster offered the following amendment:

- 1 Amend House File 704, page 3, line 49, by inserting before
- 2 the period the words " , but in the event extended benefits
- 3 are in effect as provided for by this chapter, then benefits
- 4 shall not be withheld after twelve weeks from the date on
- 5 which the claim was filed."

Senator Arbuckle raised a point of order on the amendment for the reason that the same subject matter had already been considered by the Senate.

The Chair ruled the point not well taken and the amendment in order.

President Jepsen took the chair at 11:32 a.m.

Senator DeKoster moved the adoption of his amendment and requested a roll call.

On the question "Shall the DeKoster amendment to page 3 be adopted?" (H.F. 704) the vote was:

Ayes, 30:

Briles	Curran	Glenn	Keith
Brownlee	Davis	Graham	Kennedy
Carlson	DeKoster	Gross	Miller
Coleman	Gaudineer	Hill	Milligan

Mowry
Neu
Nicholson
Palmer

Potter
Rhodes
Riley
Robinson

Schaben
Shawver
Tapscott

Thordsen
Van Gilst
Walsh

Nays, 10:

Anderson
Arbuckle
Bass

Gilley
Griffin
Lamborn

Potgeter
Smith

Stephens
Van Drie

Absent or not voting, 10:

Balloun
Conklin
Doderer

Erskine
Kyhle
Laverty

Messerly
Ollenburg

Rabedeaux
Shaff

The amendment was adopted.

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

The Senate resumed session, President Jepsen presiding.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Rhodes, from the joint committee on enrolled bills, submitted the following report and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate Files 89, 280, 332 and 473.

JOHN C. RHODES
Chairman, Senate Committee
ELIZABETH R. MILLER
Chairman, House Committee

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate the following bills: Senate Files 89, 280, 332 and 473.

BILLS SENT TO THE GOVERNOR

Senator Rhodes, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 2nd day of June, 1971, sent to the Governor for his approval: Senate Files 89, 280, 332 and 473.

JOHN C. RHODES, Chairman

Passed on file.

On motion of Senator Lamborn, the Senate recessed until 1:15 p.m.

AFTERNOON SESSION

The Senate reconvened, President Jepsen presiding.

SPECIAL GUESTS

Members of the Youth Club from the Mesquakie Indian Settlement, Tama, Iowa, appeared at the rear of the Senate chamber attired in authentic ceremonial costumes and presented several of their native dances.

The young people were introduced by Mrs. Brown, who pointed out some of the problems of Indian youth in a white society. Mrs. Brown also invited the Senators to visit the Powwow at Tama, Iowa, August 11-15, 1971.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File 225, a bill for an act relating to municipal judges.

Also: That the House has concurred in Senate amendment to and re-passed the following bill in which the concurrence of the House was asked:

House File 600, a bill for an act relating to the minimum age for appointment of commissioned and warrant officers in the national guard.

WILLIAM R. KENDRICK, Chief Clerk

REPORT OF INVESTIGATING COMMITTEE

Senator Erskine submitted the following report and moved its adoption:

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Julian Torgerson of Sioux City, Woodbury County, Iowa, for appointment as a member of the Merit Employment Commission for the State of Iowa under the provisions of section 19A.6, Code 1971, for the unexpired portion of a term ending June 30, 1975, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

ALDEN J. ERSKINE, Chairman
S. J. BROWNLEE
JAMES W. GRIFFIN
G. WILLIAM GROSS
ARTHUR A. NEU

The motion prevailed and the report was adopted.

Senator Erskine asked and received unanimous consent that further action on the confirmation of Julian Torgerson be deferred.

SPECIAL ORDER CONTINUED

House File 704

The Senate resumed consideration of House File 704.

Senator DeKoster offered the following amendment filed by him on June 1 and moved its adoption:

- 1 Amend House File 704, page 3, by striking lines 27 through
- 2 39, inclusive, and inserting in lieu thereof the following:
- 3 "a. He left his employment in good faith for the sole
- 4 purpose of accepting better employment, which he did accept,
- 5 and that he remained continuously in said new employment for
- 6 not less than six weeks. Wages earned with the employer that
- 7 he has left shall, for the purpose of computing and charging
- 8 benefits, be deemed wages earned from the employer with whom
- 9 the individual accepted better employment and benefits shall
- 10 be charged to the employer with whom he accepted better employment.
- 11 The commission shall advise the chargeable employer of the name
- 12 and address of the other employer, the period covered, and the
- 13 extent of benefits which may be charged to the account of the
- 14 chargeable employer. In those cases where the new employment
- 15 is in another state, no employers accounts shall be charged
- 16 with benefits so paid except that employers who are required
- 17 by law or by their election to reimburse the fund for benefits
- 18 paid shall be charged with benefits under this paragraph."

The amendment was adopted.

Senator DeKoster moved to reconsider the vote by which the DeKoster amendment filed June 2, 1971, to page 3, line 49, was adopted by the Senate.

The motion prevailed and the amendment was taken up for reconsideration.

Senator DeKoster offered the following amendment to the amendment and moved its adoption:

- 1 Amend the DeKoster amendment, filed June 2, 1971, to page 3,
- 2 to House File 704, by striking in lines 4 and 5 the words "weeks
- 3 from the date on which the claim was filed.", and insert in lieu
- 4 thereof the words "consecutive weeks of unemployment from the date
- 5 he quits, during which time he shall be actively and earnestly
- 6 seeking employment."

The amendment to the amendment was adopted.

On motion of Senator DeKoster, the amendment as amended was adopted.

Senator Davis offered the following amendment filed by him on June 1:

- 1 Amend House File 704 as follows:
- 2 1. Page 2, by striking lines 12 through 15, inclusive,
- 3 and substituting in lieu thereof the words: "Such maximum".

Senator Davis moved the adoption of his amendment and requested a roll call.

On the question "Shall the Davis amendment be adopted?" (H.F. 704) the vote was:

Rule 24 was invoked.

Ayes, 20:

Anderson	Conklin	Graham	Potgeter
Arbuckle	Curran	Griffin	Rhodes
Balloun	Davis	Keith	Smith
Bass	Erskine	Lamborn	Stephens
Brownlee	Gilley	Ollenburg	Van Drie

Nays, 27:

Briles	Gross	Mowry	Schaben
Carlson	Hill	Neu	Shawver
Coleman	Kennedy	Nicholson	Tapscott
DeKoster	Laverty	Palmer	Thordsen
Doderer	Messerly	Potter	Van Gilst
Gaudineer	Miller	Riley	Walsh
Glenn	Milligan	Robinson	

Absent or not voting, 3:

Kyhl	Rabedeaux	Shaff
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The amendment lost.

Senator DeKoster offered the following amendment filed by him on June 1 and moved its adoption:

1 Amend House File 704, page 9, by striking lines 15 through 35
 2 and on page 10, line 1, and inserting in lieu thereof the following:
 3 Contribution If the percentage of excess is:
 4 Rates
 5 Shall Be Table Table Table Table Table
 6 % 1 2 3 4 5
 7 2.7 0.0 to 2.2 0.0 to 1.9 0.0 to 1.6 0.0 to 1.3 0.0 to 1.0
 8 2.5 2.2 to 2.4 1.9 to 2.1 1.6 to 1.7 1.3 to 1.4 1.0 to 1.1
 9 2.3 2.4 to 2.6 2.1 to 2.3 1.7 to 1.8 1.4 to 1.5 1.1 to 1.2
 10 2.1 2.6 to 2.8 2.3 to 2.5 1.8 to 1.9 1.5 to 1.6 1.2 to 1.3
 11 1.9 2.8 to 3.0 2.5 to 2.7 1.9 to 2.0 1.6 to 1.7 1.3 to 1.4
 12 1.7 3.0 to 3.2 2.7 to 2.9 2.0 to 2.2 1.7 to 1.8 1.4 to 1.5
 13 1.5 3.2 to 3.4 2.9 to 3.1 2.2 to 2.4 1.8 to 1.9 1.5 to 1.6
 14 1.3 3.4 to 3.6 3.1 to 3.3 2.4 to 2.6 1.9 to 2.0 1.6 to 1.7
 15 1.1 3.6 to 3.9 3.3 to 3.5 2.6 to 2.8 2.0 to 2.2 1.7 to 1.8
 16 .9 3.9 to 4.3 3.5 to 3.7 2.8 to 3.1 2.2 to 2.4 1.8 to 1.9
 17 .7 4.3 to 4.8 3.7 to 4.1 3.1 to 3.6 2.4 to 2.7 1.9 to 2.0
 18 .5 4.8 to 5.5 4.1 to 4.7 3.6 to 4.4 2.7 to 3.2 2.0 to 2.2
 19 .3 5.5 to 6.4 4.7 to 5.7 4.4 to 5.5 3.2 to 4.7 2.2 to 2.5
 20 .2 - - - - 2.5 to 2.9
 21 .1 6.4 to 7.5 5.7 to 7.2 5.5 to 7.0 4.7 to 6.7 2.9 to 3.4
 22 .075 - - - - 3.4 to 4.1
 23 .050 - - - - 4.1 to 5.1
 24 0.025 - - - - 5.1 to 6.5

The amendment was adopted.

Senator DeKoster offered the following amendment filed by him on June 1:

- 1 Amend House File 704, page 11, by adding the following after
- 2 line 4:
- 3 "On or before the fifth day of December of each calendar
- 4 year, beginning in 1971, the commission shall notify each
- 5 employer of the table which will apply to the contribution
- 6 rates in the following calendar year."

Senator DeKoster offered the following amendment to the amendment and moved its adoption:

- 1 Amend the DeKoster amendment filed June 1, 1971, to House
- 2 File 704, page 11, by striking from line 4 the words "notify
- 3 each" and insert in lieu thereof the words "make available
- 4 to", and by striking from line 5 the words "employer of" and
- 5 inserting in lieu thereof the word "employers".

The amendment to the amendment was adopted.

On motion of Senator DeKoster, the amendment as amended was adopted.

Senator Van Drie offered the following amendment and moved its adoption:

- 1 Amend House File 704, page 21, by adding the following new
- 2 section after line 25, and renumber the remaining sections and
- 3 correct internal references if needed to conform with this
- 4 amendment:
- 5 Sec. 17. Section ninety-six point fourteen (96.14), sub-
- 6 section 2, Code 1971, is amended by striking unnumbered paragraph
- 7 three (3) and inserting in lieu thereof the following:
- 8 "However, in the event an employer is not required to make a
- 9 contribution, the penalties for failure to file a report when
- 10 due, or an insufficient report when due, shall be an amount
- 11 equal to two percent (2.0%) of the contributions which would
- 12 have been required to be paid had the employer's rate been
- 13 one percent (1.0%) of his taxable payroll, for each month or
- 14 part thereof for failure to file such report, provided that
- 15 the total of such penalties shall not exceed ten percent (10%)
- 16 of the contribution so determined. After December 31, 1971
- 17 no penalty or penalties shall be less than ten dollars (\$10.00).

The amendment was adopted.

Senator Gaudineer offered the following amendment and moved its adoption:

- 1 Amend House File 704 as follows:
- 2 Page 17, line 31, by inserting after the word "section" the words
- 3 "or in accordance with section fifteen (15) of this Act".

The amendment was adopted.

Senator Gaudineer offered the following amendment and moved its adoption:

- 1 Amend House File 704 as follows:
- 2 1. Page 7, line 19, by striking the word "and".
- 3 2. Page 7, line 29, by striking the first word "and".

The amendment was adopted.

Senator Gaudineer offered the following amendment and moved its adoption:

- 1 Amend House File 704 as follows:
- 2 Page 19, line 26, by striking the word "subsection" and inserting
- 3 in lieu thereof the word "paragraph".

The amendment was adopted.

Senator Gaudineer offered the following amendment and moved its adoption:

- 1 Amend House File 704 as follows:
- 2 Page 22, line 16, by striking the word "Act" and inserting in
- 3 lieu thereof the word "section".

The amendment was adopted.

Senator Van Drie offered the following amendment and moved its adoption:

- 1 Amend House File 704, page 31, by striking all of lines
- 2 18 through 20 and renumbering the remaining sections.

The amendment lost.

Senator DeKoster moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 704) the vote was:

Ayes, 45:

Anderson	Erschine	Messerly	Riley
Arbuckle	Gaudineer	Miller	Robinson
Balloun	Glenn	Milligan	Schaben
Briles	Graham	Mowry	Shawver
Brownlee	Griffin	Neu	Smith
Carlson	Gross	Nicholson	Stephens
Coleman	Hill	Ollenburg	Tapscott
Conklin	Keith	Palmer	Thordsen
Curran	Kennedy	Potgeter	Van Drie
Davis	Lamborn	Potter	Van Gilst
DeKoster	Laverty	Rhodes	Walsh
Doderer			

Nays, 2:

Bass Gilley

Absent or not voting, 3:

Kyhl Rabedeaux Shaff

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

Senator DeKoster moved that the vote by which **House File 704** passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

SENATE FILE WITHDRAWN

Senator DeKoster asked and received unanimous consent that **Senate File 546** be **withdrawn** from further consideration of the Senate.

UNFINISHED BUSINESS

MOTION TO RECONSIDER

House File 172

The Senate resumed consideration of the following motion to reconsider filed by Senator Griffin on May 14 and called up on May 17:

MR. PRESIDENT: I move to reconsider the vote by which House File 172 failed to pass the Senate.

Senator Griffin moved the adoption of his motion.

On the question "Shall the motion to reconsider be adopted?" (H.F. 172) the vote was:

Ayes, 32:

Arbuckle	Curran	Laverty	Rhodes
Balloun	Davis	Messerly	Riley
Bass	DeKoster	Milligan	Robinson
Briles	Erskine	Neu	Shaff
Brownlee	Griffin	Nicholson	Shawver
Carlson	Gross	Ollenburg	Thordsen
Coleman	Keith	Potgeter	Van Drie
Conklin	Lamborn	Potter	Walsh

Nays, 16:

Anderson	Glenn	Miller	Smith
Doderer	Graham	Mowry	Stephens
Gaudineer	Hill	Palmer	Tapscott
Gilley	Kennedy	Schaben	Van Gilst

Absent or not voting, 2:

Kyhl	Rabedeaux
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The motion prevailed.

Senator Glenn moved to reconsider the vote by which House File 172 went to its last reading.

Roll call was requested.

On the question "Shall the motion to reconsider the vote by which the bill went to its last reading be adopted?" (H.F. 172) the vote was:

Rule 24 was invoked.

Ayes, 21:

Briles	Hill	Neu	Schaben
Coleman	Kennedy	Nicholson	Smith
Doderer	Laverty	Palmer	Stephens
Gaudineer	Miller	Riley	Tapscott
Glenn	Mowry	Robinson	Van Gilst
Gross			

Nays, 26:

Anderson	Davis	Lamborn	Rhodes
Arbuckle	DeKoster	Messerly	Shaff
Balloun	Erskine	Milligan	Shawver
Bass	Gilley	Ollenburger	Thordsen
Brownlee	Graham	Potgeter	Van Drie
Carlson	Griffin	Potter	Walsh
Curran	Keith		

Absent or not voting, 3:

Conklin	Kyhl	Rabedeaux
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The motion lost.

On the question "Shall the bill pass?" (H.F. 172) the vote was:

Ayes, 28:

Arbuckle	Curran	Laverty	Rhodes
Balloun	Davis	Messerly	Riley
Bass	DeKoster	Milligan	Robinson
Brownlee	Erskine	Neu	Shaff
Carlson	Griffin	Ollenburger	Shawver
Coleman	Keith	Potgeter	Van Drie
Conklin	Lamborn	Potter	Walsh

Nays, 19:

Anderson	Graham	Mowry	Stephens
Briles	Gross	Nicholson	Tapscott
Gaudineer	Hill	Palmer	Thordsen
Gilley	Kennedy	Schaben	Van Gilst
Glenn	Miller	Smith	

Absent or not voting, 3:

Doderer	Kyhl	Rabedeaux
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Griffin moved that the vote by which House File 172 passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MOTION TO RECONSIDER WITHDRAWN

Senator Walsh asked and received unanimous consent to withdraw the following motion to reconsider House File 373 filed by him on on May 28:

MR. PRESIDENT: I move to reconsider the vote by which House File 373 passed the Senate.

JOHN M. WALSH

UNFINISHED BUSINESS

Senate File 542

On motion of Senator Mowry, Senate File 542, a bill for an act making an appropriation from the general fund of the state of Iowa to the department of public defense for various capital improvements, repairs, replacements, alterations, equipment and rehabilitation purposes, was taken up for further consideration.

Senator Hill offered the following amendment filed by him on May 28:

- 1 Amend Senate File 542, page 2, by striking in lines
- 2 16 and 17 the words " , with the approval of the budget
- 3 and financial control committee,".

Senator Hill moved the adoption of his amendment and call for a division.

The amendment was adopted.

Senator Mowry moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 542) the vote was:

Ayes, 38:

Anderson	DeKoster	Messerly	Robinson
Balloun	Erskine	Mowry	Schaben
Bass	Gaudineer	Neu	Shawver
Briles	Gilley	Nicholson	Smith
Brownlee	Glenn	Ollenburg	Stephens
Carlson	Graham	Potgeter	Thordsen
Coleman	Hill	Potter	Van Drie
Conklin	Keith	Rhodes	Van Gilst
Curran	Kennedy	Riley	Walsh
Davis	Lamborn		

Nays, 1:

Tapscott

Absent or not voting, 11:

Arbuckle	Gross	Miller	Rabedaux
Doderer	Kyhl	Milligan	Shaff
Griffin	Laverty	Palmer	

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

CONSIDERATION OF BILLS

Senate File 550

On motion of Senator Mowry, Senate File 550, a bill for an act relating to the judicial retirement system, was taken up and considered.

Senator Doderer offered the amendment filed by her on May 28 and found on pages 1562 and 1563 of the Senate Journal.

Senator Doderer moved the adoption of her amendment.

Roll call was requested.

On the question "Shall the amendment be adopted?" (S.F. 550) the vote was:

Ayes, 11:

Coleman	Hill	Robinson	Van Drie
Doderer	Miller	Schaben	Van Gilst
Glenn	Palmer	Tapscott	

Nays, 36:

Anderson	Davis	Kennedy	Potgeter
Arbuckle	DeKoster	Lamborn	Potter
Balloun	Erskine	Lavery	Rhodes
Bass	Gaudineer	Messerly	Riley
Briles	Gilley	Milligan	Shawver
Brownlee	Graham	Mowry	Smith
Carlson	Griffin	Neu	Stephens
Conklin	Gross	Nicholson	Thordsen
Curran	Keith	Ollenburg	Walsh

Absent or not voting, 3:

Kyhl	Rabedaux	Shaff
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The amendment lost.

Senator Gaudineer offered the following amendment:

- 1 Amend Senate File 550, page 3, line 26, by inserting
- 2 thereafter the following new paragraph:
- 3 "A district court judge may, in lieu of the retirement
- 4 benefits granted in this Act, elect in writing to the state
- 5 comptroller to receive an annual salary equal to the highest
- 6 paid full professor at the University of Iowa school of law;
- 7 a supreme court justice an annual salary equal to the dean
- 8 of such school."

Senator Gaudineer asked unanimous consent to withdraw the amendment.

Objection was raised.

Senator Shawver raised a point of order on the amendment for the reason that it was not germane to the bill.

The Chair ruled the point well taken and the amendment out of order.

Senator Mowry moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 550) the vote was:

Ayes, 40:

Anderson	Doderer	Lavery	Potter
Arbuckle	Erskine	Messerly	Rhodes
Balloun	Gaudineer	Miller	Riley
Bass	Gilley	Milligan	Robinson
Brownlee	Graham	Mowry	Shawver
Carlson	Griffin	Neu	Stephens
Coleman	Gross	Nicholson	Tapscott
Conklin	Keith	Ollenburg	Thordsen
Davis	Kennedy	Palmer	Van Gilst
DeKoster	Lamborn	Potgeter	Walsh

Nays, 4:

Glenn	Hill	Schaben	Van Drie
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Absent or not voting, 6:

Briles	Kyhl	Shaff	Smith
Curran	Rabedeaux		

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

Senator Mowry moved that the vote by which Senate File 550 passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File 574, a bill for an act relating to home rule for cities; establishing the City Code of Iowa.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 716, a bill for an act to legalize and validate procedures followed by Poweshiek County Board of Supervisors in repair and remodeling county jail at Montezuma.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 500, a bill for an act relating to the Iowa inheritance tax.

WILLIAM R. KENDRICK, Chief Clerk

HOUSE MESSAGES CONSIDERED

House File 225, a bill for an act relating to municipal judges.

Read first time and **passed on file**.

House File 574, a bill for an act relating to home rule for cities; establishing the City Code of Iowa which provides for powers and duties of cities including the power to impose penalties by ordinance, city development, organization of city government, city elections, city legislation, city finance including the power to issue bonds, city utilities, and administrative agencies of cities; coordinating the Code of Iowa with the City Code of Iowa; repealing incompatible chapters in Title fifteen (15) and reenacting provisions from Title fifteen (15) which belong in other parts of the Code of Iowa; removing inconsistent references, incorrect provisions, limited grants of power, and restrictions based upon population; and providing for a state housing code and penalties for violation thereof, to be enforced in cooperation with city officials.

Read first time and **passed on file**.

House File 716, a bill for an act to legalize and validate the procedures followed by the Poweshiek County Board of Supervisors in contracting with the Frank Wheeler Construction Company of Montezuma, Iowa, for the repair and remodeling of the Poweshiek County jail located at Montezuma, Iowa.

Read first time and **passed on file**.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which House File 703 passed the Senate.

EUGENE M. HILL

ANNOUNCEMENT BY PRESIDENT OF THE SENATE

President Jepsen announced the appointment of Senator James A. Potgeter to the following committee to replace Senator Vernon H. Kyhl:

Constitutional amendments and reapportionment

BILLS ASSIGNED TO COMMITTEE

President Jepsen announced the assignment of the following bills to committee:

H. F. 225 Judiciary

H. F. 533 Social services

AMENDMENTS FILED

- 1 Amend the Shawver and Lavery amendment filed April 23, 1971,
2 to Senate File 85 on page 3, line 25, by striking the word "forty"
3 and inserting in lieu thereof the word "thirty".

JAMES A. POTGETER
CHARLES O. LAVERTY

- 1 Amend Senate File 85, page 70, by striking lines 26
2 through 32, inclusive.

CHARLES O. LAVERTY

- 1 Amend Senate File 554 as follows:
2 1. Page 2, line 14, by striking the figures
3 "210,000.00 and 210,000.00" and inserting in lieu
4 thereof the figures "100,000.00 and 100,000.00".
5 2. Page 2, line 23 by striking the figures "2,100"
6 and inserting in lieu thereof the figures "1,100".
7 3. Page 3, line 1, by striking the figures "280,000.00
8 and 280,000.00" and inserting in lieu thereof the
9 figures "170,000.00 and 170,000.00".

JOHN TAPSCOTT
MINNETTE DODERER

- 1 Amend Senate File 558, page 3, line 32, by inserting
2 the following after the period:
3 "The Iowa state commerce commission may make applica-
4 tion to the committees on appropriations for the reap-
5 propriation of any funds that do revert, or probably
6 will revert upon the dates herein set and the respective
7 committees on appropriations or a subcommittee thereof
8 shall hold a hearing upon the application while the
9 general assembly is in regular session."

COMMITTEE ON APPROPRIATIONS
FRANCIS MESSERLY, Chairman

- 1 Amend Senate File 559, page 2, line 30, by inserting
2 the following after the period:
3 "The state car dispatcher may make application to
4 the committees on appropriations for the reappropriation
5 of any funds that do revert, or probably will revert
6 upon the dates herein set and the respective committees
7 on appropriations or a subcommittee thereof shall hold
8 a hearing upon the application while the general assembly
9 is in regular session."

COMMITTEE ON APPROPRIATIONS
FRANCIS MESSERLY, Chairman

- 1 Amend Senate File 561, page 2, by inserting the
2 following after line 19:
3 "Sec. 4. Notwithstanding the provisions of section
4 eight point thirty-three (8.33) of the Code, all
5 unencumbered or unobligated balances of appropriations
6 made by this Act for the first fiscal year of the
7 biennium commencing July 1, 1971 shall, on September

8 30, 1972, revert to the state treasury and to the credit
9 of the fund from which appropriated. The Iowa state
10 fair board may make application to the committees on
11 appropriations for the reappropriation of any funds
12 that do revert, or probably will revert upon the dates
13 herein set and the respective committees on
14 appropriations or a subcommittee thereof shall hold
15 a hearing upon the application while the general assembly
16 is in regular session. In all other respects the
17 provisions of section eight point thirty-three (8.33)
18 of the Code shall apply to appropriations made for the
19 first fiscal year of such biennium. Unencumbered or
20 unobligated balances of appropriations made for the
21 second fiscal year of such biennium shall be subject
22 to section eight point thirty-three (8.33) of the Code."

COMMITTEE ON APPROPRIATIONS
FRANCIS MESSERLY, Chairman

1 Amend Senate File 563, page 2, line 16, by inserting
2 the following after the period:
3 "The state historical society may make application
4 to the committees on appropriations for the reappropria-
5 tion of any funds that do revert, or probably will revert
6 upon the dates herein set and the respective committees
7 on appropriations or a subcommittee thereof shall hold
8 a hearing upon the application while the general assembly
9 is in regular session."

COMMITTEE ON APPROPRIATIONS
FRANCIS MESSERLY, Chairman

1 Amend House File 347 as follows:
2 1. Page 1, line 12, by inserting after the word "been"
3 the word "finally".
4 2. Page 1, line 21, by inserting after the word
5 "purposes." the following:
6 *"This Act shall be applicable to condemnation proceedings*
7 *pending on the effective date of this Act; it being provided*
8 *that, as to such proceedings, unless damages have been*
9 *finally determined and paid, the landowner shall not be*
10 *dispossessed until one hundred eighty days after the effec-*
11 *tive date of this Act."*
12 3. Page 1, by adding the following new section after
13 line 21:
14 "Sec. 2. This Act, being deemed of immediate impor-
15 tance, shall take effect and be in force from and after
16 its publication in The Cedar Rapids Gazette, a newspaper
17 published in Cedar Rapids, Iowa, and in The Telegraph-
18 Herald, a newspaper published in Dubuque, Iowa."

TOM RILEY

1 Amend House File 573 as follows:
2 1. Page 2, line 24, by striking the figure "5.00" and inserting
3 the figure "4.00".
4 2. Page 3, line 3, by striking the figure "5.00" and inserting
5 the figure "4.00".

- 6 3. Page 3, line 9, by striking the figure "8.00" and inserting
7 the figure "7.00".
8 4. Page 3, line 27, by striking the figure "5.00" and inserting
9 the figure "4.00".

JAMES A. POTGETER

- 1 Amend House File 573, page 3, by striking lines 37 through
2 39, inclusive, and insert in lieu thereof the following:
3 "1. The owner of a farm unit; or
4 2. One member of the family of the farm owner; or".

JAMES A. POTGETER

- 1 Amend House File 693, page 2, line 36, by inserting
2 the following after the period:
3 "The Iowa aeronautics commission may make application
4 to the committees on appropriations for the reappropria-
5 tion of any funds that do revert, or probably will revert
6 upon the dates herein set and the respective committees
7 on appropriations or a subcommittee thereof shall hold
8 a hearing upon the application while the general assembly
9 is in regular session."

COMMITTEE ON APPROPRIATIONS
FRANCIS MESSERLY, Chairman

- 1 Amend House File 700, page 3, line 27, by inserting
2 the following after the period:
3 "The department of agriculture and Iowa dairy industry
4 commission may make application to the committees on
5 appropriations for the reappropriation of any funds that
6 do revert, or probably will revert upon the dates herein
7 set and the respective committees on appropriations or
8 a subcommittee thereof shall hold a hearing upon the
9 application while the general assembly is in regular
10 session."

COMMITTEE ON APPROPRIATIONS
FRANCIS MESSERLY, Chairman

- 1 Amend House File 701, page 3, line 30, by inserting
2 the following after the period:
3 "The department of soil conservation may make
4 application to the committees on appropriations for the
5 reappropriation of any funds that do revert, or probably
6 will revert upon the dates herein set and the respec-
7 tive committees on appropriations or a subcommittee
8 thereof shall hold a hearing upon the application while
9 the general assembly is in regular session."

COMMITTEE ON APPROPRIATIONS
FRANCIS MESSERLY, Chairman

- 1 Amend House File 703, page 3, line 12, by inserting
2 after the word "appropriated." the following:
3 "The board to which this appropriation is made may
4 make application to the appropriation committees for
5 the reappropriation of any funds that revert on September
6 30, 1972 and the respective appropriation committees or a

7 subcommittee thereof shall hold a public hearing upon
8 such application."

EUGENE M. HILL

1 Amend House File 705, page 2, line 18, by inserting
2 the following after the period:
3 "The department of history and archives may make
4 application to the committees on appropriations for the
5 reappropriation of any funds that do revert, or probably
6 will revert upon the dates herein set and the respec-
7 tive committees on appropriations or a subcommittee
8 thereof shall hold a hearing upon the application while
9 the general assembly is in regular session."

COMMITTEE ON APPROPRIATIONS
FRANCIS MESSERLY, Chairman

1 Amend House File 708, page 2, line 22, by inserting
2 the following after the period:
3 "The commission on aging may make application to the
4 committees on appropriations for the reappropriation
5 of any funds that do revert, or probably will revert
6 upon the dates herein set and the respective committees
7 on appropriations or a subcommittee thereof shall hold
8 a hearing upon the application while the general assembly
9 is in regular session."

COMMITTEE ON APPROPRIATIONS
FRANCIS MESSERLY, Chairman

On motion of Senator Lamborn, the Senate adjourned until
9:00 a.m., Thursday, June 3, 1971.

JOURNAL OF THE SENATE

ONE HUNDRED FORTY-FOURTH DAY

SENATE CHAMBER

DES MOINES, IOWA, THURSDAY, JUNE 3, 1971

The Senate met in regular session, President Jepsen presiding.

Prayer was offered by the Reverend J. Riley West, pastor of the First Presbyterian Church, Oskaloosa, Iowa.

The Senate pledged allegiance to the flag.

The Journal of Wednesday, June 2, 1971, was approved.

DISTINGUISHED GUEST

President Jepsen presented to the Senate the Honorable John C. Culver, Cedar Rapids, Iowa, Congressman from the Second Congressional District.

PRESENTATION OF VISITORS

The Chair announced that the following visitors were present in the Senate gallery:

Sixty-four students from Holy Family School, Davenport, Iowa, accompanied by Sister M. Campion, Sister Corinne Marie, Mrs. Ruth Gadiant and Father Leo Feeney.

Thirty-nine students from Twin Rivers School, Livermore, Iowa, accompanied by Mrs. Lawrence Lerdal and Mrs. Leonard Hart.

PETITIONS

The following petitions were presented and placed on file:

By Senator Potgeter, from twenty-four residents of Hardin County opposing repeal of the Iowa Meat and Poultry Inspection law.

By Senator Gross, from seven hundred fifty-nine residents of Woodbury County opposing the mandatory law requiring motorcyclists to wear helmets and goggles.

COMMUNICATIONS

The following communications were presented:

144th Day

THURSDAY, JUNE 3, 1971

1605

OFFICE OF THE GOVERNOR
State Capitol
Des Moines, Iowa 50319

June 3, 1971

The Honorable Roger W. Jepsen
Lieutenant Governor of Iowa
State Capitol
Local

Dear Governor Jepsen:

It is my pleasure to submit to the Senate for their consideration the name of Don Knudsen of Eagle Grove, Wright County, Iowa, for appointment as a member of the Iowa Real Estate Commission under the provisions of section 117.8 of the 1971 Code of Iowa for the regular four-year term beginning July 1, 1971, and ending June 30, 1975.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Jepsen:

It is my pleasure to submit to the Senate for their consideration the name of Stephen Darling of Iowa City, Johnson County, Iowa, for appointment as a member of the Iowa Real Estate Commission under the provisions of section 117.8 of the 1971 Code of Iowa for the regular four-year term beginning July 1, 1971, and ending June 30, 1975.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Jepsen:

It is my pleasure to submit to the Senate for their consideration the name of John Baldrige of Chariton, Lucas County, Iowa, for appointment as a member of the Iowa State Board of Regents for the State of Iowa under the provisions of section 262.3 of the 1971 Code of Iowa for the regular six-year term beginning July 1, 1971, and ending June 30, 1977.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Jepsen:

It is my pleasure to submit to the Senate for their consideration the name of Ralph McCartney of Charles City, Floyd County, Iowa, for appointment as a member of the Iowa State Board of Regents for the State of Iowa under the provisions of section 262.3 of the 1971 Code of Iowa for the regular six-year term beginning July 1, 1971, and ending June 30, 1977.

Sincerely,
ROBERT D. RAY
Governor

Also :

Dear Governor Jepsen:

It is my pleasure to submit to the Senate for their consideration the name of Mrs. Margaret Collison of Oskaloosa, Mahaska County, Iowa, for appointment as a member of the Iowa State Board of Regents for the State of Iowa under the provisions of section 262.3 of the 1971 Code of Iowa for the regular six-year term beginning July 1, 1971, and ending June 30, 1977.

Sincerely,

ROBERT D. RAY
Governor

Also :

Dear Governor Jepsen:

It is my pleasure to submit to the Senate for their consideration the name of Mrs. Thelma Heitsman of Corning, Adams County, Iowa, for appointment as a member of the Merit Employment Commission for the State of Iowa pursuant to section 19A.6, 1971 Code of Iowa, for the regular six-year term commencing July 1, 1971, and ending June 30, 1977.

Sincerely,

ROBERT D. RAY
Governor

CONSIDERATION OF BILLS

Senate File 552

On motion of Senator Mowry, Senate File 552, a bill for an act to appropriate from moneys received by certain commissions, boards, and departments, was taken up and considered.

Senator Messerly offered the following amendment by the committee on appropriations:

- 1 Amend Senate File 552, page 3, line 28, by inserting after the
- 2 word "appropriated." the following:
- 3 "The commissions, boards and departments to which this appropria-
- 4 tion is made may make application to the appropriation committee for
- 5 the reappropriation of any funds that do revert, or probably will
- 6 revert upon the dates herein set and the respective appropriation
- 7 committee or a subcommittee thereof shall hold a hearing upon such
- 8 application while the general assembly is in regular session."

Senator Brownlee took the chair at 9:44 a.m.

President Jepsen took the chair at 9:53 a.m.

On motion of Senator Messerly, the amendment was adopted.

Senator Hill withdrew the amendment filed by Senators Gaudineer and Hill on May 28 and found on pages 1563 and 1564 of the Senate Journal.

Senator Mowry moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 552) the vote was:

Ayes, 46:

Anderson	Erskine	Milligan	Robinson
Arbuckle	Gilley	Mowry	Schaben
Balloun	Glenn	Neu	Shaff
Bass	Graham	Nicholson	Shawver
Briles	Griffin	Ollenburg	Smith
Brownlee	Gross	Palmer	Stephens
Carlson	Hill	Potgeter	Tapscott
Coleman	Kennedy	Potter	Thordsen
Conklin	Lamborn	Rabedeaux	Van Drie
Curran	Laverty	Rhodes	Van Gilst
Davis	Messery	Riley	Walsh
DeKoster	Miller		

Nays, none.

Absent or not voting, 4:

Doderer	Gaudineer	Keith	Kyhl
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 553

On motion of Senator Brownlee, Senate File 553, a bill for an act making appropriations to certain state agencies and divisions thereof, was taken up and considered.

Senator Brownlee offered the following amendment by the committee on appropriations and moved its adoption:

- 1 Amend Senate File 553, page 3, line 4, by inserting after the
- 2 word "appropriated." the following:
- 3 "The state agencies to which this appropriation is made may
- 4 make application to the appropriation committee for the reappropri-
- 5 ation of any funds that do revert, or probably will revert upon the
- 6 dates herein set and the respective appropriation committee or a
- 7 subcommittee thereof shall hold a hearing upon such application
- 8 while the general assembly is in regular session."

The amendment was adopted.

Senator Hill withdrew the amendment filed by Senators Gaudineer and Hill on May 28 and found on page 1564 of the Senate Journal.

Senator Brownlee moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 553) the vote was:

Ayes, 47:

Anderson	Briles	Conklin	Doderer
Arbuckle	Brownlee	Curran	Erskine
Balloun	Carlson	Davis	Gilley
Bass	Coleman	DeKoster	Glenn

Graham	Miller	Potter	Smith
Griffin	Milligan	Rabedeaux	Stephens
Gross	Mowry	Rhodes	Tapscott
Hill	Neu	Riley	Thordsen
Keith	Nicholson	Robinson	Van Drie
Kennedy	Ollenburg	Schaben	Van Gilst
Lamborn	Palmer	Shaff	Walsh
Messerly	Potgeter	Shawver	

Nays, none.

Absent or not voting, 3:

Gaudineer Kyhl Laverty

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

Senate File 554

On motion of Senator Curran, Senate File 554, a bill for an act to appropriate from the general fund of the state of Iowa to the Iowa state fair board, was taken up and considered.

Senator Curran offered the following amendment by the committee on appropriations and moved its adoption:

- 1 Amend Senate File 554, page 3, line 9, by inserting after the
- 2 word "appropriated." the following:
- 3 "The board to which this appropriation is made may make appli-
- 4 cation to the appropriation committee for the reappropriation of any
- 5 funds that do revert, or probably will revert upon the dates herein
- 6 set and the respective appropriation committee or a subcommittee
- 7 thereof shall hold a hearing upon such application while the general
- 8 assembly is in regular session."

The amendment was adopted.

Senator Hill withdrew the amendment filed by Senators Gaudineer and Hill on May 28 and found on page 1564 of the Senate Journal.

Senator Tapscott withdrew the amendment filed by Senators Tapscott and Doderer on May 27 and found on page 1547 of the Senate Journal.

Senator Tapscott offered the following amendment filed by Senators Tapscott and Doderer on June 2:

- 1 Amend Senate File 554 as follows:
- 2 1. Page 2, line 14, by striking the figures
- 3 "210,000.00 and 210,000.00" and inserting in lieu
- 4 thereof the figures "100,000.00 and 100,000.00".
- 5 2. Page 2, line 23 by striking the figures "2,100"
- 6 and inserting in lieu thereof the figures "1,100".
- 7 3. Page 3, line 1, by striking the figures "280,000.00
- 8 and 280,000.00" and inserting in lieu thereof the
- 9 figures "170,000.00 and 170,000.00".

Senator Tapscott moved the adoption of the amendment and requested a roll call.

On the question "Shall the amendment be adopted?" (S.F. 554) the vote was:

Ayes, 9:

Doderer	Kennedy	Neu	Robinson
Glenn	Miller	Palmer	Tapscott
Gross			

Nays, 38:

Anderson	Davis	Messerly	Riley
Arbuckle	DeKoster	Milligan	Shaff
Balloun	Erskine	Mowry	Shawver
Bass	Gilley	Nicholson	Smith
Briles	Graham	Ollenburg	Stephens
Brownlee	Griffin	Potgeter	Thordsen
Carlson	Hill	Potter	Van Drie
Coleman	Keith	Rabedeaux	Van Gilst
Conklin	Lamborn	Rhodes	Walsh
Curran	Laverty		

Absent or not voting, 8:

Gaudineer	Kyhl	Schaben
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The amendment lost.

Senator Curran moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 554) the vote was:

Rule 24 was invoked.

Ayes, 43:

Anderson	DeKoster	Messerly	Riley
Arbuckle	Doderer	Miller	Schaben
Balloun	Erskine	Milligan	Shaff
Bass	Gilley	Mowry	Shawver
Briles	Graham	Neu	Smith
Brownlee	Griffin	Nicholson	Stephens
Carlson	Hill	Ollenburg	Thordsen
Coleman	Keith	Potgeter	Van Drie
Conklin	Kennedy	Potter	Van Gilst
Curran	Lamborn	Rabedeaux	Walsh
Davis	Laverty	Rhodes	

Nays, 4:

Glenn	Gross	Robinson	Tapscott
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Absent or not voting, 3:

Gaudineer	Kyhl	Palmer
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

SPECIAL GUESTS

Senator Van Drie rose on a point of personal privilege and presented to the Senate Mrs. Don Munsen, Story City, Iowa, who extended an invitation to the Senators and their families to the Scandinavian Festival Days at Story City on June 5 and 6.

Mrs. Munsen and several other ladies, all dressed in Norwegian costumes, served delicious buttered "kringla" to those present.

CONSIDERATION OF BILLS

House File 696

On motion of Senator Mowry, House File 696, a bill for an act to appropriate from the Iowa public employees' retirement system fund to the employment security commission for costs of the administration of the Iowa public employees' retirement system, was taken up and considered.

Senator Mowry offered the following amendment by the committee on appropriations and moved its adoption:

- 1 Amend House File 696, page 2, line 19, by inserting after the
- 2 word "appropriated." the following:
- 3 "The commission to which this appropriation is made may make
- 4 application to the appropriation committee for the reappropriation
- 5 of any funds that do revert, or probably will revert upon the dates
- 6 herein set and the respective appropriation committee or a sub-
- 7 committee thereof shall hold a hearing upon such application while
- 8 the general assembly is in regular session."

The amendment was adopted.

Senator Gaudineer withdrew the amendment filed by him on May 27 and found on pages 1547 and 1548 of the Senate Journal.

Senator Mowry moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 696) the vote was:

Ayes, 44:

Anderson	Gilley	Milligan	Robinson
Arbuckle	Glenn	Mowry	Schaben
Balloun	Graham	Neu	Shaff
Bass	Griffin	Nicholson	Shawver
Briles	Gross	Ollenburg	Smith
Carlson	Hill	Palmer	Stephens
Coleman	Keith	Potgeter	Tapscott
Conklin	Kennedy	Potter	Thordsen
Curran	Lamborn	Rabedeaux	Van Drie
Davis	Messerly	Rhodes	Van Gilst
Erskine	Miller	Riley	Walsh

Nays, none.

Absent or not voting, 6:

Brownlee
DeKoster

Doderer
Gaudineer

Kyhl

Laverty

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

Senator Mowry moved that the vote by which House File 696 passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

UNFINISHED BUSINESS

Senate File 557

The Senate resumed consideration of Senate File 557, a bill for an act to appropriate from the general fund of the state to the department of public safety and various divisions thereof.

Senator Doderer asked and received unanimous consent to withdraw her motion to refer Senate File 557 to the committee on appropriations.

Senator Keith offered the following amendment by the committee on appropriations and moved its adoption:

- 1 Amend Senate File 557, page 5, line 22, by inserting
- 2 the following after the period:
- 3 "The department of public safety may make application
- 4 to the committees on appropriations for the reappropria-
- 5 tion of any funds that do revert, or probably will revert
- 6 upon the dates herein set and the respective committees
- 7 on appropriations or a subcommittee thereof shall hold a
- 8 hearing upon the application while the general assembly
- 9 is in regular session."

The amendment was adopted.

Senator Hill withdrew the amendment filed by him on June 1 and found on page 1578 of the Senate Journal.

Senator Thordsen offered the following amendment filed by Senators Thordsen and Neu on June 1:

- 1 Amend Senate File 557 as follows:
- 2 1. Page 2, by striking line 11 and insert in lieu thereof the
- 3 following: "nance, and miscellaneous purposes. \$300,389.00
- 4 \$309,789.00".
- 5 2. Page 2, by striking line 14 and insert in lieu thereof the
- 6 following: "Total \$400,389.00 \$409,789.00".
- 7 3. Page 3, by striking line 10 and insert in lieu thereof the
- 8 following: "nance, and miscellaneous purposes. \$165,110.00
- 9 \$171,260.00".
- 10 4. Page 3, by striking line 26 and insert in lieu thereof the
- 11 following: "sonnel included in the system. \$7,592,238.00
- 12 \$7,646,212.00".

13 5. Page 5, by striking line 11 and insert in lieu thereof the
14 following: "(1 of this Act. \$10,502,771.00 \$10,584,214.00".

Senator Neu offered the following amendment to the amendment and moved its adoption:

- 1 Amend the Thordsen-Neu amendment filed June 1, 1971
- 2 to Senate File 557, page 2, by striking line 14 and insert-
- 3 ing in lieu thereof the following:
- 4 "following: "(1 of this Act. \$10,502,971.00 \$10,584,323.00."

The amendment to the amendment was adopted.

Senator Brownlee took the chair at 11:21 a.m.

COMMUNICATIONS

The following communications were presented:

OFFICE OF THE GOVERNOR

State Capitol

Des Moines, Iowa 50319

June 3, 1971

The Honorable Roger W. Jepsen
Lieutenant Governor of Iowa
State Capitol
Local

Dear Governor Jepsen:

It is my pleasure to submit to the Senate for their consideration the name of David F. McCann of Council Bluffs, Pottawattamie County, Iowa, for appointment as a member of the Council on Social Services for the State of Iowa under the provisions of section 217.2, 1971 Code of Iowa, for the regular six-year term beginning July 1, 1971, and ending June 30, 1977.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Jepsen:

It is my pleasure to submit to the Senate for their consideration the name of Fernice W. Robbins of Waterloo, Black Hawk County, Iowa, for appointment as a member of the Council on Social Services for the State of Iowa under the provisions of section 217.2, 1971 Code of Iowa, for the regular six-year term beginning July 1, 1971, and ending June 30, 1977.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Jepsen:

It is my pleasure to submit to the Senate for their consideration the name of Donald L. Johnson of Fairfield, Jefferson County, Iowa, for appointment as a member of the State Soil Conservation Committee for the State of Iowa under the provisions of section 467A.4 of the 1971 Code of

Iowa for the regular six-year term beginning July 1, 1971, and ending June 30, 1977.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Jepsen:

It is my pleasure to submit to the Senate for their consideration the name of Carroll J. Hobson of Eldora, Hardin County, Iowa, for appointment as a member of the State Soil Conservation Committee for the State of Iowa under the provisions of section 467A.4 of the 1971 Code of Iowa for the unexpired portion of a term ending June 30, 1975.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Jepsen:

It is my pleasure to submit to the Senate for their consideration the name of Tom Kenny of Akron, Plymouth County, Iowa, for appointment as a member of the State Soil Conservation Committee for the State of Iowa under the provisions of section 467A.4 of the 1971 Code of Iowa for the regular six-year term beginning July 1, 1971, and ending June 30, 1977.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Jepsen:

It is my pleasure to submit to the Senate for their consideration the name of Donald E. Balster of Marion, Linn County, Iowa, for appointment as a member of the State Judicial Nominating Commission for the State of Iowa under the provisions of section 46.1 of the 1971 Code of Iowa for a regular six-year term commencing July 1, 1971, and ending June 30, 1977.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Jepsen:

It is my pleasure to submit to the Senate for their consideration the name of William Beck of Spirit Lake, Dickinson County, Iowa, for appointment as a member of the State Judicial Nominating Commission for the State of Iowa under the provisions of section 46.1 of the 1971 Code of Iowa for a regular six-year term commencing July 1, 1971, and ending June 30, 1977.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Jepsen:

It is my pleasure to submit to the Senate for their consideration the name of William Sorenson of Jefferson, Greene County, Iowa, for appointment as

a member of the State Judicial Nominating Commission for the State of Iowa under the provisions of section 46.1 of the 1971 Code of Iowa for the unexpired portion of a term ending June 30, 1975.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Jepsen:

It is my pleasure to submit to the Senate for their consideration the name of C. H. Wildman of Davenport, Scott County, Iowa, for appointment as a member of the State Judicial Nominating Commission for the State of Iowa under the provisions of section 46.1 of the 1971 Code of Iowa for a regular six-year term commencing July 1, 1971, and ending June 30, 1977.

Sincerely,
ROBERT D. RAY
Governor

On motion of Senator Lamborn, the Senate recessed until 1:15 p.m.

AFTERNOON SESSION

The Senate reconvened, Senator Brownlee presiding.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File 457, a bill for an act to create a vocational youth organization fund.

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

House Concurrent Resolution 38, holding over certain claims for consideration by the Second Session of the Sixty-fourth General Assembly.

WILLIAM R. KENDRICK, Chief Clerk

HOUSE CONCURRENT RESOLUTION 38

By Committee on Appropriations

Whereas, the claims committee of the House of Representatives has had numerous claims under consideration and in most cases has either recommended through appropriate legislative documents the approval or disapproval of claims under consideration; and

Whereas, certain claims because of present negotiations or lack of sufficient information cannot be disposed of during the present legislative session; and

Whereas, it is necessary for the General Assembly to take action on claims submitted, *Now Therefore*,

Be It Resolved by the House of Representatives, the Senate Concurring,
That the following listed claims be held over for consideration by the Second Session of the Sixty-Fourth General Assembly:

Claimant	Claim No.	Nature of Claim	Amount
Edna E. Severn	H-138-64-G	Land Condemnation ..\$	660.00
Iowa Air Sales, Inc.	1807-64-25	Outdated Invoice	\$ 27.00
Clay & Fay De Lashmutt & Mills Co.	H-117-64-G	Condemnation	\$ 1,275.00
Willard C. Brinegar, M.D.	873-64-25	Sick leave and vacation time	\$19,500.00

UNFINISHED BUSINESS

Senate File 557

The Senate resumed consideration of Senate File 557 and the Thordsen-Neu amendment as amended.

Senator Thordsen moved the adoption of the amendment as amended and requested a roll call.

On the question "Shall the Thordsen-Neu amendment as amended be adopted?" (S.F. 557) the vote was:

Ayes, 22:

Arbuckle	Glenn	Palmer	Schaben
Brownlee	Griffin	Potgeter	Tapscott
Coleman	Gross	Potter	Thordsen
Davis	Kennedy	Riley	Van Drie
DeKoster	Miller	Robinson	Walsh
Doderer	Neu		

Nays, 25:

Anderson	Erschine	Laverty	Rabedaux
Balloun	Gilley	Messerly	Rhodes
Bass	Graham	Milligan	Shaff
Briles	Hill	Mowry	Shawver
Carlson	Keith	Nicholson	Smith
Conklin	Lamborn	Ollenburg	Stephens
Curran			

Absent or not voting, 3:

Gaudineer	Kyhl	Van Gilst
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The amendment as amended lost.

The Senate resumed consideration of the following amendment offered by Senator Keith on June 1:

- 1 Amend Senate File 557 as follows:
- 2 1. Page 2, by striking lines 28 through 35, inclusive.
- 3 2. Page 3, by striking lines 1 through 7, inclusive.
- 4 3. Page 3, by striking lines 27 through 35, inclusive.
- 5 4. Page 4, by striking lines 1 through 5, inclusive.
- 6 5. Page 4, by striking lines 18 through 31, inclusive.

On motion of Senator Keith, his amendment was adopted.

Senator Walsh offered the following amendment filed by him on June 1:

- 1 Amend Senate File 557, page 5, line 31, by adding a new section:
- 2 Sec. The department of public safety is hereby directed to
- 3 conduct a study to determine the extent of the usefulness and safety
- 4 aspects of the life lite and the feasibility of the installation of
- 5 the life lite on all automobiles.
- 6 The department of public safety shall use no more than \$10,000
- 7 of the state's appropriated funds for this study but may use any and
- 8 all matching federal funds.
- 9 The department of public safety shall install the life lite
- 10 on one hundred and fifty (150) state owned cars to conduct the study.
- 11 The study shall be conducted for one year and the results and re-
- 12 commendations of the department of public safety shall be presented
- 13 to the Sixty-fifth General Assembly.

Senator Keith raised a point of order on the amendment for the reason that it was not germane to the bill.

The Chair ruled the point not well taken and the amendment in order.

Senator Walsh moved the adoption of his amendment and requested a roll call.

On the question "Shall the Walsh amendment be adopted?" (S.F. 557) the vote was:

Ayes, 9:

Briles	Laverty	Potgeter	Tapscott
Coleman	Neu	Riley	Walsh
Doderer			

Nays, 33:

Anderson	Erschine	Lamborn	Rabedaux
Balloun	Gilley	Messerly	Rhodes
Bass	Glenn	Miller	Robinson
Brownlee	Graham	Milligan	Schaben
Carlson	Griffin	Nicholson	Shawver
Conklin	Gross	Ollenburg	Smith
Curran	Hill	Palmer	Stephens
Davis	Keith	Potter	Van Drie
DeKoster			

Absent or not voting, 8:

Arbuckle	Kennedy	Mowry	Thordsen
Gaudineer	Kyhl	Shaff	Van Gilst

The amendment lost.

Senator Glenn offered the following amendment by Senators Doderer, Glenn, et al.:

- 1 Amend Senate File 557, page 5, as follows:
- 2 1. Line 28, by adding the following new section
- 3 after the period (.):

4 "The department of public safety shall submit to
5 the appropriation committee for consideration by the
6 second session, 64th General Assembly, a revised
7 budget for the second fiscal year of the biennium,
8 which budget shall give appropriate consideration to
9 cost-of-living increases, longevity, and support for
10 salaries of personnel during the second year of the
11 biennium. The respective appropriation committees
12 shall hold a hearing upon such proposed revised budget."
13 2. By renumbering the succeeding section to conform
14 with this amendment.

Senator Messerly raised a point of order on the amendment for the reason that the same subject matter had already been included in the appropriations committee amendment.

The Chair ruled the point not well taken and the amendment in order.

President Jepsen took the chair at 2:35 p.m.

Senator Glenn moved the adoption of the amendment and requested a roll call.

On the question "Shall the Doderer, Glenn, et al., amendment be adopted?" (S.F. 557) the vote was:

Ayes, 20:

Arbuckle	Gross	Potter	Shawver
Coleman	Hill	Rhodes	Tapscott
DeKoster	Kennedy	Riley	Van Drie
Doderer	Neu	Robinson	Van Gilst
Glenn	Palmer	Schaben	Walsh

Nays, 25:

Anderson	Curran	Keith	Ollenburg
Balloun	Davis	Lamborn	Potgeter
Bass	Erskine	Laverty	Rabedaux
Briles	Gilley	Messerly	Smith
Brownlee	Graham	Milligan	Stephens
Carlson	Griffin	Nicholson	Thordsen
Conklin			

Absent or not voting, 5:

Gaudineer	Miller	Mowry	Shaff
Kyhl			

The amendment lost.

Senator Keith moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 557) the vote was:

Ayes, 45:

Anderson	Bass	Carlson	Curran
Arbuckle	Briles	Coleman	Davis
Balloun	Brownlee	Conklin	DeKoster

Doderer	Kennedy	Palmer	Shawver
Erskine	Lamborn	Potgeter	Smith
Gilley	Laverty	Potter	Stephens
Glenn	Messerly	Rabedeaux	Tapscott
Graham	Mowry	Rhodes	Thordsen
Griffin	Neu	Riley	Van Drie
Gross	Nicholson	Robinson	Van Gilst
Hill	Ollenburg	Schaben	Walsh
Keith			

Nays, none.

Absent or not voting, 5:

Gaudineer	Miller	Milligan	Shaff
Kyhl			

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

CONSIDERATION OF BILLS

House File 699

On motion of Senator Riley, House File 699, a bill for an act to make appropriations to certain named persons in settlement of claims made against the state of Iowa, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Riley moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 699) the vote was:

Ayes, 43:

Anderson	DeKoster	Messerly	Riley
Arbuckle	Doderer	Milligan	Robinson
Balloun	Erskine	Mowry	Schaben
Bass	Gilley	Neu	Smith
Briles	Glenn	Nicholson	Stephens
Brownlee	Graham	Ollenburg	Tapscott
Carlson	Griffin	Palmer	Thordsen
Coleman	Gross	Potgeter	Van Drie
Conklin	Hill	Potter	Van Gilst
Curran	Keith	Rabedeaux	Walsh
Davis	Lamborn	Rhodes	

Nays, 1:

Laverty

Absent or not voting, 6:

Gaudineer	Kyhl	Shaff	Shawver
Kennedy	Miller		

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

House File 701

On motion of Senator Brownlee, House File 701, a bill for an act to appropriate from the general fund of the state to various state departments and their divisions, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Brownlee offered the following amendment by the committee on appropriations and moved its adoption:

- 1 Amend House File 701, page 3, line 30, by inserting
- 2 the following after the period:
- 3 "The department of soil conservation may make
- 4 application to the committees on appropriations for the
- 5 reappropriation of any funds that do revert, or probably
- 6 will revert upon the dates herein set and the respec-
- 7 tive committees on appropriations or a subcommittee
- 8 thereof shall hold a hearing upon the application while
- 9 the general assembly is in regular session."

The amendment was adopted.

Senator Hill withdrew the amendment filed by him on June 1 and found on page 1579 of the Senate Journal.

Senator Brownlee moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 701) the vote was:

Ayes, 44:

Anderson	DeKoster	Laverty	Rhodes
Arbuckle	Doderer	Messery	Riley
Balloun	Erschine	Miller	Robinson
Bass	Gilley	Milligan	Schaben
Briles	Glenn	Neu	Shawver
Brownlee	Graham	Nicholson	Smith
Carlson	Griffin	Ollenburg	Stephens
Coleman	Gross	Palmer	Tapscott
Conklin	Hill	Potgeter	Thordsen
Curran	Keith	Potter	Van Drie
Davis	Lamborn	Rabedeaux	Van Gilt

Nays, none.

Absent or not voting, 6:

Gaudineer	Kyhl	Shaff	Walsh
Kennedy	Mowry		

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

House File 702

On motion of Senator Anderson, House File 702, a bill for an act to appropriate from moneys received by certain commissions, boards

and departments, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Anderson moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 702) the vote was:

Ayes, 45:

Arbuckle	Erskine	Miller	Robinson
Balloun	Gilley	Milligan	Schaben
Bass	Glenn	Neu	Shaff
Briles	Graham	Nicholson	Shawver
Brownlee	Griffin	Ollenburg	Smith
Carlson	Gross	Palmer	Stephens
Coleman	Hill	Potgeter	Tapscott
Conklin	Keith	Potter	Thordsen
Curran	Lamborn	Rabedaux	Van Drie
Davis	Laverty	Rhodes	Van Gilst
DeKoster	Messerly	Riley	Walsh
Doderer			

Nays, none.

Absent or not voting, 5:

Anderson	Kennedy	Kyhl	Mowry
Gaudineer			

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

Senate File 558

On motion of Senator Keith, Senate File 558, a bill for an act making an appropriation from the general fund of the state to the Iowa state commerce commission and its divisions, and providing for the assessment of expenses incurred by the commission, was taken up and considered.

Senator Keith offered the following amendment by the committee on appropriations and moved its adoption:

- 1 Amend Senate File 558, page 3, line 32, by inserting
- 2 the following after the period:
- 3 "The Iowa state commerce commission may make applica-
- 4 tion to the committees on appropriations for the reap-
- 5 propriation of any funds that do revert, or probably
- 6 will revert upon the dates herein set and the respective
- 7 committees on appropriations or a subcommittee thereof
- 8 shall hold a hearing upon the application while the
- 9 general assembly is in regular session."

The amendment was adopted.

Senator Keith moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 558) the vote was:

Ayes, 39:

Anderson	Gilley	Milligan	Shaff
Bass	Glenn	Neu	Shawver
Briles	Graham	Nicholson	Smith
Brownlee	Gross	Ollenburg	Stephens
Carlson	Hill	Palmer	Tapscott
Coleman	Keith	Potter	Thordsen
Conklin	Lamborn	Rabedeaux	Van Drie
Curran	Laverty	Rhodes	Van Gilst
DeKoster	Messerly	Riley	Walsh
Erskine	Miller	Robinson	

Nays, 1:

Arbuckle

Absent or not voting, 10:

Balloun	Gaudineer	Kyhl	Potgeter
Davis	Griffin	Mowry	Schaben
Doderer	Kennedy		

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

Senate File 559

On motion of Senator Keith, Senate File 559, a bill for an act to appropriate and authorize expenditures from the car dispatcher revolving fund, was taken up and considered.

Senator Keith offered the following amendment by the committee on appropriations and moved its adoption:

- 1 Amend Senate File 559, page 2, line 30, by inserting
- 2 the following after the period:
- 3 "The state car dispatcher may make application to
- 4 the committees on appropriations for the reappropriation
- 5 of any funds that do revert, or probably will revert
- 6 upon the dates herein set and the respective committees
- 7 on appropriations or a subcommittee thereof shall hold
- 8 a hearing upon the application while the general assembly
- 9 is in regular session."

The amendment was adopted.

Senator Keith moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 559) the vote was:

Ayes, 41:

Anderson	Conklin	Glenn	Laverty
Bass	Curran	Graham	Messerly
Briles	DeKoster	Gross	Miller
Brownlee	Doderer	Hill	Milligan
Carlson	Erskine	Keith	Neu
Coleman	Gilley	Lamborn	Nicholson

Ollenburg
Palmer
Potter
Rabedaux
Rhodes

Riley
Robinson
Schaben
Shaff

Shawver
Smith
Stephens
Tapscott

Thordsen
Van Drie
Van Gilst
Walsh

Nays, 1:
Arbuckle

Absent or not voting, 8:

Balloun
Davis

Gaudineer
Griffin

Kennedy
Kyh

Mowry
Potgeter

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

Senate File 560

On motion of Senator Anderson, Senate File 560, a bill for an act relating to state aid for the mentally ill and mentally retarded, was taken up and considered.

Senator Anderson moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 560) the vote was:

Ayes, 41:

Anderson
Balloun
Bass
Briles
Brownlee
Carlson
Coleman
Conklin
Curran
DeKoster
Doderer

Erskine
Gilley
Glenn
Graham
Gross
Keith
Lamborn
Laverty
Messerly
Miller

Milligan
Mowry
Neu
Nicholson
Ollenburg
Palmer
Potgeter
Potter
Rabedaux
Rhodes

Robinson
Shaff
Shawver
Smith
Stephens
Tapscott
Thordsen
Van Drie
Van Gilst
Walsh

Nays, 1:
Arbuckle

Absent or not voting, 8:

Davis
Gaudineer

Griffin
Hill

Kennedy
Kyh

Riley
Schaben

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

Senate File 561

On motion of Senator Curran, Senate File 561, a bill for an act to appropriate from the general fund of the state to the Iowa state fair board for capital improvements, was taken up and considered.

Senator Curran offered the following amendment by the committee on appropriations and moved its adoption:

- 1 Amend Senate File 561, page 2, by inserting the
- 2 following after line 19:
- 3 "Sec. 4. Notwithstanding the provisions of section
- 4 eight point thirty-three (8.33) of the Code, all
- 5 unencumbered or unobligated balances of appropriations
- 6 made by this Act for the first fiscal year of the
- 7 biennium commencing July 1, 1971 shall, on September
- 8 30, 1972, revert to the state treasury and to the credit
- 9 of the fund from which appropriated. The Iowa state
- 10 fair board may make application to the committees on
- 11 appropriations for the reappropriation of any funds
- 12 that do revert, or probably will revert upon the dates
- 13 herein set and the respective committees on
- 14 appropriations or a subcommittee thereof shall hold
- 15 a hearing upon the application while the general assembly
- 16 is in regular session. In all other respects the
- 17 provisions of section eight point thirty-three (8.33)
- 18 of the Code shall apply to appropriations made for the
- 19 first fiscal year of such biennium. Unencumbered or
- 20 unobligated balances of appropriations made for the
- 21 second fiscal year of such biennium shall be subject
- 22 to section eight point thirty-three (8.33) of the Code."

The amendment was adopted.

Senator Hill offered the following amendment and moved its adoption:

- 1 Amend Senate File 561 as follows:
- 2 1. Page 2, lines 13 and 14, by striking the words,
- 3 "budget and financial control committee" and inserting
- 4 in lieu thereof the word "governor".
- 5 2. Page 2, line 15, by striking the words "such
- 6 committee" and inserting in lieu thereof the words
- 7 "the governor".

Division was called for.

The amendment lost.

Senator Curran moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 561) the vote was:

Ayes, 43:

Anderson	Conklin	Graham	Miller
Arbuckle	Curran	Gross	Milligan
Bass	Davis	Hill	Neu
Briles	DeKoster	Keith	Nicholson
Brownlee	Erskine	Lamborn	Ollenburg
Carlson	Gilley	Laverty	Palmer
Coleman	Glenn	Messerly	Potgeter

Potter	Robinson	Smith	Van Drie
Rabedeaux	Schaben	Stephens	Van Gilst
Rhodes	Shaff	Tapscott	Walsh
Riley	Shawver	Thordsen	

Nays, none.

Absent or not voting, 7:

Balloun	Gaudineer	Kennedy	Mowry
Doderer	Griffin	Kyhl	

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

Senate File 562

On motion of Senator Curran, Senate File 562, a bill for an act to appropriate from the general fund of the state of Iowa to the state historical society for development of designated historical sites, was taken up and considered.

Senator Curran moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 562) the vote was:

Ayes, 40:

Anderson	DeKoster	Messerly	Rhodes
Arbuckle	Erskine	Miller	Riley
Bass	Gilley	Milligan	Robinson
Briles	Glenn	Neu	Shaff
Brownlee	Graham	Nicholson	Shawver
Carlson	Gross	Ollenburg	Smith
Coleman	Hill	Palmer	Stephens
Conklin	Keith	Potgeter	Thordsen
Curran	Lamborn	Potter	Van Gilst
Davis	Laverty	Rabedeaux	Walsh

Nays, 2:

Balloun	Tapscott
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Absent or not voting, 8:

Doderer	Griffin	Kyhl	Schaben
Gaudineer	Kennedy	Mowry	Van Drie

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

Senate File 563

On motion of Senator Curran, Senate File 563, a bill for an act to appropriate funds from the general fund of the state to the state historical society, was taken up and considered.

Senator Curran offered the following amendment by the committee on appropriations and moved its adoption:

- 1 Amend Senate File 563, page 2, line 16, by inserting
- 2 the following after the period:
- 3 "The state historical society may make application
- 4 to the committees on appropriations for the reappropria-
- 5 tion of any funds that do revert, or probably will revert
- 6 upon the dates herein set and the respective committees
- 7 on appropriations or a subcommittee thereof shall hold
- 8 a hearing upon the application while the general assembly
- 9 is in regular session."

The amendment was adopted.

SENATE FILE DEFERRED

Senator Messerly asked and received unanimous consent that further action on **Senate File 563** be deferred, and that the bill retain its place on the appropriations committee calendar.

CONSIDERATION OF BILLS

House File 693

On motion of Senator Keith, House File 693, a bill for an act to appropriate from moneys received by the Iowa aeronautics commission, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Keith offered the following amendment by the committee on appropriations and moved its adoption:

- 1 Amend House File 693, page 2, line 36, by inserting
- 2 the following after the period:
- 3 "The Iowa aeronautics commission may make application
- 4 to the committees on appropriations for the reappropria-
- 5 tion of any funds that do revert, or probably will revert
- 6 upon the dates herein set and the respective committees
- 7 on appropriations or a subcommittee thereof shall hold
- 8 a hearing upon the application while the general assembly
- 9 is in regular session."

The amendment was adopted.

Senator Keith moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 693) the vote was:

Ayes, 38:

Anderson	Coleman	Graham	Miller
Arbuckle	Conklin	Griffin	Mowry
Balloun	Curran	Gross	Neu
Bass	Davis	Keith	Nicholson
Briles	DeKoster	Lamborn	Ollenburg
Brownlee	Erskine	Laverty	Palmer
Carlson	Gilley	Messerly	Potter

Riley
Robinson
Shaff

Shawver
Smith
Stephens

Thordsen
Van Drie

Van Gilst
Walsh

Nays, 7:

Glenn
Hill

Milligan
Potgeter

Rabedaux
Rhodes

Tapscott

Absent or not voting, 5:

Doderer
Gaudineer

Kennedy

Kyhl

Schaben

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

Senate File 564

On motion of Senator Mowry, Senate File 564, a bill for an act to make appropriations to members of the advisory investment board of the Iowa public employees' retirement system, was taken up and considered.

Senator Mowry moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 564) the vote was:

Ayes, 43:

Anderson
Arbuckle
Balloun
Bass
Briles
Brownlee
Carlson
Coleman
Conklin
Curran
Davis

DeKoster
Erskine
Gilley
Glenn
Graham
Gross
Hill
Keith
Lamborn
Lavery
Messerly

Miller
Milligan
Mowry
Neu
Nicholson
Ollenburg
Palmer
Potgeter
Potter
Rabedaux
Rhodes

Riley
Robinson
Shaff
Shawver
Smith
Stephens
Tapscott
Thordsen
Van Drie
Van Gilst

Nays, none.

Voting present, 2:

Griffin

Walsh

Absent or not voting, 5:

Doderer
Gaudineer

Kennedy

Kyhl

Schaben

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

House File 700

On motion of Senator Curran, House File 700, a bill for an act to appropriate from moneys received by certain commissions, boards

and departments, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Curran offered the following amendment by the committee on appropriations and moved its adoption:

- 1 Amend House File 700, page 3, line 27, by inserting
- 2 the following after the period:
- 3 "The department of agriculture and Iowa dairy industry
- 4 commission may make application to the committees on
- 5 appropriations for the reappropriation of any funds that
- 6 do revert, or probably will revert upon the dates herein
- 7 set and the respective committees on appropriations or
- 8 a subcommittee thereof shall hold a hearing upon the
- 9 application while the general assembly is in regular
- 10 session."

The amendment was adopted.

Senator Curran moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 700) the vote was:

Ayes, 42:

Anderson	DeKoster	Miller	Riley
Arbuckle	Erskine	Milligan	Shaff
Balloun	Gilley	Neu	Shawver
Bass	Glenn	Nicholson	Smith
Briles	Graham	Ollenburg	Stephens
Brownlee	Griffin	Palmer	Tapscott
Carlson	Gross	Potgeter	Thordsen
Coleman	Hill	Potter	Van Drie
Conklin	Lamborn	Rabedaux	Van Gilst
Curran	Laverty	Rhodes	Walsh
Davis	Messerly		

Nays, none.

Absent or not voting, 8:

Doderer	Keith	Kyhl	Robinson
Gaudineer	Kennedy	Mowry	Schaben

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

House File 708

On motion of Senator Anderson, House File 708, a bill for an act making an appropriation to the commission on aging, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Anderson offered the following amendment by the committee on appropriations and moved its adoption:

- 1 Amend House File 708, page 2, line 22, by inserting

- 2 the following after the period:
 3 "The commission on aging may make application to the
 4 committees on appropriations for the reappropriation
 5 of any funds that do revert, or probably will revert
 6 upon the dates herein set and the respective committees
 7 on appropriations or a subcommittee, thereof shall hold
 8 a hearing upon the application while the general assembly
 9 is in regular session."

The amendment was adopted.

Senator Anderson moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 708) the vote was:

Ayes, 38:

Anderson	Erskine	Milligan	Riley
Arbuckle	Gilley	Neu	Shawver
Bass	Glenn	Nicholson	Smith
Briles	Graham	Ollenburger	Stephens
Brownlee	Griffin	Palmer	Tapscott
Carlson	Gross	Potgeter	Thordsen
Coleman	Lamborn	Potter	Van Drie
Conklin	Laverty	Rabedaux	Van Gilst
Davis	Messerly	Rhodes	Walsh
DeKoster	Miller		

Nays, 1:

Hill

Absent or not voting, 11:

Balloun	Gaudineer	Kyhl	Schaben
Curran	Keith	Mowry	Shaff
Doderer	Kennedy	Robinson	

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

House File 715

On motion of Senator Keith, House File 715, a bill for an act to appropriate from moneys received by the department of public safety motor vehicle license fee fund, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Keith moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 715) the vote was:

Ayes, 41:

Anderson	Briles	Conklin	Erskine
Arbuckle	Brownlee	Curran	Gilley
Balloun	Carlson	Davis	Glenn
Bass	Coleman	DeKoster	Graham

Griffin	Miller	Potgeter	Smith
Gross	Milligan	Potter	Stephens
Hill	Neu	Rabedaux	Thordsen
Keith	Nicholson	Riley	Van Drie
Lamborn	Ollenburg	Robinson	Van Gilst
Laverty	Palmer	Shawver	Walsh
Messerly			

Nays, none.

Absent or not voting, 9:

Doderer	Kyhl	Rhodes	Shaff
Gaudineer	Mowry	Schaben	Tapscott
Kennedy			

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

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Rhodes, from the joint committee on enrolled bills, submitted the following report and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate Files 296, 444 and 518.

JOHN C. RHODES
Chairman, Senate Committee
ELIZABETH R. MILLER
Chairman, House Committee

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate the following bills: Senate Files 296, 444 and 518.

BILLS SENT TO THE GOVERNOR

Senator Rhodes, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 3rd day of June, 1971, sent to the Governor for his approval: Senate Files 296, 444 and 518.

JOHN C. RHODES, Chairman

Passed on file.

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

The Senate resumed session, Senator Potgeter presiding.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House insists on its amendment to the Senate amendment to House File 129, a bill for an act creating a department of general services, and requests a conference committee.

Conferees on the part of the House are: the Representative from Hardin, Mr. Welden, chairman; the Representative from Cerro Gordo, Mr. Lawson; the Representative from Black Hawk, Mr. Hansen, and the Representative from Webster, Mr. Mayberry.

Also: That the House has adopted the following concurrent resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 37, rejected claim by the joint claims committee.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 724, a bill for an act to appropriate funds to the state board of regents.

WILLIAM R. KENDRICK, Chief Clerk

INTRODUCTION OF BILL

Senate File 565, by committee on appropriations, a bill for an act making an appropriation to the department of social services and divisions thereof, including the board of parole, and providing for the administration thereof.

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

HOUSE MESSAGES CONSIDERED

House File 457, a bill for an act to create a vocational youth organization fund, and to make an appropriation therefor.

Read first time and **passed on file**.

House File 724, a bill for an act to appropriate funds from the general fund of the state to the state board of regents and institutions under the control of the board.

Read first time and **passed on file**.

HOUSE CONCURRENT RESOLUTION 37

By Committee on Appropriations

Whereas, doubt has arisen under the provisions of section 25.7, Code 1971, that submission of claims to the joint claims committee of the Senate and House and rejection by the committee constitutes final action thereon by the General Assembly as provided in said section; and

Whereas, certain claims rejected by previous joint claims committees are

sometimes reprocessed by the state appeal board for recurring submission; and

Whereas, it is deemed desirable that claims submitted to the joint claims committees of the Sixty-fourth General Assembly and rejected by the committees should be submitted to the Senate and House for final action and determination as the act of the General Assembly; *Now Therefore*,

Be It Resolved by the House of Representatives, the Senate Concurring, That the claims hereinafter set forth, duly processed by the state appeal board and rejected by the joint claims committee, be considered by the Senate and House, and the action of the joint committee rejecting these claims be approved.

Claimant	Claim No.	Nature of Claim	Amount
Dr. J. W. Stein Macomb, Illinois	1303-64-25	Unpaid salary	\$ 8,500.00
Geza Papp Denver, Colorado	1595-64-25	Mandatory retirement	12,244.10
Bill Nerland Oil Co. Aberdeen, S. D.	1474-64-25	Registration fee refund	89.26
Darold Drall Bristow, Iowa	1149-64-25	Gas tax refund	63.07
Matheson Scientific Milwaukee, Wisc.	1289-64-25	Outdated invoice	178.02
Melvin R. Flowers Decatur, Iowa	1134-64-25	Gas tax refund	45.29
G.B.C. Sales & Services Des Moines, Iowa	1310-64-25	Outdated invoice	29.88
Beckman Instruments, Inc. Chicago, Illinois	1380-64-25	Outdated invoice	114.80
Mercy Hospital Des Moines, Iowa	1446-64-25	Outdated claim	577.56
Wigman Company Sioux City, Iowa	1537-64-25	Construction materials furnished to state	610.37
Northwest Des Moines National Bank Des Moines, Iowa	1546-64-25	Forged warrant	125.95
The Art Store Des Moines, Iowa	1647-64-25	Outdated invoice	2.65
Fisher Scientific Co. St. Louis, Missouri	1687-64-25	Outdated invoice	181.50
Michigan-Wisc. Pipe Line Co.	728-64-25	Overpayment of ap- portioned motor vehicle registration fees for the year 1969	929.31

CONFERENCE COMMITTEE APPOINTED

President Jepsen announced the appointment of the following conference committee on House File 129, on the part of the Senate, Senators Potgeter, chairman; Milligan, Rhodes and Coleman.

ASSIGNMENT OF BILLS TO COMMITTEE

President Jepsen announced the assignment of the following bills to committee:

H. F. 457 Appropriations

H. F. 574 Cities and towns

H. F. 716 Judiciary

ANNOUNCEMENT OF INVESTIGATING COMMITTEES
ON GOVERNOR'S APPOINTMENTS

President Jepsen, in accordance with section 2.32, Code 1971, announced the appointment of the following Senators to investigating committees:

As a member of the Merit Employment Commission:

Mrs. Thelma Heitsman of Corning, Adams County, Iowa, for a regular six-year term ending June 30, 1977.

Senator Briles, Chairman
Senator Anderson
Senator Bass
Senator Griffin
Senator Schaben

As members of the Iowa State Board of Regents:

John Baldridge of Chariton, Lucas County, Iowa, for a regular six-year term ending June 30, 1977.

Senator Rhodes, Chairman
Senator Anderson
Senator Glenn
Senator Laverty
Senator Davis

Mrs. Margaret Collison of Oskaloosa, Mahaska County, Iowa, for a regular six-year term ending June 30, 1977.

Senator Rhodes, Chairman
Senator Laverty
Senator Milligan
Senator Stephens
Senator Van Gilst

Ralph McCartney of Charles City, Floyd County, Iowa, for a regular six-year term ending June 30, 1977.

Senator Van Drie, Chairman
Senator Curran
Senator Gilley
Senator Robinson
Senator Shawver

As members of the Iowa Real Estate Commission:

Stephen Darling of Iowa City, Johnston County, Iowa, for a regular four-year term ending June 30, 1975.

Senator Riley, Chairman

Senator Balloun

Senator Doderer

Senator Rabedaux

Senator Shaff

Don Knudsen of Eagle Grove, Wright County, Iowa, for a regular four-year term ending June 30, 1975.

Senator Ollenburg, Chairman

Senator Curran

Senator Coleman

Senator Keith

Senator Potgeter

As members of the Council on Social Services:

David F. McCann of Council Bluffs, Pottawattamie County, Iowa, for a regular six-year term ending June 30, 1977.

Senator Griffin, Chairman

Senator Bass

Senator Briles

Senator Neu

Senator Schaben

Fernice W. Robbins of Waterloo, Black Hawk County, Iowa, for a regular six-year term ending June 30, 1977.

Senator Conklin, Chairman

Senator Balloun

Senator Kennedy

Senator Messerly

Senator Shawver

As members of the State Soil Conservation Committee:

Carroll J. Hobson of Eldora, Hardin County, Iowa, for the unexpired portion of a term ending June 30, 1975.

Senator Potgeter, Chairman

Senator Hill

Senator Mowry

Senator Stephens

Senator Van Drie

Donald L. Johnson of Fairfield, Jefferson County, Iowa, for a regular six-year term ending June 30, 1977.

Senator Stephens, Chairman

Senator Davis

Senator Nicholson

Senator Miller

Senator Rabedaux

Tom Kenny of Akron, Plymouth County, Iowa, for a regular six-year term ending June 30, 1977.

Senator DeKoster, Chairman

Senator Erskine

Senator Graham

Senator Gross

Senator Smith

As members of the State Judicial Nominating Commission:

Donald E. Balster of Marion, Linn County, Iowa, for a regular six-year term ending June 30, 1977.

Senator Potter, Chairman
Senator Conklin
Senator Riley
Senator Robinson
Senator Shaff

William Beck of Spirit Lake, Dickinson County, Iowa, for a regular six-year term ending June 30, 1977.

Senator Smith, Chairman
Senator Brownlee
Senator Coleman
Senator DeKoster
Senator Keith

William Sorenson of Jefferson, Greene County, Iowa, for the unexpired portion of a term ending June 30, 1975.

Senator Arbuckle, Chairman
Senator Coleman
Senator Graham
Senator Neu
Senator Van Drie

C. H. Wildman of Davenport, Scott County, Iowa, for a regular six-year term ending June 30, 1977.

Senator Thordsen, Chairman
Senator Miller
Senator Nicholson
Senator Shaff
Senator Walsh

REPORTS OF COMMITTEES

Senator Messerly submitted the following reports:

MR. PRESIDENT: Your committee on appropriations, to which was referred **House File 606**, a bill for an act relating to war orphans' educational aid fund and making an appropriation to the bonus board, begs leave to report it has had the same under consideration and recommends the same **do pass**.

FRANCIS L. MESSERLY, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred **House File 688**, a bill for an act making an appropriation to the department of public instruction to provide school lunch assistance, begs leave to report it has had the same under consideration and recommends the same **do pass**.

FRANCIS L. MESSERLY, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred **House File 710**, a bill for an act relating to sewage treatment projects and to appropriate from the general fund of the state for the sewage works construction fund, begs leave to report it has had the same under consideration and recommends the same **be amended as follows; and when so amended the bill do pass:**

Amend House File 710 as follows:

Page 2, line 20, by adding after the figure "1969" the words "however, the funds appropriated by this subsection shall only be available if federal matching funds in an amount equal to fifty percent or more of the total cost of eligible projects are made available to the state of Iowa".

FRANCIS L. MESSERLY, Chairman

Ordered passed on file.

Senator Potter submitted the following report:

MR. PRESIDENT: Your committee on cities and towns, to which was referred **House File 574**, a bill for an act relating to home rule for cities; establishing the City Code of Iowa which provides for powers and duties of cities including the power to impose penalties by ordinance, city development organization of city government, city elections, city legislation, city finance including the power to issue bonds, city utilities, and administrative agencies of cities; coordinating the Code of Iowa with the City Code of Iowa; repealing incompatible chapters in Title fifteen (15) and reenacting provisions from Title fifteen (15) which belong in other parts of the Code of Iowa; removing inconsistent references, incorrect provisions, limited grants of power, and restrictions based upon population; and providing for a state housing code and penalties for violation thereof, to be enforced in cooperation with city officials, begs leave to report it has had the same under consideration and recommends the same **do pass.**

RALPH W. POTTER, Chairman

Ordered passed on file.

Senator Potgeter submitted the following reports:

MR. PRESIDENT: Your committee on state government, to which was referred **House File 632**, a bill for an act amending House File 119 of the Sixty-fourth General Assembly, First Session, relating to the population of election precincts, begs leave to report it has had the same under consideration and recommends the same **do pass.**

JAMES A. POTGETER, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on state government, to which was referred **House File 666**, a bill for an act relating to salaries, vacation, and sick leave for state employees, begs leave to report it has had the same under consideration and **returns the bill without recommendation.**

JAMES A. POTGETER, Chairman

Ordered passed on file.

AMENDMENTS FILED

- 1 Amend the Shawver-Laverty amendment to Senate File
- 2 85, filed on April 23, 1971, and printed on pages 960
- 3 through 962 of the Journal of the Senate as follows:
- 4 1. Page 1, line 9, by striking the words "the
- 5 chemical technology commission,".
- 6 2. Page 2, by striking lines 14 through 24,
- 7 inclusive.
- 8 3. Page 2, line 25, by striking the number "4" and
- 9 inserting in lieu thereof the number "3".

RICHARD L. STEPHENS

- 1 Amend the Stephens, Briles, et al., amendment to
- 2 Senate File 85, filed May 6, 1971, and printed on page
- 3 1163 of the Journal of the Senate, by striking lines 2
- 4 through 7, inclusive.

RICHARD L. STEPHENS

- 1 Amend House File 503 as follows:
- 2 1. Page 2, line 20, by adding after the word "in"
- 3 the words "either of".
- 4 2. Page 2, line 21, by striking the word "manner"
- 5 and inserting in lieu thereof the word "methods".
- 6 3. Page 2, line 26, by striking the figure "2.".
- 7 4. Page 2, line 29, by striking the period and insert-
- 8 ing in lieu thereof "; or".
- 9 5. Page 2, line 30, by striking the figure "3" and
- 10 inserting in lieu thereof the figure "2".
- 11 6. Page 3, line 1, by striking "4. Thereafter" and
- 12 inserting in lieu thereof "*3. If either method of*
- 13 *annexation provided for in subsections one (1) or two (2)*
- 14 *of this section is completed*".

ARTHUR A. NEU

- 1 Amend the Erskine, et al., amendment to Senate File 523 filed
- 2 May 26, 1971 as follows:
- 3 1. Page 2, by striking all after the period (.) in line 1 and
- 4 all of lines 2 and 3.
- 5 2. Page 2, by striking lines 15 through 25 inclusive.
- 6 3. Page 3, by striking lines 1 through 4 and inserting in lieu
- 7 thereof the following:
- 8 "Sec. 4. Section four hundred forty-one point twenty-two
- 9 (441.22), Code 1971, is amended as follows: 441.22 Forest and
- 10 Fruit-Tree Reservations. Forest reservations fulfilling the
- 11 conditions of sections 161.1 to 161.13, inclusive, shall be
- 12 assessed on a taxable valuation of four dollars per acre. Fruit
- 13 tree reservations shall be assessed on a taxable valuation of
- 14 four dollars per acre for a period of eight years from the time
- 15 of planting. *Except that approved forest reservations located*
- 16 *within the incorporated limits of a city or town shall be*
- 17 *assessed as agricultural land at thirteen and one-half percent of*
- 18 *actual value. Fruit tree reservations within the incorporated*
- 19 *limits of cities and towns shall be assessed as agricultural land*
- 20 *at thirteen and one-half per cent of actual value for a period of*

21 *eight years from the time of planting. After the expiration of*
22 *this period of time recognition as a fruit tree reservation shall*
23 *be withdrawn, the orchard assessed as agricultural land as*
24 *provided in Chapter 441. In all other cases where trees are*

Page 2

- 1 planted upon any tract of land, without regard to area, for
- 2 forest, fruit, shade, or ornamental purposes or for windbreaks,
- 3 the assessor shall not increase the valuation of such property
- 4 because of such improvements."

C. JOSEPH COLEMAN

- 1 Amend House File 703, page 3, line 12, by inserting
- 2 the following after the period:
- 3 "The department of agriculture and Iowa dairy industry
- 4 commission may make application to the committees on
- 5 appropriations for the reappropriation of any funds that
- 6 do revert, or probably will revert upon the dates herein
- 7 set and the respective committees on appropriations or
- 8 a subcommittee thereof shall hold a hearing upon the
- 9 application while the general assembly is in regular
- 10 session."

COMMITTEE ON APPROPRIATIONS
FRANCIS MESSERLY, Chairman

On motion of Senator Potter, the Senate adjourned until 9:00
a.m., Friday, June 4, 1971.

JOURNAL OF THE SENATE

ONE HUNDRED FORTY-FIFTH DAY

SENATE CHAMBER

DES MOINES, IOWA, FRIDAY, JUNE 4, 1971

The Senate met in regular session, President Jepsen presiding.

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

The Senate pledged allegiance to the flag.

The Journal of Thursday, June 3, 1971, was approved.

PRESENTATION OF VISITORS

The Chair announced that the following visitors were present in the Senate gallery:

Forty students from Evansdale Community School, Evansdale, Iowa, accompanied by Mrs. Lidtke.

UNFINISHED BUSINESS

Senate File 85

The Senate resumed consideration of Senate File 85, a bill for an act creating a department of environmental quality, specifying its powers, duties and functions, and providing penalties for violations thereof, and division 1 of the amendment filed April 23, 1971, by Senators Shawver and Laverty.

Senator Laverty offered the following amendment to division 1 of the amendment filed by Senators Potgeter and Laverty and moved its adoption:

- 1 Amend the Shawver and Laverty amendment filed April 23, 1971,
- 2 to Senate File 85 on page 3, line 25, by striking the word "forty"
- 3 and inserting in lieu thereof the word "thirty".

The amendment to division 1 was adopted.

Senator Stephens offered the following amendment to division 1 filed by him on June 3:

- 1 Amend the Shawver-Laverty amendment to Senate File
- 2 85, filed on April 23, 1971, and printed on pages 960
- 3 through 962 of the Journal of the Senate as follows:
- 4 1. Page 1, line 9, by striking the words "the

- 5 chemical technology commission,".
- 6 2. Page 2, by striking lines 14 through 24,
- 7 inclusive.
- 8 3. Page 2, line 25, by striking the number "4" and
- 9 inserting in lieu thereof the number "3".

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

The Senate resumed session, President Jepsen presiding.

The Chair ruled the Stephens amendment to division 1 out of order.

Senator Potgeter offered the following amendment to division 1 and moved its adoption:

- 1 Amend the Shawver and Lavery amendment, filed April 23, 1971,
- 2 to Senate File 85 as follows:
- 3 1. Page 1, line 24, by inserting after the period the words "No
- 4 member shall be appointed to serve more than two complete terms."
- 5 2. Page 2, line 13, by inserting after the period the words "No
- 6 member shall be appointed to serve more than two complete terms."
- 7 3. Page 2, line 24, by inserting after the period the words "No
- 8 member shall be appointed to serve more than two complete terms."
- 9 4. Page 3, line 4, by inserting after the period the words "No
- 10 member shall be appointed to serve more than two complete terms."

The amendment to division 1 was adopted.

Senator Potgeter offered the following amendment to division 1 and moved its adoption:

- 1 Amend the Shawver and Lavery amendment, filed April 23, 1971,
- 2 to Senate File 85, page 4, line 15, by inserting after the word
- 3 "repeal" the words ", subject to the provisions of chapter seventeen
- 4 A (17A) of the Code,".

The amendment to division 1 was adopted.

Senator Shawver moved the adoption of division 1 of the amendment as amended.

Division was called for.

Division 1 of the amendment as amended was adopted.

Senator Stephens offered the following amendment filed by Senators Stephens, Briles and Graham on May 6:

- 1 Amend Senate File 85 as follows:
- 2 1. Page 3, by striking from lines 18 and 19 the words
- 3 "the chemical technology commission,".
- 4 2. Page 4, by striking lines 34 and 35.
- 5 3. Page 5, by striking lines 1 through 8.
- 6 4. Page 5, line 9, by striking the number "4" and
- 7 inserting in lieu thereof the number "3".
- 8 5. Page 5, line 26, by striking the word "four" and
- 9 inserting in lieu thereof the word "three".

- 10 6. Page 44, by striking all of lines 24 through 35.
- 11 7. By striking pages 45 through 73.
- 12 8. Page 74, by striking lines 1 through 16.
- 13 9. Page 76, line 7, by striking the following:
- 14 "two hundred (200), two hundred six (206), two".
- 15 10. Page 76, line 8, by striking the following:
- 16 "hundred six A (206A)".

Senator Stephens asked and received unanimous consent to withdraw the Stephens-Briles-Graham amendment filed May 6, and the amendment to the amendment filed June 3.

Senator Riley offered the following amendment filed by him on April 19 and moved its adoption:

- 1 Amend Senate File 85 as follows:
- 2 1. Page 22, by inserting after line 5 the following new sub-
- 3 section and renumbering the remaining subsections:
- 4 8. 'Detergent' means a cleaning compound composed of in-
- 5 organic components, including surface active agents, soaps,
- 6 water softening agents, builders, dispersing agents, corrosion
- 7 inhibitors, foaming agents, buffering agents, brighteners,
- 8 fabric softeners, dyes, perfumes, enzymes, and fillers, which
- 9 are available for household, personal, laundry, industrial, and
- 10 other uses in liquid, bar, spray, tablet, flake, powder, or
- 11 other form.
- 12 2. Page 23, by inserting after line 13 the following new sub-
- 13 section and renumbering the remaining subsections:
- 14 5. Establish, modify or repeal rules and regulations govern-
- 15 ing the labeling of detergents. Any rules and regulations shall
- 16 be formulated to provide potential purchasers with accurate in-
- 17 formation concerning the percent phosphorus or phosphate in the
- 18 formula, the weight in grams of phosphorus or phosphate per recom-
- 19 mended use level and the ingredients in the package.

The amendment was adopted.

Senator Shawver offered the following amendment filed by him on May 14 and moved its adoption:

- 1 Amend Senate File 85 as follows:
- 2 1. Page 22, by striking lines 26 and 27 and insert-
- 3 ing in lieu thereof the following:
- 4 "2. Establish, modify, or repeal quality standards
- 5 and effluent standards for the water of the state. The
- 6 effluent standards may provide for maintaining the exist-
- 7 ing quality of the water of the state where the quality
- 8 thereof exceeds the requirements of the water quality
- 9 standards."
- 10 2. Page 24, by striking lines 11 and 12 and insert-
- 11 ing in lieu thereof the following:
- 12 "Sec. 36. In establishing, modifying, or repealing
- 13 quality standards for the water of the state, or in estab-
- 14 lishing, modifying, or repealing effluent standards for
- 15 disposal systems, the commission shall consider:"
- 16 3. Page 24, line 15, by striking the word "water"
- 17 and inserting in lieu thereof the words "affected water of

18 the state”.

19 4. Page 24, lines 16 and 17, by striking the words
20 “said waters” and inserting in lieu thereof the words “the
21 affected water of the state”.

22 5. Page 24, line 19, by striking the words “said
23 waters” and inserting in lieu thereof the words “the
24 affected water of the state”.

25 6. Page 25, by striking lines 3 and 4.

The amendment was adopted.

Senator Riley offered the amendment filed by him on March 24 and found on pages 588-590, inclusive, of the Senate Journal.

Senator Brownlee took the chair at 11:05 a.m.

On motion of Senator Riley, the amendment was adopted.

Senator Bass offered the following amendment filed by him on May 14:

- 1 Amend Senate File 85 as follows:
- 2 1. Page 60, by striking lines 22 through 35, inclusive.
- 3 2. By striking pages 61 through 73, inclusive.
- 4 3. Page 74, by striking lines 1 through 10, inclusive.
- 5 4. Page 74, line 13, by striking the words “one hundred
6 thirteen (113)” and inserting in lieu thereof the words
7 “ninety-six (96)”.
- 8 5. Page 76, line 7, by striking the words “two hundred
9 (200),”.
- 10 6. By renumbering the sections and internal references
11 to sections to conform to this amendment.

Senator Glenn raised a point of order on the amendment for the reason that the same subject matter had already been considered.

The Chair ruled the point not well taken and the amendment in order.

On motion of Senator Bass, the amendment was adopted.

Senator Lavery withdrew the following amendment filed June 2:

- 1 Amend Senate File 85, page 70, by striking lines 26
2 through 32, inclusive.

Senator Potgeter offered the following amendment and moved its adoption:

- 1 Amend Senate File 85, page 2, by striking line 13 and in line
2 14 the word “pleasure” and inserting in lieu thereof the words “be
3 appointed by the Governor, with the approval of two-thirds of the
4 members of the senate, and serve at his pleasure”.

Division was called for.

The amendment was adopted.

Senator Lavery moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 85) the vote was:

Rule 24 was invoked.

Ayes, 30:

Bass	Glenn	Miller	Rhodes
Brownlee	Griffin	Milligan	Riley
Carlson	Gross	Neu	Robinson
Coleman	Hill	Nicholson	Shawver
Curran	Kennedy	Palmer	Tapscott
Davis	Lamborn	Potter	Van Drie
DeKoster	Lavery	Rabedaux	Van Gilst
Erskine	Messerly		

Nays, 13:

Anderson	Gilley	Potgeter	Stephens
Balloun	Mowry	Shaff	Thordsen
Conklin	Ollenburg	Smith	Walsh
Gaudineer			

Absent or not voting, 7:

Arbuckle	Doderer	Keith	Schaben
Briles	Graham	Kyhl	

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

Senator Lavery moved that the vote by which **Senate File 85** passed the Senate be reconsidered and the motion to reconsider be laid on the table.

Division was called for.

The motion prevailed.

President Jepsen took the chair at 12:10 p.m.

Senator Lamborn asked unanimous consent to take up for consideration **House File 574**.

Objection was raised.

MOTION TO SUSPEND THE RULES LOST

Senator Lamborn moved that the rules be suspended and that House File 574 be taken up for consideration.

On the question "Shall the motion to suspend the rules be adopted?" (H.F. 574) the vote was:

Ayes, 30:

Arbuckle	Carlson	DeKoster	Gilley
Balloun	Coleman	Erskine	Glenn
Brownlee	Davis	Gaudineer	Griffin

Gross	Miller	Potter	Shaff
Keith	Milligan	Rhodes	Tapscott
Kennedy	Neu	Riley	Van Drie
Lamborn	Ollenburg	Robinson	Walsh
Laverty	Palmer		

Nays, 13:

Anderson	Messerly	Potgeter	Smith
Bass	Mowry	Rabedeaux	Stephens
Conklin	Nicholson	Shawver	Van Gilst
Hill			

Absent or not voting, 7:

Briles	Doderer	Kyhl	Thordsen
Curran	Graham	Schaben	

The motion lost.

SENATE RECEDES**House File 211**

Senator Riley called up for consideration House File 211, a bill for an act relating to the term of office of county attorneys, amended by the Senate, and moved that the Senate recede from its amendment.

The motion prevailed and the Senate receded from its amendment.

Senator Riley moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 211) the vote was:

Ayes, 38:

Anderson	Gaudineer	Milligan	Riley
Arbuckle	Gilley	Mowry	Robinson
Balloun	Glenn	Neu	Shaff
Bass	Griffin	Nicholson	Shawver
Brownlee	Gross	Palmer	Tapscott
Carlson	Hill	Potgeter	Thordsen
Conklin	Kennedy	Potter	Van Drie
Davis	Lamborn	Rabedeaux	Van Gilst
DeKoster	Laverty	Rhodes	Walsh
Erskine	Messerly		

Nays, 1:

Coleman

Absent or not voting, 11:

Briles	Graham	Miller	Smith
Curran	Keith	Ollenburg	Stephens
Doderer	Kyhl	Schaben	

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

HOUSE AMENDMENTS CONSIDERED

Senate File 297

Senator Thordsen called up for consideration Senate File 297, a bill for an act relating to motor vehicle inspection and safety and providing penalties for violation of the act, amended by the House, and moved that the Senate concur in the following amendments:

- 1 Amend Senate File 297, as amended, passed, and
- 2 reprinted by the Senate, as follows:

- 3 1. Page 1, line 8, by adding after the period the
- 4 following:

- 5 "The commissioner may adopt such rules and regulations,
- 6 subject to the provisions of chapter seventeen A (17A) of
- 7 the Code, as shall be necessary for the efficient operation
- 8 and maintenance of vehicle inspection stations.

- 9 2. Page 2, line 10, by striking the words "regular
- 10 United States mail" and inserting in lieu thereof the
- 11 words "certified mail, return receipt requested,".

- 12 3. By adding the following new sections:

- 13 1. Section three hundred twenty-one point one
- 14 hundred sixty-seven (321.167), Code 1971, is hereby
- 15 amended as follows:

- 16 321.167 DELIVERY OF PLATES OR EMBLEMS. On or before
- 17 the first day of December of each year, the department shall
- 18 deliver or cause to be delivered to the county treasurer
- 19 of each county, approximately as many duplicate number plates
- 20 [and certificate containers] as there are motor vehicles
- 21 registered in such county during the preceding year, the
- 22 plates so delivered to each county treasurer to be in
- 23 numerical sequence.

- 24 In lieu of plates, the department may furnish the county
- 25 treasurers appropriate distinguishing emblems as provided

Page 2

- 1 in section 321.34.

- 2 2. Section three hundred twenty-one point one
- 3 hundred sixty-eight (321.168), Code 1971, is hereby
- 4 amended as follows:

- 5 321.168 ADDITIONAL DELIVERIES. Thereafter, during
- 6 the year, the department, upon requisition of the
- 7 county treasurer, shall deliver additional number plates
- 8 [and certificate containers.]

- 9 4. Amend the title, line 1, by inserting after the
- 10 word "safety" the following: "and relating to
- 11 registration certificates and containers,".

The motion prevailed and the Senate concurred in the House amendments.

Senator Thordsen moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 297) the vote was:

Ayes, 35:

Anderson	Gaudineer	Neu	Shaff
Arbuckle	Gilley	Nicholson	Shawver
Balloun	Glenn	Ollenburg	Smith
Brownlee	Griffin	Palmer	Tapscott
Carlson	Keith	Potgeter	Thordsen
Conklin	Kennedy	Potter	Van Drie
Davis	Lamborn	Rabedeaux	Van Gilst
DeKoster	Messerly	Rhodes	Walsh
Erskine	Mowry	Riley	

Nays, 4:

Bass	Gross	Hill	Milligan
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Absent or not voting, 11:

Briles	Doderer	Laverty	Schaben
Coleman	Graham	Miller	Stephens
Curran	Kyhl	Robinson	

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

Senate File 509

Senator Griffin called up for consideration Senate File 509, a bill for an act relating to vocational training and apprenticeship programs, amended by the House, and moved that the Senate concur in the following amendment:

- 1 Amend Senate File 509 by striking everything after
- 2 the enacting clause and inserting in lieu thereof the
- 3 following:
- 4 "Section 1. Section ninety-two point nine (92.9),
- 5 unnumbered paragraph one (1), Code 1971, is amended
- 6 as follows:
- 7 92.9 SCHOOL TRAINING PERMITTED. The provisions
- 8 of [section] sections 92.8 and 92.10 shall not apply
- 9 to pupils working under an instructor in a manual
- 10 training department in the public schools of the state
- 11 or under an instructor in a school shop, or industrial
- 12 plant, or in a course of vocational education, or to
- 13 apprentices provided they are employed under all of
- 14 the following conditions:".

The motion prevailed and the Senate concurred in the House amendment.

Senator Griffin moved that the bill as amended by the House and concurred in by the Senate be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 509) the vote was:

Ayes, 38:

Anderson	Bass	Conklin	Erskine
Arbuckle	Brownlee	Davis	Gaudineer
Balloun	Carlson	DeKoster	Gilley

Glenn	Milligan	Potter	Smith
Griffin	Mowry	Rabedaux	Tapscott
Gross	Neu	Rhodes	Thordsen
Hill	Nicholson	Riley	Van Drie
Kennedy	Ollenburg	Shaff	Van Gilst
Lamborn	Palmer	Shawver	Walsh
Laverty	Potgeter		

Nays, none.

Absent or voting, 12:

Briles	Doderer	Kyhl	Robinson
Coleman	Graham	Messerly	Schaben
Curran	Keith	Miller	Stephens

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

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File 182, a bill for an act providing a relocation advisory assistance program and relocation payments to persons displaced by highway projects.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 679, a bill for an act relating to the powers and duties of the budget and financial control committee.

Also: That the House has concurred in Senate amendments to and re-passed the following bill in which the concurrence of the House was asked:

House File 704, a bill for an act to extend and improve the federal-state unemployment compensation program.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 720, a bill for an act to appropriate the fish and game protection fund for use by state conservation commission.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 721, a bill for an act relating to the administration fund of the state conservation commission.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 722, a bill for an act to appropriate from general fund to the state conservation commission.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 528, a bill for an act to appropriate from the general fund to the higher education facilities commission for supported scholarship and medical student tuition loan programs.

WILLIAM R. KENDRICK, Chief Clerk

HOUSE AMENDMENT TO SENATE FILE 528

- 1 Amend Senate File 528, page 2, by striking all of
- 2 line 14 and inserting in lieu thereof the following:
- 3 "Code, the following amounts: \$290,000.00
- 4 \$235,000.00".

INTRODUCTION OF BILLS

Senate File 566, by committee on human and industrial relations, a bill for an act relating to private employment agency fees and appeals from decisions of the labor commissioner.

Read first time and placed on calendar.

Senate File 567, by committee on human and industrial relations, a bill for an act to provide for a procedure allowing public employees and public employers to meet and confer to resolve disputes regarding wages, hours and other terms and conditions of employment.

Read first time and placed on calendar.

HOUSE MESSAGES CONSIDERED

House File 182, a bill for an act providing a relocation advisory assistance program and relocation payments to persons displaced by highway projects.

Read first time and passed on file.

House File 720, a bill for an act to appropriate the fish and game protection fund for use by the state conservation commission.

Read first time and referred to committee on appropriations.

House File 721, a bill for an act relating to the administration fund of the state conservation commission.

Read first time and referred to committee on appropriations.

House File 722, a bill for an act to appropriate from the general fund of the state of Iowa to the state conservation commission.

Read first time and referred to committee on appropriations.

House File 679, a bill for an act relating to the powers and duties of the budget and financial control committee and the legislative fiscal director.

Read first time and passed on file.

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

The Senate resumed session, Senator Lamborn presiding.

MOTION TO RECONSIDER ADOPTED

House File 703

Senator Hill called up the following motion to reconsider filed by him on June 2 and moved its adoption:

MR. PRESIDENT: I move to reconsider the vote by which House File 703 passed the Senate.

On the question "Shall the motion to reconsider be adopted?" (H.F. 703) the vote was:

Ayes, 35:

Anderson	Glenn	Milligan	Robinson
Bass	Gross	Neu	Shaff
Briles	Hill	Nicholson	Shawver
Brownlee	Keith	Palmer	Tapscott
Davis	Kennedy	Potgeter	Thordsen
DeKoster	Lamborn	Potter	Van Drie
Erskine	Laverty	Rabedeaux	Van Gilst
Gaudineer	Messerly	Rhodes	Walsh
Gilley	Miller	Riley	

Nays, 7:

Arbuckle	Conklin	Mowry	Stephens
Carlson	Griffin	Smith	

Absent or not voting, 8:

Balloun	Currant	Graham	Ollenburg
Coleman	Doderer	Kyhl	Schaben

The motion prevailed.

Senator Hill moved to reconsider the vote by which House File 703 went to its last reading, which motion prevailed.

On motion of Senator Hill, House File 703, a bill for an act making an appropriation from the general fund of the state to the Iowa reciprocity board, was taken up for reconsideration.

Senator Messerly offered the following amendment by the committee on appropriations and moved its adoption:

- 1 Amend House File 703, page 3, line 12, by inserting
- 2 the following after the period:
- 3 "The department of agriculture and Iowa dairy industry
- 4 commission may make application to the committees on
- 5 appropriations for the reappropriation of any funds that
- 6 do revert, or probably will revert upon the dates herein
- 7 set and the respective committees on appropriations or
- 8 a subcommittee thereof shall hold a hearing upon the
- 9 application while the general assembly is in regular
- 10 session."

The amendment was adopted.

Senator Hill withdrew the amendment filed by him on June 2 and found on pages 1602 and 1603 of the Senate Journal.

Senator Hill moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 703) the vote was:

Ayes, 42:

Anderson	Gilley	Milligan	Robinson
Arbuckle	Glenn	Mowry	Shaff
Bass	Griffin	Neu	Shawver
Brownlee	Gross	Nicholson	Smith
Carlson	Hill	Palmer	Stephens
Coleman	Keith	Potgeter	Tapscott
Conklin	Kennedy	Potter	Thordsen
Davis	Lamborn	Rabedeaux	Van Drie
DeKoster	Laverty	Rhodes	Van Gilst
Erskine	Messerly	Riley	Walsh
Gaudineer	Miller		

Nays, none.

Absent or not voting, 8:

Balloun	Curran	Graham	Ollenburg
Briles	Doderer	Kyhl	Schaben

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

CONSIDERATION OF BILLS

House File 46

On motion of Senator DeKoster, House File 46, a bill for an act relating to slow-moving vehicle warning devices, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator DeKoster offered the following amendment by the committee on transportation and moved its adoption:

- 1 Amend House File 46, page 2, line 10, by striking the word
- 2 "or" and inserting in lieu thereof the words "and any such
- 3 tractor, implement, vehicle or grader".

The amendment was adopted.

Senator Potgeter withdrew the following amendment filed May 19:

- 1 Amend House File 46, page 2, by striking in lines 17 and
- 2 18 the words from "*sunset to sunrise*."

Senator Potgeter offered the following amendment and moved its adoption:

- 1 Amend House File 46, as passed by the House, page 3,
- 2 by striking in line 18 the following: "*sunset to*
- 3 *sunrise*".

The amendment was adopted.

Senator Balloun offered the following amendment filed by him on June 1:

- 1 Amend House File 46, page 3, line 15, by striking the
- 2 words "[may] shall" and inserting in lieu thereof the word
- 3 "may".

Senator Balloun moved the adoption of his amendment and called for a division.

The amendment lost.

Senator Potgeter moved to reconsider the vote by which the Potgeter amendment was adopted by the Senate, which motion prevailed, and the amendment was taken up for reconsideration.

Senator Potgeter moved the adoption of the amendment and called for a division.

The amendment lost.

Action on House File 46 was temporarily deferred.

House File 66

On motion of Senator Robinson, House File 66, a bill for an act relating to the sale of real property owned by a school district, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Potgeter withdrew the following amendment filed by him on May 19:

- 1 Amend House File 66, page 2, by striking lines 16 through
- 2 20, inclusive.

Senator Potgeter offered the following amendment filed by him on May 28:

- 1 Amend House File 66, page 2, by striking lines 17 through 21,
- 2 inclusive.

Senator Walsh requested that Senator Potgeter withdraw his amendment and stated that he and Senator Kennedy would share the cost of publication.

Senator Potgeter asked and received unanimous consent that his amendment be withdrawn and that the remarks of Senator Walsh be printed in the Journal.

Senator Robinson moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 66) the vote was:

Ayes, 41:

Anderson	Erskine	Milligan	Robinson
Arbuckle	Gaudineer	Neu	Shaff
Balloun	Gilley	Nicholson	Shawver
Bass	Glenn	Ollenburg	Smith
Briles	Griffin	Palmer	Stephens
Brownlee	Gross	Potgeter	Tapscott
Carlson	Keith	Potter	Thordsen
Coleman	Kennedy	Rabedeaux	Van Drie
Conklin	Lamborn	Rhodes	Van Gilst
Davis	Miller	Riley	Walsh
DeKoster			

Nays, none.

Absent or not voting, 9:

Curran	Hill	Laverty	Mowry
Doderer	Kyhl	Messerly	Schaben
Graham			

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

Senator Coleman moved that the vote by which **House File 66** passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House File 317

On motion of Senator Kennedy, House File 317, a bill for an act relating to supervision of local budget preparation, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Kennedy moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 317) the vote was:

Ayes, 39:

Anderson	Erskine	Milligan	Shaff
Arbuckle	Gaudineer	Neu	Shawver
Balloun	Gilley	Nicholson	Smith
Bass	Glenn	Ollenburg	Stephens
Briles	Griffin	Palmer	Tapscott
Brownlee	Gross	Potgeter	Thordsen
Carlson	Hill	Potter	Van Drie
Coleman	Kennedy	Rabedeaux	Van Gilst
Conklin	Lamborn	Rhodes	Walsh
Davis	Miller	Riley	

Nays, none.

Absent or not voting, 11:

Curran	Graham	Laverty	Robinson
DeKoster	Keith	Messerly	Schaben
Doderer	Kyhl	Mowry	

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

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

The Senate resumed session, Senator Brownlee presiding.

House File 46

The Senate resumed consideration of House File 46.

Senator DeKoster offered the following amendment and moved its adoption:

- 1 Amend House File 46, as passed by the House, page 3, by
- 2 striking all of lines 16 and 17, and inserting in lieu
- 3 thereof the following: "equipped with and display [not
- 4 more than two flashing lights], *after June 30, 1972, an*
- 5 *amber flashing light visible from the rear at any time*
- 6 *from*".

The amendment was adopted.

Senator DeKoster offered the following amendment and moved its adoption:

- 1 Amend House File 46, as amended by the House, page 3, by
- 2 striking lines 9 and 10 and inserting in lieu thereof the
- 3 following:
- 4 "6. Any farm tractor, or tractor with towed equipment,
- 5 self-propelled implement of husbandry, road construction".

The amendment was adopted.

Senator DeKoster moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 46) the vote was:

Rule 24 was invoked.

Ayes, 32:

Brownlee	Gross	Neu	Robinson
Carlson	Hill	Nicholson	Shaff
Conklin	Keith	Ollenburg	Shawver
Davis	Kennedy	Palmer	Tapscott
DeKoster	Lamborn	Potgeter	Thorsen
Erskine	Messerly	Potter	Van Drie
Gaudineer	Miller	Rhodes	Van Gilst
Glenn	Milligan	Riley	Walsh

Nays, 10:

Anderson	Bass	Gilley	Rabedaux
Arbuckle	Briles	Laverty	Stephens
Balloun	Coleman		

Absent or not voting, 8:

Curran	Graham	Kyhl	Schaben
Doderer	Griffin	Mowry	Smith

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

President Jepsen took the chair at 3:06 p.m.

Senator DeKoster moved that the vote by which **House File 46** passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House File 446

On motion of Senator Carlson, House File 446, a bill for an act relating to public recreation on private lands, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Carlson moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 446) the vote was:

Ayes, 37:

Anderson	Erskine	Miller	Riley
Arbuckle	Gilley	Milligan	Robinson
Balloun	Glenn	Neu	Shawver
Bass	Gross	Nicholson	Stephens
Briles	Hill	Palmer	Tapscott
Brownlee	Kennedy	Potgeter	Thordsen
Carlson	Lamborn	Potter	Van Drie
Coleman	Laverty	Rabedeaux	Van Gilst
Conklin	Messerly	Rhodes	Walsh
Davis			

Nays, 1:

DeKoster

Absent or not voting, 12:

Curran	Graham	Kyhl	Schaben
Doderer	Griffin	Mowry	Shaff
Gaudineer	Keith	Ollenburg	Smith

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

House File 463

On motion of Senator Arbuckle, House File 463, a bill for an act relating to emergency succession and emergency location of state and local governments, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Arbuckle moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 463) the vote was:

Ayes, 34:

Anderson	Davis	Laverty	Rhodes
Arbuckle	DeKoster	Miller	Riley
Balloun	Erskine	Milligan	Robinson
Bass	Gilley	Neu	Shawver
Briles	Glenn	Nicholson	Stephens
Brownlee	Gross	Palmer	Thordsen
Carlson	Hill	Potter	Van Drie
Coleman	Kennedy	Rabedeaux	Van Gilst
Conklin	Lamborn		

Nays, none.

Voting present, 1:

Walsh

Absent or not voting, 15:

Curran	Griffin	Mowry	Shaff
Doderer	Keith	Ollenburg	Smith
Gaudineer	Kyhl	Potgeter	Tapscott
Graham	Messerly	Schaben	

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

House File 514

On motion of Senator Brownlee, House File 514, a bill for an act relating to county conservation boards, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Brownlee moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 514) the vote was:

Ayes, 37:

Anderson	Erskine	Messerly	Rhodes
Arbuckle	Gaudineer	Miller	Riley
Balloun	Glenn	Milligan	Robinson
Briles	Griffin	Neu	Shawver
Brownlee	Gross	Nicholson	Stephens
Carlson	Hill	Palmer	Tapscott
Conklin	Keith	Potgeter	Van Drie
Coleman	Lamborn	Potter	Van Gilst
Davis	Laverty	Rabedeaux	Walsh
DeKoster			

Nays, 1:

Gilley

Absent or not voting, 12:

Bass	Graham	Mowry	Shaff
Curran	Kennedy	Ollenburg	Smith
Doderer	Kyhl	Schaben	Thordsen

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

House File 658

On motion of Senator Walsh, House File 658, a bill for an act relating to flashing emergency lights on motor vehicles, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Gross withdrew the following amendment filed by him on May 6:

- 1 Amend House File 658 by adding the following new
- 2 section:
- 3 Section three hundred twenty-one point four hundred
- 4 twenty-three (321.423), Code 1971, is amended by adding
- 5 the following new subsection:
- 6 "Emergency vehicles owned by a city or town may use
- 7 flashing blue or flashing red lights."

Senator Walsh moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 658) the vote was:

Ayes, 39:

Anderson	DeKoster	Lamborn	Riley
Arbuckle	Erskine	Lavery	Robinson
Balloun	Gaudineer	Miller	Shawver
Bass	Gilley	Milligan	Stephens
Briles	Glenn	Nicholson	Tapscott
Brownlee	Griffin	Palmer	Thordsen
Carlson	Gross	Potgeter	Van Drie
Coleman	Hill	Potter	Van Gilst
Conklin	Keith	Rabedeaux	Walsh
Davis	Kennedy	Rhodes	

Nays, none.

Absent or not voting, 11:

Curran	Kyhl	Neu	Shaff
Doderer	Messerly	Ollenburg	Smith
Graham	Mowry	Schaben	

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

HOUSE CONCURRENT RESOLUTION ADOPTED

House Concurrent Resolution 22

On motion of Senator Gilley, the following concurrent resolution, creating a committee to study the penal and correctional system in Iowa, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

HOUSE CONCURRENT RESOLUTION 22

By Doyle, Anania, Trowbridge, Edelen, Bergman,
Miller, Christensen, Logemann, Middleswart,
Campbell, Rodgers, Sargisson and Waugh

Whereas, the protection of society and the rehabilitation of the inmate are tasks of the penal and correctional system in Iowa; and

Whereas, the inmate populations at the men's reformatory, the women's reformatory, and the state penitentiary have been declining in recent years; and

Whereas, criticism has been directed toward the manner of confinement of juveniles and policies at the training school for boys; and

Whereas, the public has become concerned about the security procedures at the security medical facility; and

Whereas, the Governor's economy committee has recommended that use of the women's reformatory be discontinued, and that the prison structure of Iowa including all state-operated institutions for men, women, and juveniles be reorganized, *Now Therefore*,

Be It Resolved by the House of Representatives, the Senate Concurring, That the legislative council is authorized to create a study committee, as provided by law, which committee shall include members of the appropriate standing committees of the House of Representatives and the Senate, to conduct during the 1971-1972 legislative interim a comprehensive study of the penal and correctional system in Iowa. The study shall include, but not be limited to, a review and revision of penal statutes, present programs and facilities at the state penitentiary, the men's and women's reformatories, the training schools for boys and girls, and the security medical facility; present rehabilitation theories; assignments of inmates; the programs which should be implemented for treatment of adult and for treatment of juvenile offenders; and recommendations regarding a five-year capital construction program for the juvenile and adult penal and correctional system; and

Be It Further Resolved, That the study committee shall include nonlegislative members having special knowledge in the fields of penal and correctional facilities and rehabilitation facilities and programs; and

Be It Further Resolved, That a report of the study shall be prepared and submitted to the legislative council and the members of the Sixty-fourth General Assembly, Second Session, and shall be accompanied by legislative bill drafts designed to carry out the recommendations of the committee.

On motion of Senator Gilley, the resolution was adopted.

CONSIDERATION OF BILLS

Senate File 7

On motion of Senator DeKoster, Senate File 7, a bill for an act to change the name and expand the duties of the Governor's committee on employment of the handicapped to include housing and services, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator DeKoster moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 7) the vote was:

Rule 24 was invoked.

Ayes, 23:

Briles	Erskine	Lamborn	Robinson
Brownlee	Gaudineer	Milligan	Thordsen
Carlson	Glenn	Palmer	Van Drie
Coleman	Gross	Potter	Van Gilst
Davis	Keith	Rabedeaux	Walsh
DeKoster	Kennedy	Riley	

Nays, 15:

Anderson	Conklin	Messerly	Shawver
Arbuckle	Gilley	Nicholson	Stephens
Balloun	Griffin	Potgeter	Tapscott
Bass	Hill	Rhodes	

Absent or not voting, 12:

Curran	Kyhl	Mowry	Schaben
Doderer	Laverty	Neu	Shaff
Graham	Miller	Ollenburg	Smith

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

Senate File 538

On motion of Senator Davis, Senate File 538, a bill for an act to permit cities of not less than thirteen nor more than seventeen thousand population, located on a navigable river, to enter into a single responsibility contract for construction of a waste treatment facility, was taken up and considered.

SUBSTITUTION

Senator Davis asked and received unanimous consent that **House File 707** be substituted for **Senate File 538**.

House File 707

On motion of Senator Davis, House File 707, a bill for an act to permit cities of not less than thirteen nor more than seventeen thousand population, located on a navigable river, to enter into a single responsibility contract for construction of a waste treatment facility, was taken up and considered.

Senator Davis moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 707) the vote was:

Ayes, 38:

Anderson	Brownlee	DeKoster	Gross
Arbuckle	Carlson	Erskine	Hill
Balloun	Coleman	Gaudineer	Keith
Bass	Conklin	Gilley	Kennedy
Briles	Davis	Glenn	Lamborn

Laverty
Messerly
Milligan
Nicholson
Palmer

Potgeter
Potter
Rabedeaux
Rhodes
Riley

Robinson
Shawver
Stephens
Tapscott

Thordsen
Van Drie
Van Gilst
Walsh

Nays, none.

Absent or not voting, 12:

Curran
Doderer
Graham

Griffin
Kyhle
Miller

Mowry
Neu
Ollenburg

Schaben
Shaff
Smith

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

SENATE FILE WITHDRAWN

Senator Davis asked and received unanimous consent that **Senate File 538** be **withdrawn** from further consideration of the Senate.

CONSIDERATION OF BILLS

Senate File 539

On motion of Senator Potgeter, Senate File 539, a bill for an act to legalize the proceedings of the board of supervisors of Hardin County in connection with contracts and expenditures made for the remodeling of the county courthouse located in Eldora, Iowa, was taken up and considered.

SENATE FILE DEFERRED

Senator Glenn asked and received unanimous consent that further action on **Senate File 539** be **deferred** and that the bill **retain its place on the calendar**.

SENATE FILE 548 REFERRED TO COMMITTEE

Senator DeKoster moved that **Senate File 548** be referred to the committee on **judiciary**, which motion prevailed.

CONSIDERATION OF BILLS

Senate File 369

On motion of Senator Kennedy, Senate File 369, a bill for an act to authorize certain vehicle safety regulations on streets and highways and to prescribe a penalty, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Kennedy moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 369) the vote was:

Ayes, 35:

Arbuckle	DeKoster	Lamborn	Riley
Balloun	Erskine	Lavery	Shawver
Bass	Gaudineer	Messerly	Stephens
Briles	Gilley	Milligan	Tapscott
Brownlee	Glenn	Nicholson	Thordsen
Carlson	Gross	Palmer	Van Drie
Coleman	Hill	Potter	Van Gilst
Conklin	Keith	Rabedeaux	Walsh
Davis	Kennedy	Rhodes	

Nays, 1:

Anderson

Absent or not voting, 14:

Curran	Kyhl	Ollenburg	Schaben
Doderer	Miller	Potgeter	Shaff
Graham	Mowry	Robinson	Smith
Griffin	Neu		

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

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which House Concurrent Resolution 22 was adopted.

FRANCIS L. MESSERLY

MR. PRESIDENT: I move to reconsider the vote by which Senate File 7 failed to pass the Senate on June 4, 1971.

JOHN E. TAPSCOTT

BILLS ASSIGNED TO COMMITTEE

President Jepsen announced the assignment of the following bills to committee:

H. F. 182 Transportation

H. F. 679 State government

H. F. 724 Appropriations

REPORT OF CONFERENCE COMMITTEE ON HOUSE FILE 654

We, the undersigned members of the conference committee appointed to consider the difference between the Senate and the House of Representatives on House File 654, a bill for an act relating to state aid for schools, school district property taxes, imposing a school district income tax, providing administration by the director of revenue, adopting provisions relating to the state individual income tax, relating to the corporate income tax, and providing aid to cities, towns and counties from sales tax receipts, respectfully submit the following recommendations:

1. That the Senate recede from its amendment to the bill as amended and passed by the House.

2. That House File 654, as amended, passed, and reprinted by the House, be amended by striking everything after the enacting clause and inserting in lieu thereof the following:

DIVISION I

Section 1. STATE SCHOOL FOUNDATION PROGRAM. This division establishes a state school foundation program. Each school district in the state is entitled to receive state school foundation aid, which shall be an amount per pupil in fall enrollment equal to the difference between the amount per pupil in fall enrollment of foundation property tax plus miscellaneous income in the district, and the state foundation base or the district cost per pupil, whichever is less.

Sec. 2. FOUNDATION PROPERTY TAX. Each school district shall cause to be levied each year beginning in 1972, for the school general fund, a foundation property tax of twenty mills per dollar of assessed valuation on all taxable property in the district. For the purpose of this division, a school district is defined as a school corporation organized under chapter two hundred seventy-four (274) of the Code. Each county auditor shall certify to each school district within the county and to the state comptroller, not later than October first each year, the assessed valuation of taxable property for the current year in each school district within the county.

Sec. 3. STATE FOUNDATION BASE. The state foundation base for the school year beginning July 1, 1972, is seventy percent of the state cost per pupil. For each succeeding school year the state foundation base shall be increased by the amount of one percent of the state cost per pupil, up to a maximum of eighty percent of the state cost per pupil.

Sec. 4. FALL ENROLLMENT. Fall enrollment shall be determined by adding the resident pupils who are enrolled on the second Friday of September of each year in public elementary and secondary schools of the district, and in special education classes for which tuition is paid by the district whether the special education class is conducted by a county board of education or another school district.

Shared-time and part-time pupils of school age shall be counted in the proportion that the time for which they are enrolled or receive instruction for the school year bears to the time that full-time pupils carrying a normal course schedule, at the same grade level, in the same school district, for the same school year, are enrolled and receive instruction.

Each school district shall certify its fall enrollment to the state department of public instruction by September twenty-fifth of each year, and the information shall be promptly forwarded to the state comptroller.

Sec. 5. MISCELLANEOUS INCOME. Miscellaneous income is all revenues of a school district general fund budget, exclusive of federal aid provided under title twenty (20), chapter thirteen (13), of the United State Code, the state foundation property tax, the state school foundation aid, guaranteed state aid, the additional school district property tax levy, any supplemental aid distributed by the school budget review committee, and any school district income surtax imposed in the district.

Sec. 6. DISTRICT COST. As used in this division, "district cost" means the total expenditures or anticipated expenditures of a district which are payable from the school general fund, exclusive of federal aid provided under title twenty (20), chapter thirteen (13), of the United States Code.

Sec. 7. ALLOWABLE GROWTH. Each year the state comptroller shall compute the state percent of growth by adding the percents of increase for the second and third years of the most recent three-year period for which accurate figures are available, for each of the following sources of revenue, and dividing the total by four:

1. State general fund revenues, adjusted for changes in rates or basis.

2. Statewide assessed valuation of taxable property, adjusted for statewide changes in assessment practices.

Each year the state comptroller shall compute the dollar equivalent of the state percent of growth by multiplying the state cost per pupil for the preceding school year by the current state percent of allowable growth, except that this dollar equivalent is limited to a maximum amount of forty-six dollars for the school year beginning on July 1, 1972, forty-eight dollars for the school year beginning on July 1, 1973, and fifty-one dollars for the school year beginning on July 1, 1974. As used in this division, "allowable growth" means the dollar equivalent of the state percent of allowable growth.

Sec. 8. STATE COST PER PUPIL. The state cost per pupil for the school year beginning July 1, 1971, is nine hundred twenty dollars. The state cost per pupil for the school year beginning on July 1, 1972, and for each succeeding school year is the previous year's state cost per pupil plus the allowable growth. If the state percent of allowable growth is zero or less, the state cost per pupil shall be the same as the previous year's state cost per pupil.

Sec. 9. MAXIMUM GENERAL FUND BUDGET AND ADDITIONAL SCHOOL DISTRICT PROPERTY TAX LEVY.

1. The state comptroller shall determine the additional school district property tax levy for each school district, which is in addition to the foundation property tax levy, as follows:

- a. The district cost per pupil in fall enrollment

for the current school year ending June thirtieth each year, plus the allowable growth, determines the district cost per pupil for the school year beginning July first each year. However, if the district cost per pupil in fall enrollment for the current school year ending June thirtieth each year exceeds one hundred ten percent of the state cost per pupil, the school budget review committee shall review the proposed budget and establish the amount of allowable growth for that district, not to exceed the limitations in section seven (7) of this division.

b. The district cost per pupil multiplied by the estimated fall enrollment for the school year beginning July first each year, determines the maximum district cost for each district. A school district may not exceed its maximum district cost unless additional millage is authorized or supplemental state aid is distributed to the district by the school budget review committee as provided in section thirteen (13), subsection five (5), of this division, or unless an additional amount is raised by a school district income surtax approved by the voters.

c. The state foundation base multiplied by the number of pupils in fall enrollment, and the product subtracted from the lesser of the actual or maximum district cost for the school year beginning July first each year, determines the amount to be raised by the additional school district property tax levy, subject to the maximum millage provided in section ten (10) of this division, any additional millage authorized by the school budget review committee under section thirteen (13) of this division, or the maximum millage reduction provided in section twenty-one (21) of this division.

2. No later than December first of each year, the state comptroller shall notify the county auditor of each county the amount, both in dollars and mills, of the additional property tax levy in each school district in the county. Each county auditor shall spread the additional property tax levy for each school district over all taxable property in the district.

3. a. A county board of education or joint county board of education shall not certify for the fiscal year commencing July 1, 1972, or the fiscal year commencing January 1, 1973, or any succeeding fiscal year, an amount of money to be raised by property taxes for the general fund budget in excess of the amount of money raised by property taxes for general fund expenditures for its last preceding fiscal year, plus an amount determined by multiplying the state percent of growth determined under section seven (7) of this division by the amount raised by property taxes for the general fund budget for its last preceding fiscal year.

b. In addition to the amounts provided in paragraph a of this subsection, a county board of education or

joint county board of education may certify and receive moneys to expand special education programs for the fiscal year commencing July 1, 1972, or January 1, 1973, or any succeeding year. However, this exception applies only to those special education programs or courses which would have qualified for state reimbursement pursuant to chapter two hundred eighty-one (281) of the Code, as interpreted by the rules and regulations of the state department of public instruction effective on July 1, 1970.

c. If, for any school year, responsibility for a special education pupil is transferred from a school district to a county or joint county board of education, or from a county or joint county board of education to a school district, the moneys budgeted for that pupil shall be transferred to the district or board which accepts responsibility for the pupil, or a proportionate amount shall be transferred if the change is made during the school year.

Sec. 10. **MAXIMUM MILLAGE LEVY.** For the purpose of determining the maximum millage levy in a school district, the state comptroller shall determine the sum of the foundation property tax levy and the additional property tax levy, in mills. When this total millage rate exceeds the district general fund levy in mills for the school year which began July 1, 1970, he shall adjust the district general fund millage levy to a rate equal to the millage levy for the school year beginning July 1, 1970, unless additional millage is approved by the school budget review committee, as provided in section thirteen (13), subsection five (5), paragraph a, of this division.

Sec. 11. **GUARANTEED STATE AID.** For the school year beginning July 1, 1972, and for the next four succeeding school years, the state shall provide specific funds, called guaranteed state aid, to any school district in which the maximum millage, excluding any additional millage approved by the school budget review committee, plus the district's miscellaneous income and state school foundation aid, does not meet the actual or maximum district cost, whichever is less.

There is hereby appropriated from the general fund of the state to the department of public instruction moneys sufficient to pay the guaranteed state aid provided in this section. The state comptroller shall pay this aid no later than May fifteenth of each year, beginning in 1973 for the school year beginning July 1, 1972.

Sec. 12. **SCHOOL BUDGET REVIEW COMMITTEE.** A school budget review committee is established, consisting of the superintendent of public instruction, the state comptroller, and three members appointed by the governor to represent the public and to serve three-year staggered terms. Those serving on the effective date of this division as public members of the school budget review committee established under prior law shall continue

to serve out their unexpired terms as members of the committee established under this section. The committee shall meet and hold hearings each year and shall continue in session until it has reviewed budgets of school districts, as provided in section thirteen (13) of this division. It may call in school board members and employees as necessary for the hearings. Legislators shall be notified of hearings concerning school districts in their constituencies.

The committee shall adopt its own rules of procedure. The superintendent of public instruction shall serve as chairman, and the state comptroller shall serve as secretary. The committee members representing the public are entitled to receive a per diem equal to the per diem of members of the board of public instruction, and their necessary travel and other expenses while engaged in their official duties. Expense payments shall be made from appropriations to the department of public instruction.

Sec. 13. DUTIES OF THE COMMITTEE.

1. The school budget review committee may recommend the revision of any rules, regulations, directives, or forms relating to school district budgeting and accounting, confer with local school boards or their representatives and make recommendations relating to any budgeting or accounting matters, and may direct the superintendent of public instruction or the state comptroller to make studies and investigations of school costs in any school district.

2. The committee shall report to each session of the general assembly, which report shall include any recommended changes in laws relating to school districts, and shall specify the number of hearings held annually, the reasons for the committee's recommendations, and other information as the committee deems advisable.

3. The committee shall review the proposed or certified budget of any school district if the district cost per pupil in estimated fall enrollment has increased over the district cost per pupil in fall enrollment for the previous year by more than the allowable growth of the district.

4. The committee may review the proposed or certified budget of any school district as follows:

a. If the budget shows district costs per pupil in estimated fall enrollment of more than the state cost per pupil.

b. If in the judgment of the committee, the budget shows the district cost to be unreasonably high in relation to the comparative cost factors of similar districts, even if the district cost per pupil in estimated fall enrollment does not exceed the state cost per pupil.

5. The committee may authorize a school budget in excess of limitations provided in sections nine (9) and ten (10) of this division as follows:

a. If a nonpublic school within a district closes wholly or in part, the committee may authorize an increase in the school general fund millage beyond the maximum permitted under section ten (10) of this division, but only to the extent necessary to cover the cost of absorbing the former nonpublic school pupils into the public school system. The school board shall establish the amount of necessary increased cost to the satisfaction of the school budget review committee before an increase in millage is authorized.

b. Additional supplemental state aid may be paid to any district from any discretionary funds appropriated specifically to the committee for this purpose.

6. If the committee does not authorize a school district's budget, it shall state its recommendations in terms of a specific reduction in the district cost, and in terms of a projected reduction in the millage rate of the school district, and shall notify the school board of its recommendations through the state comptroller.

7. The committee, when making recommendations relating to school budgets, shall consider each district's circumstances and facts which are unique and unusual, including but not limited to any unusual increases or decreases in enrollments, natural disasters, unusual transportation problems, and initial staffing problems.

8. Failure by any school district to provide information or appear before the committee as requested for the accomplishment of review or hearing shall constitute justification for the committee to instruct the state comptroller to withhold any state aid to that district until the committee's inquiries are satisfied completely.

9. The school budget review committee may call in any county board of education for the purpose of reviewing its budget as it relates to the individual districts within the county.

Sec. 14. ELECTION TO EXCEED MAXIMUM DISTRICT COST.

If a school board wishes to exceed its maximum district cost, as determined under section nine (9) of this division, it shall first submit its proposed budget to the school budget review committee. The committee may approve the proposed budget or may make other recommendations, but if the board decides that the district should exceed its maximum district cost, and the committee has not authorized an additional millage or supplemental state aid as provided in section thirteen (13), subsection five (5), of this division, the board shall submit to the voters of the school district, at a regular or special school election held not later than September fifteenth, the question of whether the proposed budget shall be approved, and financed by a school district income surtax of a specified rate, or whether the district shall be limited to its maximum

district cost.

If a majority of those voting approves the proposed budget and the specified school district income surtax rate, the surtax, determined as provided in section fifteen (15) of this division, may be imposed by resolution of the school board.

If the proposed budget and surtax does not receive approval by a majority of those voting, the school board shall reduce its general fund budget to an amount which does not exceed its maximum district cost.

The school board shall certify the result of an election required under this section to the county auditor, the school budget review committee, and the director of revenue, within ten days following the election. If a school district income surtax is approved, the school board shall publish notice of the surtax rate, as provided in chapter six hundred eighteen (618) of the Code.

Sec. 15. SCHOOL DISTRICT INCOME SURTAX.

1. If a school district income surtax is proposed by a school board, the state comptroller shall determine the rate of school district income surtax as follows:

- a. Determine the excess amount needed.
- b. Determine the total amount of state individual income tax as shown on the individual tax returns of persons residing in the school district on December thirty-first of the last preceding calendar year for which accurate figures are available or on the last day of a taxpayer's fiscal year ending within that calendar year. The director of revenue shall report this amount to the state comptroller as requested.
- c. Divide the total amount of state individual income tax determined into the excess amount needed. The quotient is the school district income surtax rate which shall be imposed on the state individual income tax for the calendar year during which the school year begins, or for a taxpayer's fiscal year ending during that calendar year but after the date of the election approving the budget, and for subsequent years as provided in subsections two (2) and three (3) of this section, and shall be imposed on all individuals residing in the school district on December thirty-first of each calendar year, or on the last day of their fiscal year. As used in this section, "state individual tax" means the tax computed under section four hundred twenty-two point five (422.5) of the Code, less the deductions allowed in section four hundred twenty-two point twelve (422.12) of the Code.

2. A school district income surtax rate approved by the voters, or as much of it as may be necessary, shall continue to be in effect in that school district until the school board finds that the surtax or a part of it is unnecessary, or until the amount of the surtax is altered by another election. If a school board wishes to increase the district costs so that they cannot be met by the combination of maximum millage,

state aid, miscellaneous income, and the approved school district income surtax, the school board may hold another election to submit the question of whether to increase the surtax rate for the district, and may increase the rate only if an increase is approved by a majority of those voting.

3. At least once every five years, if a school district income surtax is found to be necessary, the school board shall submit to the voters of the school district, at a regular or special school election held not later than September fifteenth, the question of whether to continue imposition of the established rate of school district income surtax or of a lesser rate as necessary. If a majority of those voting does not approve the proposed school district income surtax rate, the school board shall reduce its general fund budget to an amount which does not exceed its maximum district cost.

Sec. 16. **STATUTES APPLICABLE.** The director of revenue shall administer any school district income surtax imposed under this division, and all the provisions of sections four hundred twenty-two point twenty (422.20), four hundred twenty-two point twenty-two (422.22) through four hundred twenty-two point thirty-one (422.31), inclusive, four hundred twenty-two point sixty-eight (422.68), and four hundred twenty-two point seventy-two (422.72) through four hundred twenty-two point seventy-five (422.75), inclusive, of the Code, shall apply in respect to administration of the school district income surtax.

Sec. 17. **FORM AND TIME OF RETURN.** The school district income surtax shall be made a part of the Iowa individual income tax return subject to the conditions and restrictions set forth in section four hundred twenty-two point twenty-one (422.21) of the Code.

Sec. 18. **DEPOSIT OF SCHOOL DISTRICT INCOME SURTAX.** The director of revenue shall deposit all moneys received as school district income surtax to the credit of each district from which the moneys are received, in a "school district income surtax fund" which is established in the office of the treasurer of state.

Sec. 19. **SCHOOL DISTRICT INCOME SURTAX CERTIFICATION.** On or before October twentieth each year, the director of revenue shall make an accounting of the school district income surtax collected under this division applicable to tax returns for the last preceding calendar year, or for fiscal year taxpayers, on the last day of their tax year ending during that calendar year and after the date of the election approving the surtax, from taxpayers in each school district in the state which has imposed a surtax, and shall certify to the state comptroller and the state department of public instruction the amount of total school district income surtax credited from the taxpayers of each school district. Additional returns in process, if any, at the time of certification shall be completed and the

additional amount of school district income surtax reported to the state comptroller for distribution back to the school district with the first installment of the following school year.

Sec. 20. SCHOOL DISTRICT INCOME SURTAX DISTRIBUTION. The state comptroller shall draw warrants in payment of the amount of surtax payable to each of the school districts in two installments to be paid on approximately the first day of December and the first day of February, and shall cause the warrants to be delivered to the respective school districts.

Sec. 21. MAXIMUM MILLAGE REDUCTION. If the functioning of the state school foundation program established by this division causes a reduction in any school district, for the school year beginning July 1, 1972, of more than ten percent of the district's total general fund millage for the school year beginning July 1, 1970, the reduction for the school year beginning July 1, 1972 is limited to that ten percent, and the reduction for each of the school years beginning July 1, 1973, and July 1, 1974, is limited to ten percent of the preceding year's millage. However, if this limitation results in a district millage levy which raises more than the district needs to meet the lesser of its actual or maximum district cost, the ten percent limitation does not apply, and the district may reduce its millage as much as can be done without entitling the district to state school foundation aid. The state comptroller shall compute any maximum millage reduction required by this section, and shall notify the school boards accordingly.

Sec. 22. TENTATIVE BUDGET. Not later than December first for each ensuing fiscal year, the board of directors of each school district shall set a tentative budget in dollars of the amount the district may spend on each program in the system as defined by the school budget review committee and in the forms prescribed by the committee. This prospectus of program and allotted dollars as approved by the board shall guide the superintendent when preparing the proposed budget for that year. These limitations submitted by the board of directors to the superintendent of schools for the district shall be promptly forwarded to the committee.

Sec. 23. RULES AND REGULATIONS. The superintendent of public instruction, after consultation with the state comptroller, may adopt rules and regulations and definitions of terms as necessary and proper for the administration of this division.

Sec. 24. LOCAL BUDGET LAW. Provisions of chapter twenty-four (24) of the Code remain applicable to school budgets.

Sec. 25. ESTIMATES OF MISCELLANEOUS AIDS. No later than September first of each year, the department of public instruction shall certify to the state comptroller the amounts of any state aids other than the amounts

provided in this division that will be received by each school district in the state. In the event any estimate of state aids in any school budget certified to the auditor as provided by section twenty-four point seventeen (24.17) of the Code is more or less than the amount of state aids certified to the state comptroller by the department of public instruction as provided by this section, the state comptroller shall certify to the county auditors the final millage for each school district.

Sec. 26. APPROPRIATIONS. There is hereby appropriated each year from the general fund of the state an amount necessary to pay the state school foundation aid.

All state aids paid under this division, unless otherwise stated, shall be paid in installments due on or about September fifteenth, December fifteenth, March fifteenth, and May fifteenth of each year, and the installments shall be as nearly equal as possible as determined by the state comptroller, taking into consideration the relative budget and cash position of the state resources.

All moneys received by a school district from the state under the provisions of this division shall be deposited in the general fund of the school district, and may be used for any school general fund purpose.

Sec. 27. There is hereby appropriated from the general fund of the state to the department of public instruction for the year beginning July 1, 1972, and ending June 30, 1973, one million six hundred thousand (1,600,000) dollars, or so much thereof as may be necessary for reimbursing public school districts and county or joint county school systems for expenditures incurred in accordance with the provisions of section two hundred fifty-seven point twenty-six (257.26) of the Code.

Claims for reimbursement for the period beginning July 1, 1971, and ending June 30, 1972, shall be made by July 30, 1972, to the department of public instruction, clearly detailing the expenditures incurred, and in a form prescribed by the department.

As a condition to receiving reimbursement under this section, a school district shall show by affidavit of an officer of the school board that the amount of reimbursement claimed by the school district does not exceed one-half of the actual costs incurred by the district under section two hundred fifty-seven point twenty-six (257.26) of the Code, and does not include the portion of those costs for which the district received state school foundation aid. The claims for reimbursement shall be certified by the department of public instruction to the state comptroller on or before August 31, 1972. On or before September 15, 1972, the state comptroller shall draw warrants on the fund created by this section, payable to the school districts which

have established claims. In the event that the amount appropriated is insufficient to pay in full the total amounts certified to the state comptroller, he shall prorate the fund and notify each school district of its pro rata percentage on or before September 15, 1972.

Sec. 28. Section two hundred eighty-one point nine (281.9), Code 1971, is amended by adding the following new paragraph:

"This section applies to all existing programs to July 1, 1973, and to the continuation of such existing programs after July 1, 1973."

Sec. 29. Chapter two hundred eighty-one (281), Code 1971, is amended by adding the following new section:

"A school district, county board of education, or joint county board of education that provides special education as required by this chapter shall, prior to March 1, 1972, and each March first thereafter, apply to the department of public instruction, upon forms prescribed by the department, for qualification to receive reimbursement pursuant to this chapter. During the following fiscal year the department shall approve each application and qualification if the district, county board of education, or joint county board establishes all of the following:

1. That there are sufficient students within the area who are in need of the instruction.
2. That the applying unit is the unit that can best and most efficiently provide for the instruction without duplicating services otherwise provided, as opposed to another available educational unit.
3. That the unit has qualified teachers available.
4. That the instruction is a natural and normal progression of a planned course or courses of instruction, and that this progressive growth factor is not out of proportion to the ability of the educational unit to pay for the courses of instruction.
5. That all reimbursement sought is for actual delivery of special education services and not for administrative costs.
6. Other factors as the department may require.

There is hereby appropriated out of the general fund of the state to the department of public instruction beginning July 1, 1973, a sum sufficient to pay all approved applications for reimbursement pursuant to this chapter and this section, to the extent that the approved applications are for expanded special education programs beyond those programs provided for the fiscal year commencing July 1, 1971, or January 1, 1972, but only to the extent that the expanded programs would have qualified for state reimbursement pursuant to this chapter, as interpreted by the rules and regulations of the state department of public instruction effective on July 1, 1970."

Sec. 30. Section two hundred ninety-eight point one (298.1), Code 1971, is amended as follows:

298.1 SCHOOL TAXES. The board of each school

corporation shall estimate the amount of the proposed expenditures and proposed receipts for the general school purposes at a time and in a manner to effectuate the provisions of [chapter 442] *sections 1 through 29, inclusive, of this Act*. Compliance with chapter 24 shall be observed.

[Prior to compliance with section 24.9, the superintendent of the county school systems shall call a joint meeting of school superintendents and school board members for all of the local districts within the county basic school tax unit. The time and place for such joint meetings shall be set by the superintendent of the county school system.]

[The purpose of the joint meeting shall be for a review of the budgets of the several school districts within the county basic school tax units, and for the discussion of common problems within the county basic unit.]

Sec. 31. Section four hundred twenty-two point sixty-five (422.65), Code 1971, is amended as follows:

422.65 ALLOCATION OF REVENUE. [Ten] *Fifty-five percent* of the total moneys received from the franchise tax shall be deposited in the state general fund. The remaining moneys received from the franchise tax shall be deposited in a franchise tax fund hereby established in the office of the treasurer of state, and shall be paid quarterly on warrants by the state comptroller, after certification by the director of revenue, as follows:

[1. Fifty percent to the basic school tax equalization fund of the basic school tax unit from which the tax is collected, to be distributed in the same manner as other funds in the basic school tax equalization fund.]

[2. Thirty] 1. *Sixty* percent to the general fund of the city or town from which the tax is collected.

[3. Twenty] 2. *Forty* percent to the general fund of the county from which the tax is collected.

If the financial institution maintains one or more offices for the transaction of business, other than its principal office, a portion of its franchise tax shall be allocated to each office, based upon a reasonable measure of the business activity of each office. The director of revenue shall prescribe, for each type of financial institution, a method of measuring the business activity of each office. Financial institutions shall furnish all necessary information for this purpose at the request of the director.

Quarterly, the director of revenue shall certify to the treasurer of state the amounts to be paid to each [basic school tax unit,] city, town, and county from the franchise tax fund. All moneys received from the franchise tax are hereby appropriated according to the provisions of this section.

Sec. 32. Section four hundred thirty A point three (430A.3), Code 1971, is amended as follows:

430A.3 LEVY. There is hereby imposed upon capital employed in the business of making loans or investments within the state of Iowa, as determined under the provisions of this chapter, a tax of five mills on each dollar of such capital; such tax to be considered a tax upon moneys and credits of such corporations which shall be levied by the board of supervisors, and placed upon the tax list and collected by the county treasurer. The amount collected in each taxing district in cities and towns shall be apportioned twenty percent to the county general fund, thirty percent to the city or town general fund, and fifty percent to the [basic school tax equalization fund] *general fund of the state*, and the amount collected in each taxing district outside of cities and towns shall be apportioned fifty percent to the county general fund and fifty percent to the [basic school tax equalization fund] *general fund of the state*. The term "loans" as used herein shall mean the lending of money to members of the general public upon other than real estate security. The term "investments" as used herein shall mean the discounting, purchasing, or otherwise acquiring notes, mortgages, sales contracts, debentures, or any other evidences of indebtedness, based upon other than real estate security when such investments are made in connection with loans made to members of the general public in the state of Iowa or in the courts of any operations having as their effect the financing of business transactions within the state of Iowa resulting in the incurring of any indebtedness based upon security other than real estate security.

Sec. 33. Chapter four hundred forty-two (442), Code 1971, is repealed.

DIVISION II

Sec. 34. Section four hundred twenty-two point five (422.5), Code 1971, is amended by striking subsections three (3) through seven (7), inclusive, and inserting in lieu thereof the following:

3. On the third thousand dollars of taxable income, or any part thereof, three percent.
4. On the fourth thousand dollars of taxable income, or any part thereof, four percent.
5. On the fifth, sixth, and seventh thousand dollars of taxable income, or any part thereof, five percent.
6. On the eighth and ninth thousand dollars of taxable income, or any part thereof, six percent.
7. On all taxable income over nine thousand dollars, seven percent.

Sec. 35. Section four hundred twenty-two point thirty-three (422.33), unnumbered paragraphs one (1), two (2), three (3), and four (4), Code 1971, are amended as follows:

A tax is hereby imposed upon each corporation organized under the laws of this state, and upon every foreign corporation doing business in this state, annually in an amount computed by applying the following

rates of taxation to the net income received by the corporation during the income year:

On the first twenty-five thousand dollars of taxable income, or any part thereof, the rate of [four] *six* percent.

On taxable income between twenty-five thousand dollars and one hundred thousand dollars or any part thereof, the rate of [six] *eight* percent.

On taxable income of one hundred thousand dollars or more, the rate of [eight] *ten* percent.

Sec. 36. Section four hundred twenty-two point thirty-three (422.33), subsection one (1), paragraph "b", unnumbered paragraph four (4), Code 1971, is amended as follows:

The gross sales of the corporation within the state shall be taken to be the gross sales from goods [sold and] delivered within the state, excluding deliveries for transportation out of the state.

Sec. 37. The increased withholding rates effective July 1, 1971, shall be based upon the taxpayer's approximate annual tax liability, but shall not be adjusted to include the tax increase for the period of January 1, 1971, to June 30, 1971, both inclusive.

Sec. 38. The provisions of sections thirty-four (34), thirty-five (35), and thirty-six (36) of this division shall be effective January 1, 1971, for all taxable years commencing on or after January 1, 1971, and to this extent sections thirty-four (34), thirty-five (35), and thirty-six (36) of this division are retroactive.

DIVISION III

Sec. 39. Section four hundred twenty-five point one (425.1), subsection five (5), unnumbered paragraph one (1) and paragraph "b", Code 1971, are amended as follows:

5. [In addition to the homestead credit of twenty-five mills on twenty-five hundred dollars of assessed valuation allowable under this chapter, in the event] *In lieu of the homestead tax credit allowed pursuant to subsections 1 through 4 of this section, if the owner, as defined in this chapter, is over sixty-five years of age, or is totally disabled, and provided that his Iowa net income, as defined in section 422.7, plus interest and dividends from federal securities and income from social security and other tax-exempt retirement or pension plans, when included with that of the spouse, brother, sister, son, daughter, if any, living with the claimant, is less than [three thousand five hundred] four thousand dollars for the last twelve-month income tax accounting period, there shall be credited by the county auditor on such owner's eligible homestead, an amount equal to [but not exceeding the amount calculated as provided in this section] one hundred twenty-five dollars, except that the credit shall not exceed the amount of the property taxes levied and*

collectible on the homestead for that year.

b. His Iowa net income, plus interest and dividends from federal securities and income from social security and other tax-exempt retirement or pension plans when included with that of his spouse, if any, during the last preceding twelve-month income tax accounting period is less than [three thousand five hundred] *four thousand* dollars.

Sec. 40. The provisions of section thirty-eight (38) of this division shall become effective January 1, 1972.

DIVISION IV

Sec. 41. There is created a "municipal assistance fund" in the office of the treasurer of state.

Sec. 42. There is appropriated to the municipal assistance fund from the general fund of the state the sum of five million (5,000,000) dollars for each fiscal year of the biennium commencing July 1, 1971 and ending June 30, 1973.

Sec. 43. On or before June fifteenth of each year of the biennium, the state comptroller shall distribute the moneys in the municipal assistance fund to each city and town in the state in the proportion that the population of each city and town is to the total population of all cities and towns in the state. However, the comptroller shall in no event distribute in any year to any city or town an amount in excess of one-half the amount to be collected from property tax levies by that city or town for that year. Any moneys remaining in the municipal assistance fund shall remain in the fund and be available for distribution the following year.

Sec. 44.

1. The population of each city and town shall be determined by the latest available federal census. An incorporated city or town may have one special federal census taken each decade, and the population figure obtained shall be used in apportioning amounts under this subsection beginning the calendar year following the year in which the special census is certified to the secretary of state.

2. In any case where an incorporated city or town has been incorporated since the latest available federal census, the mayor and council shall certify to the treasurer of state the actual population of the incorporated city or town as of the date of incorporation and its apportionment of funds under this subsection shall be based upon such certification until the next federal census enumeration. Any community which has dissolved its corporation shall not receive any apportionment of funds under this subsection after its dissolution.

3. In any case where an incorporated city or town has annexed any territory since the last regular or special federal census, the mayor and council shall certify to the treasurer of state the actual population

of the annexed territory as determined by the last certified federal census of the territory and the apportionment of funds under this subsection shall be based upon the population of the city or town as modified by the certification of the population of the annexed territory until the next regular or special federal census enumeration.

4. In any case where two or more incorporated cities or towns have consolidated, the apportionment of funds under this subsection shall be based upon the population of the incorporated city or town resulting from the consolidation and shall be determined by combining the population of all incorporated cities and towns involved in the consolidation as determined by the last regular or special federal census enumeration for the consolidating city or town.

Sec. 45. Section twenty-six point six (26.6), Code 1971, is amended as follows:

26.6 POPULATION OF COUNTIES, TOWNSHIPS, CITIES, AND TOWNS. Whenever the population of any county, township, city, or town is referred to in any law of this state, it shall be determined by the last certified, or certified and published, official census unless otherwise provided. However, the population figure disclosed for any city or town as the result of a special federal census as modified as the result of consolidation or annexation in the manner provided in sections 312.3, and 123.50, shall be considered for no other purposes than the application of sections 123.50 [and], 312.3 and *the provisions of section 43 of this division*. Whenever a special federal census is hereafter taken by any city or town, the mayor and council shall certify the said census as soon as possible to the secretary of state and to the treasurer of state as otherwise herein provided, and failing to do so, the treasurer of state shall, after six months from the date of said special census, turn over such moneys as authorized by sections 123.50 and 312.3 to the general fund of the state, and continue to do so until such time as certification by said mayor and council is made, or until the next decennial federal census. If there be a difference between the original certified record in the office of the secretary of state and the published census the former shall prevail.

DIVISION V

Sec. 46. Notwithstanding any provisions of the Code, interstate bridges owned by a city or town may be subject to assessment and taxation in the discretion of the governing body of the city or town owning such bridge.

DIVISION VI

Sec. 47. Section four hundred twenty-two point forty-five (422.45), Code 1971, is amended by adding the following new subsection:

"The gross receipts from sales of tangible personal property used or to be used as railroad rolling stock for transporting persons or property, or as materials or parts therefor. "

Sec. 48. Section four hundred twenty-three point four (423.4), Code 1971, is amended by adding the following new subsection:

"Tangible personal property used or to be used as railroad rolling stock for transporting persons or property, or as materials or parts therefor."

DIVISION VII

Sec. 49. Section four hundred twenty-two point sixty-nine (422.69), Code 1971, is amended by striking subsection two (2).

Sec. 50. Section four hundred twenty-two point seventy-eight (422.78), Code 1971, is amended as follows:

422.78 ALLOCATION TO MONEYS AND CREDITS REPLACEMENT FUND IN EACH COUNTY. *There is created a permanent fund in the office of the treasurer of state to be known as the "moneys and credits replacement fund". The director shall determine the percentage which the aggregate taxable value for the year 1965 of the property described in and subject to taxation under section 429.2 owned or held by individuals, administrators, executors, guardians, conservators, trustees or an agent or nominee thereof, and the aggregate taxable value for the year 1965 of the property described in and subject to taxation under section 431.1 for the year 1965 but not subject to taxation under said section for the year 1966, in each county bears to the total aggregate taxable value of such property reported from all of the counties in the state and shall certify the percentage for each county to the state comptroller prior to January 1, 1967. In January of 1967 and in January of each succeeding year thereafter, the state comptroller shall apply said percentage to the money which shall have accumulated in the moneys and credits tax replacement fund prior to such January and thereby determine the amount thereof due to each county. The state comptroller shall draw warrants on the moneys and credits tax replacement fund in such amounts payable to the county treasurer of each county and transmit them. The county treasurer shall apportion these amounts as follows: For the amounts received in January 1972, and all previously collected amounts, twenty percent to the county general fund, fifty percent to the [basic school tax equalization fund] school general fund, and the remaining thirty percent to cities and towns in the proportion that the taxable values for each city and town for 1965 of property subject to taxation in 1965 under sections 429.2 and 431.1 is to the total of such taxable values for all cities and towns within the county; for the amounts received in January 1973, and all subsequently collected amounts, forty percent to the county general fund, and the remaining sixty percent*

to cities and towns in the proportion that the taxable values for each city and town for the year 1965 under sections 429.2 and 431.1 is to the total of such taxable values for all the cities and towns within the county.

There is appropriated to the moneys and credits replacement fund from the general fund of the state for the fiscal year beginning July 1, 1972 the sum of two million five hundred thousand (2,500,000) dollars, such sum to be paid to the moneys and credits replacement fund not later than January 10, 1973.

3. Amend the title, page 1, by striking all after the word "to" and inserting in lieu thereof the words "financing of governmental programs by providing state aid to schools, school district property taxes, imposing a school district income tax including administration by the director of revenue and adoption of administrative provisions for the state individual income tax including penalties and interest, relating to the state individual and corporate income tax, relating to sales and use tax exemptions, providing property tax relief for the elderly and totally disabled, relating to the taxation of municipal interstate toll bridges, and providing aid to cities, towns, and counties."

On the part of the Senate:

ROGER J. SHAFF, Chairman
WILSON L. DAVIS
H. L. OLLENBURG

On the part of the House:

EDGAR H. HOLDEN, Chairman
MURRAY C. LAWSON
ANDREW VARLEY

REPORT OF COMMITTEE

Senator Potgeter submitted the following report:

MR. PRESIDENT: Your committee on state government, to which was referred **House File 539**, a bill for an act to define administrative rules, begs leave to report it has had the same under consideration and recommends the same **be amended in accordance with the Mowry amendment filed May 24, 1971, and found on page 1492 of the Senate Journal; and when so amended the bill do pass.**

JAMES A. POTGETER, Chairman

Ordered passed on file.

AMENDMENTS FILED

- 1 Amend House File 347, page 1, as follows:
- 2 1. Line 11, by inserting after the word, "purposes"
- 3 the words, "by the highway commission".
- 4 2. Lines 15 and 16 by striking the words, "seventy five per
- 5 cent" and by inserting in lieu thereof the words, "all".

LEE H. GAUDINEER, JR.

- 1 Amend House File 539, by adding after line 18 the
- 2 following new section:

3 Sec. This Act, being deemed of immediate
4 importance, shall take effect and be in force from and after
5 its publication in The Sioux City Journal, a newspaper
6 published in Sioux City, Iowa, and the Times-Democrat,
7 a newspaper published in Davenport, Iowa.

HAROLD A. THORSEN
G. WILLIAM GROSS

1 Amend House File 574, as amended and passed by the
2 House, as follows:
3 1. Page 3, line 23, by striking the words, "which
4 is" and by inserting in lieu thereof the words, "any
5 of which are".
6 2. Page 3, line 26, by striking the words, "or
7 useful".
8 3. Page 5, line 24, by inserting after the word,
9 "employee" the words, "or the spouse or immediate family
10 of such officer or employee".
11 4. Page 7, line 9, by inserting after the word,
12 "residents." the following:
13 "However, a city shall not be empowered to create
14 any rights, duties, or obligations between its residents
15 or its residents and nonresidents to which the city
16 is not, also, an indispensable part."
17 5. Page 11, by striking lines 11 through 16,
18 inclusive, and by inserting in lieu thereof the words,
19 "nuisances. In addition thereto:". By relettering
20 the remaining subsections to conform to this amendment.
21 6. Page 12, line 25, by striking the word "may"
22 and by inserting in lieu thereof the word, "shall".
23 7. Page 15, line 24, by striking the words, "advice
24 and consent" and by inserting in lieu thereof the words,
25 "approval of two-thirds vote of".

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1 8. Page 48, line 1, by striking the word, "from"
2 and by inserting in lieu thereof a period.
3 9. Page 48, by striking lines 2 and 3 and by
4 inserting in lieu thereof the following:
5 "The league of Iowa municipalities may recommend
6 to the governor, city officials for each such position."
7 10. Page 51, line 6, by inserting after the word,
8 "budget" the words, "and provide a reasonable number
9 of copies of such budget for public inspection".
10 11. Page 52, line 28, by striking the word,
11 "qualified" and by inserting in lieu thereof the word,
12 "eligible".
13 12. Page 52, line 30, by inserting after the word,
14 "ten" the words, "nor more than five hundred".
15 13. Page 55, lines 6 and 7, by striking the words,
16 "useful or convenient" and by inserting in lieu thereof
17 the word "necessary".
18 14. Page 56, lines 19 and 20, by striking the words,
19 "useful or convenient" and by inserting in lieu thereof
20 the word "necessary".

21 15. Page 57, lines 5 and 6, by striking the words,
22 "useful or convenient" and by inserting in lieu thereof
23 the word "necessary".

24 16. Page 57, line 11, by striking the word, "useful"
25 and by inserting in lieu thereof the word, "necessary".

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1 17. Page 60, line 31, by striking the word,
2 "qualified" and by inserting in lieu thereof the word,
3 "eligible".

4 18. Page 66, line 1, by inserting after the word,
5 "part" the words, "if such lots bear common
6 improvements".

7 19. Page 66, line 32, by striking all after the
8 word, "streets" and all of line 33 and by inserting
9 in lieu thereof a period.

10 20. Page 72, line 18, by inserting after the word,
11 "objections" the words, "pertaining to the regularity
12 of the proceeding and the legality of using the special
13 assessment procedure."

14 21. Page 74, line 10, by inserting after the word,
15 "conclusive" the words, "unless objections thereto have
16 previously been filed with the council".

17 22. Page 76, line 13, by striking the words, "within
18 seven days" and by inserting in lieu thereof the words,
19 "as soon as practical".

20 23. Page 76, line 22, by striking all after the
21 word, "be" and all of lines 23 through 24, inclusive,
22 and by inserting in lieu thereof the words, "as in other
23 equity cases."

24 24. Page 80, line 34, by inserting after the word,
25 "of" the word, "annual".

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1 25. Page 82, line 6, by inserting after the word,
2 "council" the words, "or as reduced by the court".

3 26. Page 83, line 33, by inserting after the word,
4 "proceedings" the words, "or legality of the assessment
5 procedure".

6 27. Page 84, line 8, by striking all after the word,
7 "located" and all of lines 9 and 10 and by inserting
8 in lieu thereof the words, "but such appeal is only
9 to".

10 28. Page 84, line 11, by striking the word, "and"
11 and by inserting in lieu thereof the following:
12 " , unless such person filed objections with the
13 council prior to the adoption of the resolution of
14 necessity, they shall also be considered; however, such
15 appeal".

16 29. Page 102, line 26, by inserting after the word
17 "private" the word, "nonprofit".

18 30. Page 104, lines 10 and 11, by striking the words
19 "five percent, but may not exceed".

20 31. Page 105, line 5, by inserting after the word
21 "damages" the words, "or cashed and held in escrow to
22 apply against the actual damages sustained for such

23 breach of contract”.

24 32. Page 105, line 12, by inserting after the word

25 “damages” the words, “or retained and held in escrow

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1 to apply against the actual damages sustained for such
2 breach of contract”.

3 33. Page 106, line 12, by striking the words, “,
4 construction, or reconstruction”.

5 34. Page 110, line 30, by inserting after the word
6 “private” the word, “nonprofit”.

7 35. Page 118, lines 32 and 33, by striking the words
8 “*useful and convenient*” and by inserting in lieu thereof
9 the word “*necessary*”.

10 36. Page 120, line 21, by striking the word
11 “qualified” and by inserting in lieu thereof the word
12 “[qualified] *eligible*”.

13 37. Page 120, line 30, by striking the words “or
14 town,” and inserting the words “[or town,]”.

15 38. Page 121, line 5, by striking the words “, city
16 or town,” and by inserting in lieu thereof the words
17 “[city or town] *or city*”.

18 39. Page 122, line 33, by striking the word “*five*”
19 and inserting in lieu thereof the word “*three*”.

20 40. Page 123, line 31, by adding thereafter the
21 following new paragraph:
22 “*All such election precincts shall be established*
23 *within the boundaries of a representative district as*
24 *established by law.*”

25 41. Page 147, lines 5 and 6, by striking the word,

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1 “qualified” and by inserting in lieu thereof the word
2 “[qualified] *eligible*”.

3 42. Page 151, line 27, by striking the words “*useful*
4 *and convenient*” and by inserting in lieu thereof the
5 word “*necessary*”.

6 43. Page 154, line 1, by striking the words “*useful*
7 *and convenient*” and by inserting in lieu thereof the
8 word “*necessary*”.

9 44. Page 162, line 31, by striking the word “*legal*”
10 and by inserting in lieu thereof the word “*eligible*”.

11 45. Page 166, line 32, by adding thereafter the
12 following new sentence:

13 “*Revenue bonds issued by the authority and the*
14 *interest thereon shall be subject to taxation.*”

15 46. Page 183, line 3, by striking the word “, *tax*”
16 and by inserting the word “[, *tax*]”.

17 47. Page 183, line 5, by striking the word “, *taxing*”
18 and by inserting the word “[, *taxing*]”.

19 48. Page 183, line 20, by inserting after the word
20 “*a*” the words “*mayor, council,*”.

21 49. Page 183, line 21, by striking the words “*police*
22 *magistrate and marshal*” and by inserting in lieu thereof
23 the words “[*police magistrate and marshal*] *police and*
24 *fire chief*”.

25 50. Re renumbering the sections and internal

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1 references to conform with this amendment.

LEE H. GAUDINEER, JR.

1 Amend House File 574, as amended and passed by
2 the House, as follows:

3 1. Page 47, by inserting the following new sections
4 after line 17:

5 1. "Sections two (2) through nine (9) of this
6 amendment may be cited as the 'Uniform Local Sales
7 Tax Law'."

8 2. "Any city or town may impose a sales, services
9 and use tax, hereinafter referred to as a "local sales
10 tax", in accordance with the provisions of this Act
11 by adoption of any ordinance by its council after
12 publisher notice not less than ten days nor more than
13 twenty-five days before the date of hearing thereon.
14 The collection of a local sales tax so imposed shall
15 commence on January first following passage of the
16 ordinance imposing it."

17 3. "The council of a city or town may agree with
18 the council of one or more cities or towns to jointly
19 impose a local sales tax as authorized for cities
20 and towns."

21 4. "A county may levy a local sales tax by
22 resolution of the board of supervisors, if passed
23 not later than July first of the year prior to the
24 commencement of collection of the tax following notice
25 and hearing as required for cities. If a county levy

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1 is made, cities and towns within the county shall
2 not levy the tax, or if the county levies the tax
3 in a year subsequent to the levy by a city or town
4 in that county, the city or town levies shall be
5 suspended for the period of the county levy. Also,
6 if a city or town imposes a local sales tax after
7 July first, the board of supervisors of any county
8 in which a part of the city is located may, within
9 ten days of passage of the ordinance imposing the
10 tax, impose by resolution a county tax which supersedes
11 the city tax. The collection of a local sales tax
12 so imposed by a county shall commence on January first
13 following passage of the resolution imposing it."

14 5. "A local sales tax at a rate of not more than one
15 one percent may be imposed by a city or town on the
16 gross receipts from the sale or use of tangible
17 personal property subject to the state sales tax and
18 from the services subject to the state tax. A local
19 sales tax shall be imposed on the same basis as the
20 state sales, services and use tax and may not be
21 imposed on the sale or use of any tangible personal
22 property not taxed by the state. A local sales tax
23 is applicable only within the territorial limits of

24 the city or town imposing it and shall be collected
25 by all persons required to collect state sales,

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1 services and use taxes.

2 The amount of the sale, for purposes of determining
3 the amount of the local sales and use tax, does not
4 include the amount of the state sales and use tax.

5 No sales and use tax permit, other than the state
6 sales and use tax permits, may be required."

7 6. "The director of revenue shall administer the
8 provisions of a local sales tax as nearly as possible
9 in conjunction with the administration of state tax
10 laws. He shall provide appropriate forms, or provide
11 on the regular state tax forms, for reporting local
12 sales tax liability.

13 An ordinance or resolution imposing a local sales
14 tax shall adopt by reference the applicable provisions
15 of the appropriate sections of chapters four hundred
16 twenty-two (422) and four hundred twenty-three (423)
17 of the Code, and all powers of the director to admin-
18 ister the state sales and use tax law are applicable
19 to his administration of a local sales tax ordinance
20 or resolution. Local officials shall confer with
21 the director of revenue and obtain his assistance
22 in drafting the ordinance or resolution imposing a
23 local sales tax. A certified copy of the ordinance
24 or resolution imposing a local sales tax shall be
25 filed with the director as soon as possible after

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1 passage.

2 The director, in consultation with local officials,
3 shall collect and account for a local sales tax.
4 The director shall retain for the use of the department
5 one percent of all local sales tax receipts, to cover
6 administrative expense, and shall credit remaining
7 net local sales tax receipts to a local sales tax
8 fund hereby established in the office of the treasurer
9 of state."

10 7. "The treasurer of state shall remit quarterly
11 to the qualified cities and towns which have imposed
12 a local sales tax their share of the balance in the
13 local sales tax fund.

14 The city or town treasurer, or another city official
15 designated by the council, shall apply three-fourths
16 of all local sales tax money estimated to be received
17 for property tax relief. Before the levies authorized
18 under section four hundred four point two (404.2)
19 of the Code are certified to the county auditor, they
20 shall comply with legal mill limits and the certifying
21 official shall subtract from the total amount computed
22 in dollars, as provided in section four hundred forty-
23 four point two (444.2) of the Code, an amount equal
24 to the amount estimated for property tax relief during
25 the next twelve month period, and shall certify only

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1 the net amount to the county auditor and board of
2 supervisors. The county auditor shall base the millage
3 levies authorized under section four hundred forty-
4 four point three (444.3) of the Code upon the net
5 amount so computed. In order for a city or town to
6 be qualified to receive remittances from the treasurer
7 of state the city or town clerk shall certify to the
8 treasurer of state before January first of each year
9 that the required reduction in the amount certified
10 to the county auditor and board of supervisors for
11 city or town taxes has been made. All local sales
12 and use tax moneys received by a city or town may
13 be expended for any lawful municipal purpose."

14 8. "If two or more cities and towns impose an
15 authorized local tax jointly, the treasurer of state
16 shall credit the receipts to a joint account, and
17 shall remit to each qualified city or town a pro rata
18 share of the joint account, according to population
19 figures determined by the last federal census. The
20 share remitted to each city and town shall be applied
21 and expended as provided for local taxes imposed by
22 a single city or town.

23 If an authorized local tax is imposed countywide,
24 the treasurer of state shall credit the receipts to
25 a joint account, and shall remit to each qualified

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1 city or town in the county a pro rata share of the
2 joint account, based upon the percentage of its popula-
3 tion to the total population of the county, and to
4 the board of supervisors, when the county is qualified,
5 a pro rata share of the joint account based upon the
6 percentage of population in the county outside of
7 cities and towns, the rural portion according to the
8 population determined by the last federal decennial
9 census. The share remitted to each city and town
10 shall be applied and expended as provided for local
11 taxes imposed by a single city or town.

12 The share remitted to the board of supervisors
13 may be used for any lawful county government purpose.
14 However, the county treasurer shall credit one-half
15 of all local sales tax moneys estimated to be received
16 for property tax relief. Before the levies authorized
17 under section four hundred forty-four point nine
18 (444.9) of the Code are made, they shall comply with
19 legal mill limits and the board of supervisors shall
20 subtract from the total amount computed in dollars,
21 as provided in section four hundred forty-four point
22 two (444.2) of the Code, an amount equal to the amount
23 estimated for property tax relief during the next
25 twelve month period, and shall base the millage levies
26 authorized under section four hundred forty-four point

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1 nine (144.9) of the Code upon the net amount so
2 computed. In order for a county to be qualified to
3 receive remittances from the treasurer of state, the
4 board of supervisors shall certify to the treasurer
5 of state before January first of each year, that the
6 required reduction has been made.”
7 9. “Upon receipt of a petition signed by voters
8 within the city or town, or county in case of a county
9 tax, equal in number to at least ten percent of the
10 number of votes cast for governor at the last preced-
11 ing general election within the local taxing jurisdic-
12 tion, requesting that an election be held, the city
13 or town council, or board of supervisors in the case
14 of a county tax, shall not less than twenty nor more
15 than forty-five days after receipt of the petition
16 submit to the voters of the city or town or of the
17 county at a special election called for that purpose,
18 the question of approval or disapproval of the tax.
19 Such a petition may be received only during the sixty
20 days prior to the last certifying date of a budget
21 in the second or any subsequent year following the
22 beginning of collection of the tax. Prior to the
23 special election the governing body shall publish
24 notice of the election once each week for two
25 consecutive weeks in a newspaper of general circulation

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1 serving the city or town, or in two newspapers of
2 general circulation in the county in the case of a
3 county tax.
4 If a majority of those voting favors the tax, the
5 governing body may continue to impose the tax. If
6 a majority of those voting thereon vote to discontinue
7 the tax, it shall cease to be collected at the end
8 of the calendar year in which the election is held,
9 the ordinance or resolution shall stand repealed as
10 of December thirty-first following the election, and
11 the governing body may not impose the tax under the
12 authority of this Act for collection within one year
13 following discontinuance of collection caused by the
14 election, and then only if a new resolution or ordi-
15 nance is passed. The governing body at any time may
16 discontinue the tax, but an election may not be held
17 oftener than once a year.”

18 2. Page 118, by inserting after line 27 the
19 following new section:

20 “Sec. Section twenty-six point six (26.6),
21 Code 1971, is amended as follows:

22 26.6 POPULATION OF COUNTIES, TOWNSHIPS, CITIES,
23 AND TOWNS.

24 Whenever the population of any county, township,
25 city, or town is referred to in any law of this state,

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1 it shall be determined by the last certified, or

2 certified and published, official census unless other-
3 wise provided. [However, the population figures dis-
4 closed for any city or town as the result of a special
5 federal census as modified as the result of consolida-
6 tion or annexation in the manner provided in sections
7 312.3, and 123.50, shall be considered for no other
8 purposes than the application of sections 123.50 and
9 312.3.] Whenever a special federal census is hereafter
10 taken by any city or town, the mayor and council shall
11 certify the said census as soon as possible to the
12 secretary of state and to the treasurer of state as
13 otherwise herein provided, and failing to do so, the
14 treasurer of state shall, after six months from the
15 date of said special census, turn over such moneys
16 as authorized by sections 123.50 and 312.3 to the
17 general fund of the state, and continue to do so until
18 such time as certification by said mayor and council
19 is made, or until the next decennial federal census.
20 If there be a difference between the original certified
21 record in the office of the secretary of state and
22 the published census the former shall prevail.”
23 3. Page 185, by adding after line 19 the following
24 new section:
25 “Sec. Section four hundred twenty-two point

Page 10

1 seventy-two (422.72), subsection one (1), Code 1971,
2 is amended as follows:
3 1. It shall be unlawful for the director, or any
4 person having an administrative duty under this
5 chapter, to divulge or to make known in any manner
6 whatever, the business affairs, operations, or
7 information obtained by an investigation of records
8 and equipment of any person or corporation visited
9 or examined in the discharge of official duty, or
10 the amount or source of income, profits, losses,
11 expenditures or any particular thereof, set forth
12 or disclosed in any return, or to permit any return
13 or copy thereof or any book containing any abstract
14 or particulars thereof to be seen or examined by any
15 person except as provided by law; provided, however,
16 that the director may authorize examination of such
17 returns by other state officers, *by Iowa city and*
18 *county officials*, or, if a reciprocal arrangement
19 exists, by tax officers of another state, or the
20 federal government. This subsection shall prevail
21 over the provisions of any general law of this state
22 relating to public records.”
23 4. Renumber sections and correct internal
24 references as required by this amendment.

R. DEAN ARBUCKLE

1 Amend House File 574, page 108, by inserting after line 35
2 the following:
3 “In cities having more than one hundred fifty thousand population
4 the utility board shall each month prepare in pamphlet form the

5 statement herein required for the preceding month, and furnish
6 copies to the state library, the city library, the daily newspapers
7 of the city, the city clerk, and to persons who apply at the office
8 of the secretary, and the pamphlet shall constitute publication as
9 required.

REINHOLD O. CARLSON

1 Amend the committee on appropriations amendment, filed June 3,
1971,
2 to House File 710 by striking lines 1 through 7, inclusive.

JOHN M. WALSH

On motion of Senator Lamborn, the Senate adjourned until 9:00
a.m., Monday, June 7, 1971.

JOURNAL OF THE SENATE

ONE HUNDRED FORTY-EIGHTH DAY

SENATE CHAMBER

DES MOINES, IOWA, MONDAY, JUNE 7, 1971

The Senate met in regular session, President Jepsen presiding.

Prayer was offered by the Reverend Lonney Hulsey, pastor of the Central Park Baptist Church, Davenport, Iowa.

The Senate pledged allegiance to the flag.

The Journal of Friday, June 4, 1971, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Thordsen for the day on account of illness on request of Senator Lamborn.

PRESENTATION OF VISITORS

The Chair announced that the following visitors were present in the Senate gallery:

Thirty students from Iowa City Community School, Iowa City, Iowa, accompanied by Mrs. Callis and Mrs. Munsterman.

CONSIDERATION OF BILLS

House File 606

On motion of Senator Balloun, House File 606, a bill for an act relating to war orphans' education aid fund and making an appropriation to the bonus board, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Balloun moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 606) the vote was:

Ayes, 33:

Anderson
Arbuckle
Balloun
Bass

Briles
Brownlee
Conklin
Davis

DeKoster
Erskine
Gaudineer
Gilley

Glenn
Griffin
Gross
Hill

Kennedy	Neu	Rabedaux	Stephens
Lamborn	Ollenburg	Rhodes	Tapscott
Messerly	Potter	Schaben	Van Gilst
Miller	Potgeter	Shawver	Walsh
Milligan			

Nays, none.

Absent or not voting, 17:

Carlson	Keith	Nicholson	Shaff
Coleman	Kyhl	Palmer	Smith
Curran	Laverty	Riley	Thordsen
Doderer	Mowry	Robinson	Van Drie
Graham			

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

House File 688

On motion of Senator Balloun, House File 688, a bill for an act making an appropriation to the department of public instruction to provide school lunch assistance, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Tapscott offered the following amendment and moved its adoption:

Amend House File 688, page 2, line 4, by striking the words and figures "five hundred five thousand (505,000)" and inserting in lieu thereof the words and figures "six hundred thousand (600,000)".

The amendment lost.

Senator Balloun moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 688) the vote was:

Ayes, 43:

Anderson	Doderer	Messerly	Rhodes
Arbuckle	Erskine	Miller	Riley
Balloun	Gaudineer	Milligan	Robinson
Bass	Gilley	Mowry	Schaben
Briles	Glenn	Neu	Shawver
Brownlee	Graham	Nicholson	Smith
Carlson	Griffin	Ollenburg	Stephens
Coleman	Gross	Palmer	Tapscott
Conklin	Hill	Potgeter	Van Gilst
Davis	Kennedy	Potter	Walsh
DeKoster	Lamborn	Rabedaux	

Nays, none.

Absent or not voting, 7:

Curran	Kyhl	Shaff	Van Drie
Keith	Laverty	Thordsen	

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

House File 710

On motion of Senator Anderson, House File 710, a bill for an act relating to sewage treatment projects and to appropriate from the general fund of the state for the sewage works construction fund, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Anderson offered the following amendment by the committee on appropriations:

Amend House File 710 as follows:

Page 2, line 20, by adding after the figure "1969" the words "however, the funds appropriated by this subsection shall only be available if federal matching funds in an amount equal to fifty percent or more of the total cost of eligible projects are made available to the state of Iowa".

Senator Walsh withdrew the following amendment filed by him on June 4:

- 1 Amend the committee on appropriations amendment, filed June 3, 1971,
- 2 to House File 710 by striking lines 1 through 7, inclusive.

Senator Anderson moved the adoption of the committee amendment.

Roll call was requested.

On the question "Shall the committee amendment be adopted?" (H.F. 710) the vote was:

Ayes, 15:

Anderson	Coleman	Lamborn	Smith
Arbuckle	Gilley	Nicholson	Stephens
Balloun	Hill	Ollenburg	Van Gilst
Bass	Keith	Potgeter	

Nays, 30:

Briles	Gaudineer	Milligan	Riley
Brownlee	Glenn	Mowry	Robinson
Carlson	Graham	Neu	Schaben
Conklin	Gross	Palmer	Shawver
Davis	Griffin	Potter	Tapscott
DeKoster	Kennedy	Rabedeaux	Van Drie
Doderer	Messerly	Rhodes	Walsh
Erskine	Miller		

Absent or not voting, 5:

Curran	Laverty	Shaff	Thordsen
Kyhl			

The amendment lost.

Senator Anderson moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 710) the vote was:

Ayes, 45:

Anderson	Erskine	Messerly	Rhodes
Arbuckle	Gaudineer	Miller	Riley
Balloun	Glenn	Mowry	Robinson
Bass	Gilley	Milligan	Schaben
Briles	Graham	Neu	Shawver
Brownlee	Griffin	Nicholson	Smith
Carlson	Gross	Ollenburg	Stephens
Coleman	Hill	Palmer	Tapscott
Conklin	Keith	Potgeter	Van Drie
Davis	Kennedy	Potter	Van Gilst
DeKoster	Lamborn	Rabedeaux	Walsh
Doderer			

Nays, none.

Absent or not voting, 5:

Curran	Laverty	Shaff	Thorsen
Kyhl			

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

REPORT OF COMMITTEE ON ENROLLED BILLS

Senator Rhodes, from the joint committee on enrolled bills, submitted the following report and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate Files 485, 500 and 533; House Files 373, 522, 686 and 694.

JOHN C. RHODES
Chairman, Senate Committee
ELIZABETH R. MILLER
Chairman, House Committee

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, the following bills: Senate Files 485, 500 and 533; House Files 373, 522, 686 and 694.

BILLS SENT TO THE GOVERNOR

Senator Rhodes, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that

it has, on this 7th day of June, 1971, sent to the Governor for his approval: Senate Files 485, 500 and 533.

JOHN C. RHODES, Chairman

Passed on file.

EXPLANATION OF VOTE

Since I had the minister for the day, it was necessary to be in the House of Representatives when the vote was taken on House File 606. Had I been present, I would have voted "aye".

EDWARD E. NICHOLSON

MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File 719, a bill for an act appropriating funds transferred to the marine fuel tax fund to the state conservation commission.

WILLIAM R. KENDRICK, Chief Clerk

HOUSE MESSAGE CONSIDERED

House File 719, a bill for an act appropriating funds transferred to the marine fuel tax fund to the state conservation commission.

Read first time and passed on file.

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

The Senate resumed session, Senator Rabedaux presiding.

On motion of Senator Lamborn, the Senate recessed until 1:30 p.m.

AFTERNOON SESSION

The Senate reconvened, Senator Brownlee presiding.

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

The Senate resumed session, Senator Brownlee presiding.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has concurred in Senate amendment to and repassed the following bill in which the concurrence of the House was asked:

House File 693, a bill for an act to appropriate from moneys received by the Iowa aeronautics commission.

Also: That the House has concurred in Senate amendment to and re-passed the following bill in which the concurrence of the House was asked:

House File 696, a bill for an act to appropriate from the Iowa public employees' retirement system to employment security commission.

Also: That the House has concurred in Senate amendment to and re-passed the following bill in which the concurrence of the House was asked:

House File 700, a bill for an act to appropriate from moneys received by certain commissions, boards and departments.

Also: That the House has concurred in Senate amendment to and re-passed the following bill in which the concurrence of the House was asked:

House File 701, a bill for an act to appropriate from the general fund of the state to various state departments.

Also: That the House has concurred in Senate amendment to and re-passed the following bill in which the concurrence of the House was asked:

House File 708, a bill for an act making an appropriation to the commission on the aging.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 713, a bill for an act relating to the election laws.

WILLIAM R. KENDRICK, Chief Clerk

INTRODUCTION OF BILLS

Senate File 568, by committee on appropriations, a bill for an act making an appropriation from the primary road fund to the industrial commission for payment of workmen's compensation claims of employees of the state highway commission.

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

Senate File 569, by committee on appropriations, a bill for an act making an appropriation to the state highway commission from the primary road fund for the purpose of making payments for expenses incurred in administering the merit employment system.

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

Senate File 570, by committee on appropriations, a bill for an act to appropriate from the general fund of the state for the Iowa commission for the blind.

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

HOUSE MESSAGE CONSIDERED

House File 713, a bill for an act relating to the election laws.

Read first time and **passed on file**.

CONSIDERATION OF BILLS

Senate File 565

On motion of Senator Anderson, Senate File 565, a bill for an act making an appropriation to the department of social services and divisions thereof, including the board of parole, and providing for the administration thereof, was taken up and considered.

Senator Miller offered the following amendment:

- 1 Amend Senate File 565 as follows:
- 2 1. Page 6, by striking lines 13 through 27, inclu-
- 3 sive, and inserting in lieu thereof the following new
- 4 section:
- 5 "Sec. 2. There is appropriated from the general fund
- 6 of the state to the Iowa legislative council for the
- 7 fiscal year beginning July 1, 1971, and ending June 30,
- 8 1972, the sum of twenty-five thousand (25,000) dollars
- 9 to be used for the purpose of conducting a study regarding
- 10 the present and future roles and adequacy of the mental
- 11 health institutes and the existing institutions for
- 12 juveniles under the department of social services, and
- 13 to project future expansion, consolidation, or closing of
- 14 these facilities.
- 15 The study shall be conducted by a study committee
- 16 appointed by the Iowa legislative council from among
- 17 members of the appropriate standing committees of the
- 18 house of representatives and the senate, and shall include
- 19 such citizen members as are deemed to be appropriate.
- 20 Four members shall be chosen from the house of representa-
- 21 tives and four from the senate and shall consist of
- 22 representatives of the two political parties.
- 23 The study committee shall report its findings and
- 24 recommendations, including legislative bill drafts imple-
- 25 menting same, to the Sixty-fourth General Assembly meeting

Page 2

- 1 in January, 1972."
- 2 2. By renumbering the remaining sections in conformity
- 3 with the amendment.
- 4 Amend the title, page 1, line 3, by inserting after
- 5 the word "thereof" the words "and providing for a study
- 6 committee".

Senator Davis offered the following amendment to the amendment and moved its adoption:

- 1 Amend the Miller amendment filed June 7 to Senate File 565,
- 2 page 1, by striking all of line 8 and inserting in lieu
- 3 thereof the following: "1972, the sum of ten thousand (10,000)
- 4 dollars".

The amendment to the amendment lost.

Senator Miller moved the adoption of his amendment.

Division was called for.

The amendment was adopted.

Senator Gaudineer offered the following amendment and moved its adoption:

- 1 Amend Senate File 565, page 9, by inserting after
- 2 line 6 the following new section:
- 3 "Sec. 16. Any county which finds that the three mill
- 4 emergency levy pursuant to section two hundred fifty-two
- 5 point forty-three (252.43), insufficient, may, for the
- 6 1971-1973 biennium only, with the approval of the state
- 7 comptroller, levy not to exceed five mills for such pur-
- 8 poses, the limitations of section two hundred fifty-two
- 9 point forty-three (252.43) notwithstanding."

The amendment was adopted.

Senator Tapscott offered the following amendment by Senators Tapscott, Neu, et al., and moved its adoption:

- 1 Amend Senate File 565 as follows:
- 2 Page 9, by adding after line 6 the following new section:
- 3 Sec. Section two hundred thirty-four point twelve
- 4 (234.12), Code 1971, is amended as follows:
- 5 234.12 COUNTY BOARD EMPLOYEES. [The county board shall
- 6 employ a county director and such other personnel as is
- 7 necessary for the performance of its duties. The number of
- 8 employees shall be subject to the approval of the state
- 9 director.] *The commissioner of the department of social*
- 10 *services shall employ, fix the compensation, and assign to*
- 11 *each county board in the state a county director and other*
- 12 *personnel necessary to perform its duties. A county di-*
- 13 *rector may be assigned to more than one county board. The*
- 14 *county director and all employees shall be selected solely*
- 15 *on the basis of the fitness for the work to be performed,*
- 16 *with due regard to experience and training. [When the duties*
- 17 *of the director of social welfare are combined with the*
- 18 *duties of another officer or employee as provided in section*
- 19 *332.17 to 332.21, inclusive, the person named to perform*
- 20 *the combined duties shall be employed as herein provided.]*

Senator Rabedaux raised a point of order on the amendment for the reason that it was not germane to the bill.

The Chair ruled the point not well taken and the amendment in order.

Senator Tapscott moved the adoption of the amendment and requested a roll call.

On the question "Shall the Tapscott, Neu, et al., amendment be adopted?" (S.F. 565) the vote was:

Ayes, 14:

Carlson
Davis
Doderer
Gaudineer

Glenn
Gross
Miller
Milligan

Neu
Palmer
Riley

Robinson
Tapscott
Walsh

Nays, 30:

Anderson	DeKoster	Messerly	Rhodes
Arbuckle	Erskine	Mowry	Schaben
Balloun	Gilley	Nicholson	Shawver
Bass	Graham	Ollenburg	Smith
Briles	Griffin	Potgeter	Stephens
Brownlee	Hill	Potter	Van Drie
Conklin	Keith	Rabedaux	Van Gilst
Curran	Lamborn		

Absent or not voting, 6:

Coleman	Kyhl	Shaff	Thordsen
Kennedy	Laverty		

The amendment lost.

Senator Tapscott offered the following amendment by Senators Tapscott, Doderer and Glenn:

Division 1

- 1 Amend Senate File 565 as follows:
- 2 1. Page 3, line 19, by striking the figures
- 3 "1,445,565.00" and "1,503,955.00" and inserting in lieu
- 4 thereof the figures "1,593,770.00" and "1,712,880.00".
- 5 2. Page 3, line 21, by striking the figures
- 6 "1,179,839.00" and "1,229,469.00 and inserting in lieu
- 7 thereof the figures "1,252,800.00" and "1,352,660.00".
- 8 3. Page 3, line 23, by striking the figures
- 9 "2,183,466.00" and inserting in lieu thereof the figures
- 10 "2,280,460.00".
- 11 4. Page 3, line 25, by striking the figures
- 12 "788,220.00" and inserting in lieu thereof the figures
- 13 "815,540.00".

Division 2

- 14 5. Page 3, line 28, by striking the figures
- 15 "8,234,038.00" and "8,502,278.00" and inserting in lieu
- 16 thereof the figures "8,455,204.00" and "8,958,708.00".

Division 3

- 17 6. Page 3, line 35, by striking the figures
- 18 "3,394,732.00" and "3,510,523.00" and inserting in lieu
- 19 thereof the figures "3,489,090.00" and "3,722,280.00".
- 20 7. Page 4, line 2, by striking the figures
- 21 "2,719,714.00" and "2,799,709.00" and inserting in lieu
- 22 thereof the figures "2,759,500.00" and "2,935,240.00".
- 23 8. Page 4, line 4, by striking the figures
- 24 "450,626.00" and "463,784.00" and inserting in lieu
- 25 thereof the figures "472,110.00" and 503,020.00".

Page 2

- 1 9. Page , line 6, by striking the figures
- 2 "1,515,165.00" and "1,571,279.00" and inserting in lieu
- 3 thereof the figures "1,571,300.00" and "1,697,770.00".
- 4 10. Page 4, line 8, by striking the figures
- 5 "483,872.00" and "494,653.00" and inserting in lieu
- 6 thereof the figures "491,190.00" and "513,290.00".
- 7 11. Page 4, line 10, by striking the figures

- 8 "80,750.00" and inserting in lieu thereof the figures
9 "83,370.00".

Division 2

- 10 12. Page 4, line 11, by striking the figures
11 "8,642,769.00" and "8,920,698.00" and inserting in lieu
12 thereof the figures "8,861,850.00" and "9,454,970.00".

Division 4

- 13 13. Page 4, line 16, by striking the figures
14 "15,200,000.00" and inserting in lieu thereof the
15 figures "15,475,000.00".
16 14. Page 4, line 17, by striking the figures
17 "438,022.00" and "454,390.00" and inserting in lieu
18 thereof the figures "475,000.00" and "515,000.00".
19 15. Page 4, line 19, by striking the figures
20 "11,180,472.00" and "11,636,818.00" and inserting in lieu
21 thereof the figures "12,015,000.00" and "14,105,000.00".
22 16. Page 4, line 22, by striking the figures
23 "1,308,140.00" and "1,361,533.00" and inserting in lieu
24 thereof the figures "1,360,000.00" and "1,455,000.00".
25 17. Page 4, line 25, by striking the figures

Page 3

- 1 "12,428,769.00" and inserting in lieu thereof the figures
2 "12,950,000.00".
3 18. Page 4, line 32, by striking the figures
4 "925,000.00" and "925,000.00" and inserting in lieu
5 thereof the figures "1,690,000.00" and "1,690,000.00".
6 19. Page 4, by inserting after line 32 the following:
7 "Day care centers \$200,000.00 \$200,000.00".

Division 2

- 8 20. Page 4, line 33, by striking the figures
9 "42,672,604.00" and "43,631,510.00" and inserting in lieu
10 thereof the figures "44,560,970.00" and "48,015,000.00".

Division 5

- 11 21. Page 5, line 4, by striking the figures
12 "3,441,650.00" and "3,566,262.00" and inserting in lieu
13 thereof the figures "3,597,730.00" and "3,874,890.00".
14 22. Page 5, line 6, by striking the figures
15 "3,204,607.00" and "3,296,282.00" and inserting in lieu
16 thereof the figures "3,319,060.00" and "3,556,230.00".
17 23. Page 5, line 8, by striking the figures
18 "3,834,610.00" and "3,958,396.00" and inserting in lieu
19 thereof the figures "4,175,300.00" and "4,487,940.00".
20 24. Page 5, line 10, by striking the figures
21 "2,962,917.00" and "3,051,192.00" and inserting in lieu
22 thereof the figures "3,320,510.00" and "3,546,140.00".

Division 2

- 23 25. Page 5, line 11, by striking the figures
24 "13,443,784.00" and "13,872,132.00" and inserting in lieu
25 thereof the figures "14,412,600.00" and "15,465,200.00".

Page 4**Division 6**

- 1 26. Page 5, line 21, by striking the figures
2 "5,572,530.00" and inserting in lieu thereof the figures
3 "5,794,650.00".
4 27. Page 5, line 23, by striking the figures
5 "5,745,190.00" and inserting in lieu thereof the figures
6 "5,977,570.00".

Division 2

- 7 28. Page 5, line 24, by striking the figures
8 "11,317,720.00" and inserting in lieu thereof the
9 figures "11,772,220.00".

Senator Tapscott called for a division of the amendment into six divisions as follows:

Division 1—Sections 1, 2, 3 and 4

Division 2—Sections 5, 12, 20, 25 and 28

Division 3—Sections 6 through 11

Division 4—Sections 13 through 19

Division 5—Sections 21 through 24

Division 6—Sections 26 and 27

Senator Potgeter took the chair at 4:12 p.m.

Senator Tapscott moved the adoption of division 1 of the amendment and requested a roll call.

On the question "Shall division 1 of the Tapscott, et al., amendment be adopted?" (S.F. 565) the vote was:

Rule 24 was invoked.

Ayes, 13:

Doderer	Kennedy	Potgeter	Schaben
Gaudineer	Miller	Riley	Tapscott
Glenn	Palmer	Robinson	Walsh
Gross			

Nays, 30:

Anderson	Erskine	Messerly	Rabedeaux
Arbuckle	Gilley	Milligan	Rhodes
Bass	Graham	Mowry	Shawver
Carlson	Griffin	Neu	Smith
Conklin	Hill	Ollenburg	Stephens
Curran	Keith	Nicholson	Van Drie
Davis	Lamborn	Potter	Van Gilst
DeKoster	Laverty		

Absent or not voting, 7:

Balloun	Brownlee	Kyhl	Thordsen
Briles	Coleman	Shaff	

Division 1 of the amendment lost.

Senator Doderer moved the adoption of division 3 of the amendment and requested a roll call.

On the question "Shall division 3 of the Tapscott, et al., amendment be adopted?" (S.F. 565) the vote was:

Ayes, 13:

Doderer	Kennedy	Palmer	Schaben
Gaudineer	Miller	Riley	Tapscott
Glenn	Neu	Robinson	Walsh
Gross			

Nays, 33:

Anderson	Davis	Lamborn	Potter
Arbuckle	DeKoster	Laverty	Rabedeaux
Balloun	Erskine	Messerly	Rhodes
Bass	Gilley	Milligan	Shawver
Briles	Graham	Mowry	Smith
Brownlee	Griffin	Nicholson	Stephens
Carlson	Hill	Ollenburg	Van Drie
Conklin	Keith	Potgeter	Van Gilst
Curran			

Absent or not voting, 4:

Coleman	Kyhl	Shaff	Thordsen
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Division 3 of the amendment lost.

President Jepsen took the chair at 4:55 p.m.

Senator Tapscott moved the adoption of division 4 of the amendment and requested a roll call.

On the question "Shall division 4 of the Tapscott, et al., amendment be adopted?" (S.F. 565) the vote was:

Ayes, 17:

Conklin	Griffin	Neu	Tapscott
DeKoster	Gross	Palmer	Van Drie
Doderer	Kennedy	Riley	Van Gilst
Gaudineer	Miller	Robinson	Walsh
Glenn			

Nays, 26:

Anderson	Davis	Laverty	Potgeter
Arbuckle	Erskine	Messerly	Rabedeaux
Balloun	Gilley	Milligan	Rhodes
Bass	Graham	Mowry	Shawver
Brownlee	Hill	Nicholson	Smith
Carlson	Keith	Ollenburg	Stephens
Curran	Lamborn		

Absent or not voting, 7:

Briles	Kyhl	Schaben	Thordsen
Coleman	Potter	Shaff	

Division 4 of the amendment lost.

Senator Tapscott moved the adoption of division 5 of the amendment and requested a roll call.

On the question "Shall division 5 of the Tapscott, et al., amendment be adopted?" (S.F. 565) the vote was:

Ayes, 14:

Doderer	Kennedy	Riley	Tapscott
Gaudineer	Miller	Robinson	Van Gilst
Glenn	Neu	Schaben	Walsh
Gross	Palmer		

Nays, 30:

Anderson	DeKoster	Laverty	Potter
Arbuckle	Erskine	Messerly	Rabedeaux
Balloun	Gilley	Milligan	Rhodes
Bass	Graham	Mowry	Shawver
Carlson	Griffin	Nicholson	Smith
Conklin	Hill	Ollenburg	Stephens
Curran	Keith	Potgeter	Van Drie
Davis	Lamborn		

Absent or not voting, 6:

Briles	Coleman	Shaff	Thordsen
Brownlee	Kyhl		

Division 5 of the amendment lost.

Senator Tapscott moved the adoption of division 6 of the amendment and requested a roll call.

On the question "Shall division 6 of the Tapscott, et al., amendment be adopted?" (S.F. 565) the vote was:

Ayes, 15:

DeKoster	Gross	Palmer	Schaben
Doderer	Kennedy	Potgeter	Tapscott
Gaudineer	Miller	Riley	Walsh
Glenn	Neu	Robinson	

Nays, 29:

Anderson	Erskine	Laverty	Rabedeaux
Balloun	Gilley	Messerly	Rhodes
Bass	Graham	Milligan	Shawver
Brownlee	Griffin	Mowry	Smith
Carlson	Hill	Nicholson	Stephens
Conklin	Keith	Ollenburg	Van Drie
Curran	Lamborn	Potter	Van Gilst
Davis			

Absent or not voting, 6:

Arbuckle	Coleman	Shaff	Thordsen
Briles	Kyhl		

Division 6 of the amendment lost.

Senator Tapscott withdrew division 2 of the Tapscott, et al., amendment.

Senator Gaudineer moved to reconsider the vote by which the Gaudineer amendment of June 7, 1971, was adopted by the Senate, which motion prevailed.

Senator Gaudineer asked and received unanimous consent to withdraw the amendment.

Senator Gaudineer offered the following amendment and moved its adoption:

- 1 Amend Senate File 565, page 9, by inserting after line 6
- 2 the following new section:
- 3 "Sec. 16. Any county which finds the regular one and one
- 4 half mill levy and the additional three mill emergency levy
- 5 pursuant to section two hundred fifty two point forty three
- 6 (252.43) insufficient, may, for the 1971-73 biennium only, with
- 7 the approval of the state comptroller, levy not to exceed an
- 8 additional three mills for such purposes, the limitations of
- 9 section two hundred fifty two point forty three (252.43) not-
- 10 withstanding."

The amendment was adopted.

Senator Potgeter took the chair at 5:27 p.m.

Senator Glenn offered the following amendment:

- 1 Amend Senate File 565, page 9, line 6 by adding the
- 2 following new section after the period (.):
- 3 "The department of social services shall submit
- 4 to the appropriations committee for consideration by
- 5 the second session, Sixty-fourth General Assembly, a revised
- 6 budget for the second fiscal year of the biennium,
- 7 which budget shall give appropriate consideration to
- 8 the number of persons assisted or expected to be
- 9 assisted during the second year of the biennium. The
- 10 respective appropriation committees shall hold a hearing
- 11 upon such proposed revised budget."

Senator Glenn moved the adoption of his amendment and called for a division.

The amendment lost.

Senator Gaudineer offered the following amendment by Senators Gaudineer and Glenn:

- 1 Amend Senate File 565, page 9, by numbering properly,
- 2 adding after line 6 the following new section:
- 3 "Sec. In no event shall any old age assistance
- 4 grant be diminished below the amount of such grant as
- 5 of January 1, 1971, except by the receipt of taxable
- 6 income as defined by chapter four hundred twenty-two
- 7 (422) of the Code, or receipt of support from a person
- 8 legally liable for a grantee's support."

Senator Gaudineer moved the adoption of the amendment.

Roll call was requested by Senator Glenn.

On the question "Shall the Gaudineer-Glenn amendment be adopted?" (S.F. 565) the vote was:

Ayes, 25:

Brownlee	Glenn	Neu	Schaben
Coleman	Griffin	Palmer	Stephens
Conklin	Gross	Potgeter	Tapscott
Davis	Kennedy	Rhodes	Van Drie
DeKoster	Laverty	Riley	Van Gilst
Doderer	Milligan	Robinson	Walsh
Gaudineer			

Nays, 14:

Balloun	Gilley	Nicholson	Rabedeaux
Bass	Lamborn	Ollenburg	Shawver
Curran	Messerly	Potter	Smith
Erskine	Mowry		

Voting present, 2:

Anderson	Graham
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Absent or not voting, 9:

Arbuckle	Hill	Kyhl	Shaff
Briles	Keith	Miller	Thordsen
Carlson			

The amendment was adopted.

Senator Anderson offered the following amendment and moved its adoption:

- 1 Amend Senate File 565, page 9, by striking lines 1 through 6,
- 2 inclusive and renumbering the remaining sections in conformity
- 3 herewith.

The amendment was adopted.

Senator Anderson moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 565) the vote was:

Ayes, 41:

Anderson	Gilley	Miller	Riley
Bass	Glenn	Mowry	Robinson
Brownlee	Graham	Neu	Schaben
Coleman	Griffin	Nicholson	Shawver
Conklin	Gross	Ollenburg	Smith
Curran	Keith	Palmer	Stephens
Davis	Kennedy	Potgeter	Tapscott
DeKoster	Lamborn	Potter	Van Drie
Doderer	Laverty	Rabedeaux	Van Gilst
Erskine	Messerly	Rhodes	Walsh
Gaudineer			

Nays, 2:

Balloun	Milligan
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Absent or not voting, 7:Arbuckle
BrilesCarlson
HillKyhl
Shaff

Thordsen

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

CONGRATULATIONS AND BEST WISHES

Senator Kennedy rose on a point of personal privilege to extend congratulations to Senator Mowry on his thirtieth wedding anniversary.

Senator Mowry rose on a point of personal privilege to extend best wishes to Senator Conklin on her nineteenth wedding anniversary.

INTRODUCTION OF BILL

Senate File 571, by committee on law enforcement, a bill for an act relating to the effective date of the act regulating motor vehicle odometers.

Read first time and placed on calendar.

EXPLANATION OF VOTE

I voted against the final passage of Senate File 565 because of the failure of the amendment enabling the department of social services to hire and discharge county office employees; these employees are supervised by the state, their jobs are defined by the state, and they are paid by the state. Since the department has the responsibility to fairly administer and account for over \$184,000,000 in funds it should also have the authority to manage the use of these funds. We must fix responsibility and authority at all levels of state government and demand accountability in the management of the state's economic resources.

GEORGE F. MILLIGAN

**CONFERENCE COMMITTEE REPORT
ON HOUSE FILE 129**

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to consider the difference between the Senate and the House of Representatives on House File 129, a bill for an act to create a department of general services, transferring services presently performed by designated state agencies to the department of general services, eliminating the performance of certain duties, and providing penalties, respectfully submit the following recommendations:

1. That the Senate concur in divisions 1, 3, 4, 5, 6 and 7 of the House amendment to the Senate amendment to House File 129.
2. That the House recede from division 2 of its amendment to the Senate amendment to House File 129 and insert in lieu thereof the following:

"Line 48, by inserting after the word 'agencies' the words 'shall notify the director before contracting for additional data processing equipment, operating systems, or programming systems and'."

3. Amend the Senate amendment to House File 129, line 49, by striking the words "where possible".

On the part of the Senate:

JAMES A. POTGETER, Chairman

GEORGE F. MILLIGAN

JOHN C. RHODES

C. JOSEPH COLEMAN

On the part of the House:

RICHARD W. WELDEN, Chairman

MURRAY C. LAWSON

WILLARD HANSEN

D. VINCENT MAYBERRY

REPORTS OF COMMITTEES

Senator Messerly submitted the following report:

MR. PRESIDENT: Your committee on appropriations, to which was referred **House File 692**, a bill for an act to appropriate administration and educational and training aid funds from the general fund of the state to the department of public instruction, begs leave to report it has had the same under consideration and recommends the same **do pass**.

FRANCIS L. MESSERLY, Chairman

Ordered passed on file.

Senator Mowry submitted the following report:

MR. PRESIDENT: Your committee on commerce, to which was referred **House File 10**, a bill for an act relating to the maintenance of access roads, begs leave to report it has had the same under consideration and recommends the same **be amended as follows; and when so amended the bill do pass**:

Amend House File 10, page 2, line 8, by striking the words "every lineal foot of additional" and inserting in lieu thereof the words "the first three hundred lineal feet and three dollars for each lineal foot over three hundred of additional".

JOHN L. MOWRY, Chairman

Ordered passed on file.

Senator Walsh submitted the following report:

MR. PRESIDENT: Your committee on transportation, to which was referred **House File 182**, a bill for an act providing a relocation advisory assistance program and relocation payments to persons displaced by highway projects, begs leave to report it has had the same under consideration and recommends the same **do pass**.

JOHN M. WALSH, Chairman

Ordered passed on file.

AMENDMENTS FILED

1 Amend Senate File 95 as follows:

2 1. By striking lines 6 through 14, inclusive, and inserting in lieu
3 thereof the following:

4 "The commission may by rule zone the beds of meandered streams

5 and lakes over which it exercises jurisdiction and state land

6 bordering thereon. In providing zoning rules the commission shall

7 specify which areas are to be used for recreation, industrial or

8 other legitimate purposes. The commission may establish a fee
9 schedule for the use of property over which it exercises jurisdiction
10 or may lease such property as provided in section one hundred eleven
11 point twenty-five (111.25). Zoning rules established by the com-
12 mission shall be subject to chapter seventeen A (17A)."
13 2. Amend the title, line 1, by striking all after the word "to" and
14 insert in lieu thereof the words "beds of meandered streams and lakes
15 and state land bordering thereon."

ALDEN J. ERSKINE

1 Amend House File 574 as follows:
2 1. Page 15, line 28, by inserting after the word "reap-
3 pointment" the words ", but no member shall serve more than two
4 complete six year terms".
5 2. Page 15, line 30, by striking the word "forty" and
6 inserting in lieu thereof the word "thirty".
7 3. Page 17, by striking lines 28 and 29 and inserting in
8 lieu thereof the words "his actual and necessary expenses spent
9 in performance of committee duties."
10 4. Page 18, line 30, by striking the word "may" and
11 inserting in lieu thereof the word "shall".

JAMES A. POTGETER

1 Amend House File 574 as follows:
2 1. Page 48, line 1, by striking all after the word "select"
3 and striking lines 2 and 3 and inserting in lieu thereof the
4 words "and appoint, with the approval of two-thirds of the members
5 of the senate, the city officials."
6 2. Page 48, line 5, by striking the words "by the governor"
7 and inserting in lieu thereof the words "and appointed by the
8 governor, with the approval of two-thirds of the members of the
9 senate".

JAMES A. POTGETER

1 Amend House File 574, page 48, line 18, by inserting after
2 the word "reappointment" the words ", but no member shall be
3 appointed to serve more than two complete terms".

JAMES A. POTGETER

1 Amend House File 574, page 48, line 26, by striking the
2 word "forty" and inserting in lieu thereof the word "thirty".

JAMES A. POTGETER

1 Amend House File 574 as follows:
2 1. Page 78, by striking lines 24 and 25 and inserting in
3 lieu thereof the words "pay assessments from funds appropriated
4 by the state legislature."
5 2. Page 78, line 33, by inserting after the word "owned"
6 the words "with funds appropriated by the state legislature".

JAMES A. POTGETER

1 Amend House File 574, page 89, line 2, by inserting
2 after the word "correction" the words "if the ownership of
3 the property has not changed".

JAMES A. POTGETER

1 Amend House File 574 as follows:

- 2 1. Page 110, line 32, strike the words "library
- 3 board of trustees or a city".
- 4 2. Page 111, line 1, strike the words "the boards"
- 5 and insert in lieu thereof the words "a board".
- 6 3. Page 111, line 5, strike the words "library or".
- 7 4. Page 111, lines 6 and 7, strike the words
- 8 "library or".
- 9 5. Page 111, line 13, strike the words "library or".

G. WILLIAM GROSS

- 1 Amend the Gaudineer amendment to House File 574,
- 2 filed June 4, 1971, page 1, line 16, by striking the
- 3 word "part" and by inserting in lieu thereof the word
- 4 "party".

LEE H. GAUDINEER, JR.

- 1 Amend House File 679 by striking all after the
- 2 enacting clause and inserting in lieu thereof the
- 3 following:

4 Section 1. LEGISLATIVE FISCAL DIRECTOR. There is
5 established the office of legislative fiscal director.
6 The legislative fiscal director shall be qualified to
7 perform, and shall perform the duties hereinafter
8 specified.

9 The legislative fiscal director shall be appointed
10 by and serve at the pleasure of the legislative council
11 and his compensation shall be fixed by the legislative
12 council, which compensation, together with any expenses
13 incurred, shall be paid from funds appropriated to the
14 office of the legislative fiscal director.

15 Sec. 2. DUTIES OF DIRECTOR. The duties of the
16 legislative fiscal director to be performed for the
17 committees on appropriations of the senate and house
18 of representatives and for the general assembly, in
19 addition to performing normal administrative duties
20 pertaining to the office of the legislative fiscal
21 director, shall be the following:

- 22 1. Make a continuous review of state expenditures,
- 23 revenues and analysis of budgets through an audit and
- 24 preaudit, if necessary, or such other means deemed
- 25 necessary to ascertain the facts; compare cost, work

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- 1 load and other data, and make recommendations to the
- 2 general assembly concerning the state's budget and
- 3 revenue of the departments, boards, commissions, and
- 4 agencies of the state, and such other duties as shall
- 5 be assigned to him by the legislative council, the
- 6 appropriations committees, or the general assembly.

- 7 2. Make a report to the legislative council and
- 8 to the general assembly within five days after the
- 9 convening of each session of the general assembly and
- 10 to make such other reports as may be required of him
- 11 by either the legislative council, the appropriation

12 committees, or the general assembly.

13 3. The legislative fiscal director or his designated
14 agents and employees shall attend the budget hearings
15 required by section eight point twenty-six (8.26), of
16 the Code, and may offer explanations or suggestions
17 and make inquiries with respect to such budget hearings
18 within his authority. The legislative fiscal director
19 and his staff shall furnish information and act in an
20 advisory capacity to the committees concerned with state
21 fiscal matters.

22 4. Assist members of the general assembly and
23 standing committees in attaching fiscal notes to
24 legislative bills and resolutions as provided by the
25 rules of each house of the general assembly.

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1 5. Employ and supervise all employees of the office
2 of the legislative fiscal director in such positions
3 and at such salaries as shall be authorized by the
4 legislative council.

5 Sec. 3. POWERS. The legislative fiscal director
6 or his designated agents and employees shall at all
7 times have access to all state officers, departments,
8 agencies, boards, bureaus, and commissions, and to the
9 books, records, and other instrumentalities and property
10 used in the performance of their statutory duties, and
11 all state offices, departments, agencies, boards,
12 bureaus, and commissions shall cooperate with the
13 legislative fiscal director in the performance of the
14 foregoing duty, and shall make available to him such
15 books, records, instrumentalities, and property.

16 Sec. 4. Section fifteen point forty-three (15.43),
17 Code 1971, is amended as follows:

18 15.43 APPROVAL REQUIRED FOR PRINTING. No department
19 or commission of state located in the city of Des Moines
20 shall expend any funds for the publication or
21 distribution of books or pamphlets or reports unless
22 the publication thereof be expressly required by law
23 or approved by [the budget and financial control committee
24 and] the state printing board. A violation of this
25 section shall constitute misfeasance in office.

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1 Sec. 5. Section nineteen point seven (19.7),
2 unnumbered paragraph two (2), Code 1971, is amended
3 as follows:

4 The proceeds of such loan shall be applied toward
5 the payment of costs and obligations necessitated by
6 such actual or potential disaster and the reimburse-
7 ment of local funds from which such expenditures have
8 been made. Any project for repair rebuilding or
9 restoration of state property for which no specific
10 appropriation has been made, which when completed will
11 cost more than one hundred thousand dollars, shall
12 before work is begun thereon, be subject to approval
13 or rejection by the [budget and financial control

14 committee] *executive council*.

15 Sec. 6. Section nineteen point eighteen (19.18),

16 Code 1971, is amended as follows:

17 19.18 REPAIRS—SUPPLIES. The executive council
18 may contract for the repairing of all buildings and
19 grounds of the state at the seat of government, for
20 the necessary telephone, telegraph, lighting, and water
21 service for such buildings and grounds, for all necessary
22 furniture, fuel, stores, and supplies for the said
23 buildings and grounds, and for the various departments
24 of the state government at the seat of government.
25 Payment for telephone, telegraph, water, and lighting

Page 5

1 service shall not exceed the minimum charge to private
2 parties.

3 Any such project for repairing of buildings or grounds
4 at the seat of government for which no specific
5 appropriation has been made, which when completed will
6 cost more than one hundred thousand dollars, shall,
7 before work is begun thereon, be subject to approval
8 or rejection by the [budget and financial control
9 committee] *standing committees on appropriations of the*
10 *two houses of the general assembly*.

11 Sec. 7. Section twenty point one (20.1), Code 1971,
12 is amended as follows:

13 20.1 BOARD CREATED. A state war surplus commodities
14 board is hereby created and established hereinafter
15 referred to as the "board", to consist of the com-
16 missioner of the department of social services or any
17 division director assigned by him, a member of the state
18 board of regents, a member of the Iowa state highway
19 commission, a member of the executive council of the
20 state, a member of the conservation commission of the
21 state, the commissioner of the Iowa state department
22 of health, a member of the department of public
23 instruction, a member of the Iowa development commission,
24 and the [chairman of the budget and financial control
25 committee selected by the budget and financial control

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1 committee of each general assembly] *a member of one of*
2 *the standing committees of appropriations selected*
3 *jointly by the chairmen of the two standing committees*
4 *on appropriations of the general assembly*.

5 Sec. 8. Sections two point forty-one (2.41) through
6 two point forty-eight (2.48), and section twenty point
7 three (20.3), Code 1971, are repealed.

EUGENE M. HILL

On motion of Senator Lamborn, the Senate adjourned until 9:00
a.m., Tuesday, June 8, 1971.

JOURNAL OF THE SENATE

ONE HUNDRED FORTY-NINTH DAY

SENATE CHAMBER

DES MOINES, IOWA, TUESDAY, JUNE 8, 1971

The Senate met in regular session, Senator Brownlee presiding.

Prayer was offered by the Reverend Lyle E. Peters, chaplain of the Lutheran Home for the Aged, Des Moines, Iowa.

The Senate pledged allegiance to the flag.

The Journal of Monday, June 7, 1971, was approved.

PRESENTATION OF VISITORS

The Chair announced that the following visitors were present in the Senate gallery:

Fifteen students from Norwalk Community School, Norwalk, Iowa, accompanied by their instructor, Mrs. Lahmer.

UNFINISHED BUSINESS

Senate File 563

On motion of Senator Curran, Senate File 563, a bill for an act to appropriate funds from the general fund of the state to the state historical society, was taken up for further consideration.

Senator Curran moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 563) the vote was:

Ayes, 40:

Anderson
Arbuckle
Bass
Briles
Brownlee
Carlson
Coleman
Conklin
Curran
Davis

DeKoster
Erskine
Gaudineer
Gilley
Glenn
Graham
Gross
Hill
Keith
Kennedy

Lamborn
Lavery
Messerly
Miller
Mowry
Neu
Nicholson
Ollenburg
Potgeter
Potter

Rabedaux
Riley
Robinson
Schaben
Shaff
Shawver
Smith
Stephens
Van Drie
Van Gilst

Nays, 1:

Balloun

Voting present, 1:

Milligan

Absent or not voting, 8:

Doderer	Kyhl	Rhodes	Thordsen
Griffin	Palmer	Tapscott	Walsh

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

House File 705

On motion of Senator Curran, House File 705, a bill for an act to make an appropriation to the department of history and archives, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Curran offered the following amendment filed by the committee on appropriations and moved its adoption:

- 1 Amend House File 705, page 2, line 18, by inserting
- 2 the following after the period:
- 3 "The department of history and archives may make
- 4 application to the committees on appropriations for the
- 5 reappropriation of any funds that do revert, or probably
- 6 will revert upon the dates herein set and the respec-
- 7 tive committees on appropriations or a subcommittee
- 8 thereof shall hold a hearing upon the application while
- 9 the general assembly is in regular session."

The amendment was adopted.

Senator Curran moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 705) the vote was:

Ayes, 45:

Anderson	Doderer	Lamborn	Rhodes
Arbuckle	Erskine	Laverty	Riley
Balloun	Gaudineer	Miller	Robinson
Bass	Gilley	Mowry	Schaben
Briles	Glenn	Neu	Shaff
Brownlee	Graham	Nicholson	Shawver
Carlson	Griffin	Ollenburg	Smith
Coleman	Gross	Palmer	Stephens
Conklin	Hill	Potgeter	Van Drie
Curran	Keith	Potter	Van Gilst
Davis	Kennedy	Rabedaux	Walsh
DeKoster			

Nays, none.

Voting present, 1:

Milligan

Absent or not voting, 4:

Kyhl	Messerly	Tapscott	Thordsen
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Lamborn asked and received unanimous consent to take up for consideration Senate File 568.

Senate File 568

On motion of Senator Keith, Senate File 568, a bill for an act making an appropriation from the primary road fund to the industrial commission for payment of workmen's compensation claims of employees of the state highway commission, was taken up and considered.

Senator Keith moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 568) the vote was:

Ayes, 47:

Anderson	Doderer	Messerly	Riley
Arbuckle	Erskine	Miller	Robinson
Balloun	Gaudineer	Milligan	Schaben
Bass	Gilley	Mowry	Shaff
Briles	Glenn	Neu	Shawver
Brownlee	Graham	Nicholson	Smith
Carlson	Griffin	Ollenburg	Stephens
Coleman	Gross	Palmer	Tapscott
Conklin	Hill	Potgeter	Van Drie
Curran	Keith	Potter	Van Gilst
Davis	Lamborn	Rabedeaux	Walsh
DeKoster	Laverty	Rhodes	

Nays, none.

Absent or not voting, 3:

Kennedy	Kyhl	Thordsen
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Lamborn asked and received unanimous consent to take up for consideration Senate File 569.

Senate File 569

On motion of Senator Keith, Senate File 569, a bill for an act making an appropriation to the state highway commission from the primary road fund for the purpose of making payments for expenses incurred in administering the merit employment system, was taken up and considered.

Senator Keith moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 569) the vote was:

Ayes, 46:

Anderson	Erskine	Messerly	Riley
Arbuckle	Gaudineer	Miller	Robinson
Bass	Gilley	Milligan	Schaben
Briles	Glenn	Mowry	Shaff
Brownlee	Graham	Neu	Shawver
Carlson	Griffin	Nicholson	Smith
Coleman	Gross	Ollenburg	Stephens
Conklin	Hill	Palmer	Tapscott
Curran	Keith	Potgeter	Van Drie
Davis	Kennedy	Potter	Van Gilst
DeKoster	Lamborn	Rabedeaux	Walsh
Doderer	Laverty		

Nays, 1:

Balloun

Absent or not voting, 3:

Kyhl Rhodes Thordsen

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

Senator Lamborn asked and received unanimous consent to take up for consideration Senate File 570.

Senate File 570

On motion of Senator Balloun, Senate File 570, a bill for an act to appropriate from the general fund of the state for the Iowa commission for the blind, was taken up and considered.

Senator Balloun moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 570) the vote was:

Ayes, 44:

Anderson	Erskine	Messerly	Rhodes
Arbuckle	Gaudineer	Miller	Riley
Bass	Glenn	Milligan	Robinson
Briles	Graham	Mowry	Schaben
Brownlee	Griffin	Neu	Shaff
Carlson	Gross	Nicholson	Shawver
Conklin	Hill	Ollenburg	Smith
Curran	Keith	Palmer	Stephens
Davis	Kennedy	Potgeter	Tapscott
DeKoster	Lamborn	Potter	Van Drie
Doderer	Laverty	Rabedeaux	Van Gilst

Nays, 1:

Balloun

Voting present, 2:

Coleman Gilley

Absent or not voting, 3:

Kyhl Thordsen Walsh

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

Senator Lamborn asked and received unanimous consent to take up for consideration House File 692.

House File 692

On motion of Senator Balloun, House File 692, a bill for an act to appropriate administration and educational and training aid funds from the general fund of the state to the department of public instruction, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Balloun moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 692) the vote was:

Ayes, 43:

Anderson	Erskine	Messerly	Rhodes
Arbuckle	Gaudineer	Miller	Riley
Balloun	Glenn	Milligan	Robinson
Bass	Graham	Mowry	Schaben
Briles	Griffin	Neu	Shaff
Brownlee	Gross	Nicholson	Shawver
Carlson	Hill	Ollenburg	Smith
Conklin	Keith	Palmer	Stephens
Curran	Kennedy	Potgeter	Tapscott
DeKoster	Lamborn	Potter	Van Drie
Doderer	Laverty	Rabedeaux	

Nays, none.

Voting present, 1:

Gilley

Absent or not voting, 6:

Coleman	Kyhl	Van Gilst	Walsh
Davis	Thordsen		

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

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

The Senate resumed session, Senator Brownlee presiding.

ADOPTION OF SENATE CONCURRENT RESOLUTION

Senator Gaudineer called up for consideration **Senate Concurrent Resolution 44**, a resolution recommending George Mills for an honorary membership in the Pioneer Lawmakers Association, found on

pages 1526 and 1527 of the Senate Journal, and moved its adoption.

The motion prevailed and the resolution was adopted.

On motion of Senator Lamborn, the Senate recessed until 1:15 p.m.

AFTERNOON SESSION

The Senate reconvened, Senator Brownlee presiding.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate File 552, a bill for an act to appropriate from moneys received by certain commissions, boards, and departments.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 553, a bill for an act making appropriations to certain state agencies and divisions thereof.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 562, a bill for an act to appropriate from the general fund to the state historical society for development of designated historical sites.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 564, a bill for an act to make appropriations to members of the advisory investment board of the Iowa employees' retirement system.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

House File 46, a bill for an act relating to slow-moving vehicle warning devices.

Also: That the House has adopted conference committee report and amendments contained therein and repassed the following bill in which the concurrence of the House was asked:

House File 129, a bill for an act creating a department of general services.

Also: That the House has amended Senate amendment to, concurred in Senate amendment as amended, and repassed the following bill in which the concurrence of the House was asked:

House File 703, a bill for an act making an appropriation to the Iowa reciprocity board.

WILLIAM R. KENDRICK, Chief Clerk

HOUSE AMENDMENT TO SENATE AMENDMENT TO HOUSE FILE 703

- 1 Amend the Senate amendment to House File 703,
- 2 filed June 7, 1971, lines 3 and 4, by striking the
- 3 words "The department of agriculture and Iowa dairy

- 4 industry commission" and inserting in lieu thereof the
5 words "The Iowa reciprocity board".

RESOLUTIONS ADOPTED

Senate Resolution 4

Senator Lamborn called up for consideration Senate Resolution 4, a resolution authorizing interim expenses, found on page 1237 of the Senate Journal, and moved its adoption.

The motion prevailed and the resolution was adopted.

Senate Concurrent Resolution 41

Senator Lamborn called up for consideration Senate Concurrent Resolution 41, a resolution authorizing the President of the Senate and the Speaker of the House to determine the policies incident to the closing of the 1971 first regular session of the Sixty-fourth General Assembly, found on pages 1237 and 1238 of the Senate Journal, and moved its adoption.

The motion prevailed and the resolution was adopted.

Senate Concurrent Resolution 42

Senator Lamborn called up for consideration Senate Concurrent Resolution 42, a resolution authorizing the Secretary of the Senate and the Chief Clerk of the House to attend 1971 and 1972 sessions of the National Legislative Conference, found on page 1238 of the Senate Journal, and moved its adoption.

The motion prevailed and the resolution was adopted.

Senate Concurrent Resolution 43

Senator Lamborn called up for consideration Senate Concurrent Resolution 43, a resolution authorizing payment of expenses incurred by interim committee meetings, found on page 1238 of the Senate Journal, and moved its adoption.

The motion prevailed and the resolution was adopted.

UNFINISHED BUSINESS

Senate File 539

On motion of Senator Potgeter, Senate File 539, a bill for an act to legalize the proceedings of the board of supervisors of Hardin County in connection with contracts and expenditures made for the remodeling of the county courthouse located in Eldora, Iowa, was taken up for further consideration.

Senator Lavery moved that Senate File 539 be referred to the committee on judiciary and called for a division.

The motion lost.

Senator Potgeter moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 539) the vote was:

Ayes, 31:

Balloun	Erskine	Lamborn	Shawver
Bass	Gilley	Milligan	Smith
Briles	Glenn	Nicholson	Stephens
Brownlee	Graham	Palmer	Tapscott
Carlson	Griffin	Potgeter	Van Drie
Coleman	Gross	Potter	Van Gilst
Conklin	Hill	Rabedeaux	Walsh
Doderer	Keith	Rhodes	

Nays, 7:

Gaudineer	Lavery	Neu	Robinson
Kennedy	Miller	Riley	

Voting present, 1:

DeKoster

Absent or not voting, 11:

Anderson	Davis	Mowry	Shaff
Arbuckle	Kyhl	Ollenburg	Thordsen
Curran	Messerly	Schaben	

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

Senator Potgeter asked and received unanimous consent that **Senate File 539** be **immediately messaged** to the House.

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

The Senate resumed session, Senator Brownlee presiding.

INTRODUCTION OF BILLS

Senate File 572, by committee on appropriations, a bill for an act relating to the control and use of state funds, powers of the budget and financial control committee and providing an appropriation.

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

Senate File 573, by committee on appropriations, a bill for an act to appropriate from the primary road fund to the state highway commission.

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

Senate File 574, by committee on ways and means, a bill for an act relating to the remittance of sales and use tax receipts to the department of revenue.

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

Senate File 575, by committee on ways and means, a bill for an act to change the fiscal year of cities and towns, counties, and other political subdivisions.

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

UNFINISHED BUSINESS

Senate File 441

On motion of Senator Lamborn, Senate File 441, a bill for an act relating to the dispossession of a landowner under condemnation proceedings for highway purposes, was taken up for further consideration.

SUBSTITUTION

Senator Lamborn asked unanimous consent that **House File 347** be substituted for **Senate File 441**.

Objection was raised.

Senator Lamborn moved that the rules be suspended and that House File 347 be substituted for Senate File 441.

On the question "Shall the motion to suspend the rules be adopted?" (S.F. 441) the vote was:

Ayes, 34:

Anderson	DeKoster	Milligan	Robinson
Arbuckle	Erskine	Neu	Schaben
Balloun	Gilley	Nicholson	Shaff
Bass	Graham	Ollenburg	Shawver
Briles	Griffin	Potgeter	Smith
Brownlee	Keith	Potter	Stephens
Carlson	Kennedy	Rhodes	Van Drie
Conklin	Lamborn	Riley	Walsh
Davis	Laverty		

Nays, 10:

Coleman	Gross	Miller	Tapscott
Gaudineer	Hill	Palmer	Van Gilst
Glenn	Messerly		

Absent or not voting, 6:

Curran	Kyhl	Rabedeaux	Thordsen
Doderer	Mowry		

The motion prevailed.

House File 347

On the motion of Senator Riley, House File 347, a bill for an act relating to the dispossession of a landowner under condemnation proceedings for highway purposes, was taken up and considered.

Senator Riley offered the following amendment filed by him on June 2 and moved its adoption:

Division 1

- 1 Amend House File 347 as follows:
- 2 1. Page 1, line 12, by inserting after the word "been"
- 3 the word "finally".
- 4 2. Page 1, line 21, by inserting after the word
- 5 "purposes." the following:
- 6 *"This Act shall be applicable to condemnation proceedings*
- 7 *pending on the effective date of this Act; it being provided*
- 8 *that, as to such proceedings, unless damages have been*
- 9 *finally determined and paid, the landowner shall not be*
- 10 *dispossessed until one hundred eighty days after the effec-*
- 11 *tive date of this Act."*

Division 2

- 12 3. Page 1, by adding the following new section after
- 13 line 21:
- 14 "Sec. 2. This Act, being deemed of immediate impor-
- 15 tance, shall take effect and be in force from and after
- 16 its publication in The Cedar Rapids Gazette, a newspaper
- 17 published in Cedar Rapids, Iowa, and in The Telegraph-
- 18 Herald, a newspaper published in Dubuque, Iowa."

Senator Potgeter called for a division of the amendment, sections 1 and 2 to be considered as division 1, and section 3 as division 2.

On motion of Senator Riley, division 1 of the amendment was adopted.

On motion of Senator Riley, division 2 of the amendment was adopted.

Senator Gaudineer offered the following amendment filed by him on June 4 and moved its adoption:

- 1 Amend House File 347, page 1, as follows:
- 2 1. Line 11, by inserting after the word, "purposes"
- 3 the words, "*by the highway commission*".
- 4 2. Lines 15 and 16, by striking the words, "*seventy-five per*
- 5 *cent*" and inserting in lieu thereof the word, "*all*".

The amendment was adopted.

Senator Gaudineer offered the following amendment and moved its adoption:

- 1 Amend House File 347, page 1, by striking in lines 13, 14
- 2 and 15 the words "*application for condemnation has been filed with*

- 3 the chief judge of the judicial district pursuant to section 472.3"
 4 and insert the words "commission has determined and filed its award".

The amendment was adopted.

Senator Riley moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 347) the vote was:

Ayes, 27:

Briles	Gilley	Neu	Schaben
Brownlee	Graham	Nicholson	Shaff
Carlson	Griffin	Ollenburg	Shawver
Conklin	Hill	Rabedeaux	Stephens
DeKoster	Kennedy	Rhodes	Van Drie
Doderer	Lamborn	Riley	Van Gilst
Erskine	Laverty	Robinson	

Nays, 16:

Anderson	Coleman	Messerly	Potgeter
Arbuckle	Gaudineer	Miller	Potter
Balloun	Glenn	Milligan	Tapscott
Bass	Gross	Palmer	Walsh

Absent or not voting, 7:

Curran	Keith	Mowry	Thordsen
Davis	Kyhl	Smith	

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

IMMEDIATELY MESSAGED

Senator Riley asked and received unanimous consent that **House File 347** be **immediately messaged** to the House, which request was complied with.

SENATE FILE WITHDRAWN

Senator Riley asked and received unanimous consent that **Senate File 441** be **withdrawn** from further consideration of the Senate.

HOUSE FILE 182 PLACED UNDER UNFINISHED BUSINESS

Senator Walsh asked unanimous consent that House File 182 be placed on the calendar under unfinished business.

Objection was raised.

Senator Lamborn moved that the rules be suspended and that **House File 182** be taken from the regular calendar and placed on the **unfinished business** calendar.

On the question "Shall the motion to suspend the rules be adopted?" (H.F. 182) the vote was:

Rule 24 was invoked.

Ayes, 37:

Arbuckle	Gilley	Miller	Robinson
Balloun	Glenn	Milligan	Schaben
Briles	Graham	Neu	Shaff
Brownlee	Griffin	Ollenburg	Shawver
Carlson	Gross	Palmer	Smith
Coleman	Keith	Potgeter	Tapscott
DeKoster	Kennedy	Potter	Van Drie
Doderer	Lamborn	Rhodes	Van Gilst
Erskine	Laverty	Riley	Walsh
Gaudineer			

Nays, 8:

Anderson	Conklin	Messerly	Rabedaux
Bass	Hill	Nicholson	Stephens

Absent or not voting, 5:

Curran	Kyhl	Mowry	Thordsen
Davis			

The motion prevailed.

Senator Balloun asked unanimous consent to take up out of order **Senate File 478.**

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

The Senate resumed session, President Jepsen presiding.

INTRODUCTION OF BILL

Senate File 576, by committee on appropriations, a bill for an act making an appropriation from the general fund of the state of Iowa to various state departments and their divisions, and transferring and appropriating from certain departmental funds.

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

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

The Senate resumed session, President Jepsen presiding.

CONSIDERATION OF BILLS

Senator Balloun received unanimous consent to take up out of order Senate File 478.

Senate File 478

On motion of Senator Shawver, Senate File 478, a bill for an act

relating to fish and game licenses and fees, was taken up and considered.

Senator Shawver asked unanimous consent that **House File 573** be substituted for **Senate File 478**.

Objection was raised.

Senator Shawver moved that the rules be suspended and that House File 573 be substituted for Senate File 478.

On the question "Shall the motion to suspend the rules be adopted?" (S.F. 478) the vote was:

Ayes, 31:

Anderson	Erskine	Milligan	Riley
Arbuckle	Gilley	Neu	Shaff
Balloun	Graham	Nicholson	Shawver
Bass	Griffin	Ollenburg	Smith
Carlson	Keith	Potgeter	Stephens
Conklin	Lamborn	Potter	Van Drie
Davis	Laverty	Rabedeaux	Walsh
DeKoster	Messerly	Rhodes	

Nays, 11:

Coleman	Hill	Palmer	Tapscott
Glenn	Kennedy	Robinson	Van Gilst
Gross	Miller	Schaben	

Absent or not voting, 8:

Briles	Curran	Gaudineer	Mowry
Brownlee	Doderer	Kyhl	Thordsen

The motion lost.

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

The Senate resumed session, President Jepsen presiding.

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on June 4, 1971, the Governor approved and transmitted to the Secretary of State the following bills:

S. F. 89—Relating to the issuance of certificates of convenience and necessity to motor vehicle carriers.

S. F. 280—Relating to garnishment of wages, liability for costs, and discharge of employees.

S. F. 332—Relating to the seasons and limits on fish and frogs.

S. F. 473—Relating to remedies for a dilution of the distinctiveness of a mark.

A communication was received announcing that on June 7, 1971,

the Governor approved and transmitted to the Secretary of State the following bills:

- S. F. 296—Relating to the establishment of a soybean promotion fund to receive assessments made on the sale of soybeans; to establish an Iowa soybean promotion board; to provide for a referendum among soybean producers and to provide penalties.
- S. F. 444—Relating to student fees at merged area community colleges and vocational schools.
- S. F. 518—Relating to the condemnation of property by the county for flood and erosion control projects.

COMMUNICATION FROM THE SECRETARY OF STATE

June 7, 1971

Mr. Carroll Lane
Secretary of the Senate
State Capitol Building
Des Moines, Iowa 50319

I hereby certify that Senate File 188 was published in the Creston News-Advertiser, Creston, Iowa, May 20, 1971, and in the Marshalltown Times-Republican, Marshalltown, Iowa, May 20, 1971.

I further certify that Senate File 190 was published in the Lee Town News, Des Moines, Iowa, May 13, 1971, and in the Marshalltown Times-Republican, Marshalltown, Iowa, May 8, 1971.

I further certify that Senate File 256 was published in The Marion Sentinel, Marion, Iowa, May 13, 1971, and in the Fort Dodge Messenger and Chronicle, Fort Dodge, Iowa, May 12, 1971.

I further certify that Senate File 325 was published in the Marshalltown Times-Republican, Marshalltown, Iowa, May 24, 1971, and in The Grundy Register, Grundy Center, Iowa, May 27, 1971.

I further certify that Senate File 426 was published in The West Des Moines Express, West Des Moines, Iowa, May 20, 1971, and in The Des Moines Register, Des Moines, Iowa, May 21, 1971.

I further certify that Senate File 469 was published in The Knoxville Express, Knoxville, Iowa, May 13, 1971, and in The Pella Chronicle-Advertiser, Pella, Iowa, May 12, 1971.

I further certify that Senate File 502 was published in The New Hampton Tribune, New Hampton, Iowa, May 27, 1971, and in The Times-Plain Dealer, Cresco, Iowa, May 26, 1971.

I further certify that House File 197 was published in The Pioneer-Republican, Marengo, Iowa, May 13, 1971, and in The Record-Herald and Indianola Tribune, Indianola, Iowa, May 13, 1971.

I further certify that House File 278 was published in The Sigourney News-Review, Sigourney, Iowa, May 12, 1971, and in the Bettendorf News, Bettendorf, Iowa, May 13, 1971.

I further certify that House File 473 was published in The Knoxville Express, Knoxville, Iowa, May 27, 1971, and in The Record-Herald and Indianola Tribune, Indianola, Iowa, May 24, 1971.

Respectfully submitted,
MELVIN D. SYNHORST
Secretary of State

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 563 passed the Senate.

GENE W. GLENN

REPORTS OF COMMITTEES

Senator Messerly submitted the following reports:

MR. PRESIDENT: Your committee on appropriations, to which was referred **House File 719**, a bill for an act appropriating funds transferred to the marine fuel tax fund to the state conservation commission, begs leave to report it has had the same under consideration and recommends the same **do pass**.

FRANCIS L. MESSERLY, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred **House File 720**, a bill for an act to appropriate the fish and game protection fund for use by the state conservation commission, begs leave to report it has had the same under consideration and recommends the same **do pass**.

FRANCIS L. MESSERLY, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred **House File 721**, a bill for an act relating to the administration fund of the state conservation commission, begs leave to report it has had the same under consideration and recommends the same **do pass**.

FRANCIS L. MESSERLY, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred **House File 722**, a bill for an act to appropriate from the general fund of the State of Iowa to the state conservation commission, begs leave to report it has had the same under consideration and recommends the same **do pass**.

FRANCIS L. MESSERLY, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred **House File 723**, a bill for an act to appropriate from the general fund of the State of Iowa to the state conservation commission for carrying out specific projects, begs leave to report it has had the same under consideration and recommends the same **do pass**.

FRANCIS L. MESSERLY, Chairman

Ordered passed on file.

Senator Roger J. Shaff submitted the following reports:

MR. PRESIDENT: Your committee on ways and means, to which was re-

ferred **House File 227**, a bill for an act relating to fee for issuance of tax deed, begs leave to report it has had the same under consideration and recommends the same **do pass**.

ROGER J. SHAFF, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on ways and means, to which was referred **House File 406**, a bill for an act relating to use tax, begs leave to report it has had the same under consideration and recommends the same **be amended as follows; and when so amended the bill do pass**:

Amend House File 406, as passed by the House, by striking lines 6 and 7 and inserting in lieu thereof the following:

"2. Tangible personal property used *substantially* in interstate transportation or interstate commerce, *including vehicles*".

ROGER J. SHAFF, Chairman

Ordered passed on file.

AMENDMENTS FILED

1 Amend Senate File 514, page 2, by inserting after
2 line 31 the following new section:
3 "House File 172, section one hundred thirty-seven
4 (137), unnumbered paragraph one (1), Acts of the
5 Sixty-fourth General Assembly, First Session, is
6 amended as follows:
7 In addition to the annual permit fee to be paid
8 by all class 'A' permittees under the provisions of
9 this Act there shall be levied and collected from such
10 permittees on all beer manufactured for sale or sold
11 in this state at wholesale and on all beer imported
12 into this state for sale at wholesale and sold in this
13 state at wholesale, a tax of [three] *four* and [seventy-two]
14 *thirty-four* hundredths dollars for every barrel contain-
15 ing thirty-one gallons, and at a like rate for any other
16 quantity or for the fractional part of a barrel. However,
17 no tax shall be levied or collected on beer shipped out-
18 side this state by a class 'A' permittee or sold by one
19 class 'A' permittee to another class 'A' permittee."

ROGER J. SHAFF

1 Amend Senate File 572 by striking all after the
2 enacting clause and inserting in lieu thereof the
3 following:
4 Section 1. LEGISLATIVE FISCAL DIRECTOR. There is
5 established the office of legislative fiscal director.
6 The legislative fiscal director shall be qualified to
7 perform, and shall perform the duties hereinafter
8 specified.
9 The legislative fiscal director shall be appointed
10 by and serve at the pleasure of the legislative council
11 and his compensation shall be fixed by the legislative
12 council, which compensation, together with any expenses
13 incurred, shall be paid from funds appropriated to the

14 office of the legislative fiscal director.

15 Sec. 2. DUTIES OF DIRECTOR. The duties of the
16 legislative fiscal director to be performed for the
17 committees on appropriations of the senate and house
18 of representatives and for the general assembly, in
19 addition to performing normal administrative duties
20 pertaining to the office of the legislative fiscal
21 director, shall be the following:

22 1. Make a continuous review of state expenditures,
23 revenues and analysis of budgets through an audit and
24 preaudit, if necessary, or such other means deemed
25 necessary to ascertain the facts; compare cost, work

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1 load and other data, and make recommendations to the
2 general assembly concerning the state's budget and
3 revenue of the departments, board, commissions, and
4 agencies of the state, and such other duties as shall
5 be assigned to him by the legislative council, the
6 appropriations committees, or the general assembly.

7 2. Make a report to the legislative council and
8 to the general assembly within five days after the
9 convening of each session of the general assembly and
10 to make such other reports as may be required of him
11 by either the legislative council, the appropriations
12 committees, or the general assembly.

13 3. The legislative fiscal director or his designated
14 agents and employees shall attend the budget hearings
15 required by section eight point twenty-six (8.26), of
16 the Code, and may offer explanations or suggestions
17 and make inquiries with respect to such budget hearings
18 within his authority. The legislative fiscal director
19 and his staff shall furnish information and act in an
20 advisory capacity to the committees concerned with state
21 fiscal matters.

22 4. Assist members of the general assembly and
23 standing committees in attaching fiscal notes to
24 legislative bills and resolutions as provided by the
25 rules of each house of the general assembly.

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1 5. Employ and supervise all employees of the office
2 of the legislative fiscal director in such positions
3 and at such salaries as shall be authorized by the
4 legislative council.

5 Sec. 3. POWERS. The legislative fiscal director
6 or his designated agents and employees shall at all
7 times have access to all state offices, departments,
8 agencies, boards, bureaus, and commissions, and to the
9 books, records, and other instrumentalities and property
10 used in the performance of their statutory duties, and
11 all state offices, departments, agencies, boards,
12 bureaus, and commissions shall cooperate with the
13 legislative fiscal director in the performance of the
14 foregoing duty, and shall make available to him such
15 books, records, instrumentalities, and property.

16 Sec. 4. Section fifteen point forty-three (15.43),
17 Code 1971, is amended as follows:
18 15.43 APPROVAL REQUIRED FOR PRINTING. No department
19 or commission of state located in the city of Des Moines
20 shall expend any funds for the publication or
21 distribution of books or pamphlets or reports unless
22 the publication thereof be expressly required by law
23 or approved by [the budget and financial control committee
24 and] the state printing board. A violation of this
25 section shall constitute misfeasance in office.

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1 Sec. 5. Section nineteen point seven (19.7),
2 unnumbered paragraph two (2), Code 1971, is amended
3 as follows:

4 The proceeds of such loan shall be applied toward
5 the payment of costs and obligations necessitated by
6 such actual or potential disaster and the reimburse-
7 ment of local funds from which such expenditures have
8 been made. Any project for repair rebuilding or
9 restoration of state property for which no specific
10 appropriation has been made, which when completed will
11 cost more than one hundred thousand dollars, shall
12 before work is begun thereon, be subject to approval
13 or rejection by the [budget and financial control
14 committee] *executive council*.

15 Sec. 6. Section nineteen point eighteen (19.18),
16 Code 1971, is amended as follows:

17 19.18 REPAIRS—SUPPLIES. The executive council
18 may contract for the repairing of all buildings and
19 grounds of the state at the seat of government, for
20 the necessary telephone, telegraph, lighting, and water
21 service for such buildings and grounds, for all necessary
22 furniture, fuel, stores, and supplies for the said
23 buildings and grounds, and for the various departments
24 of the state government at the seat of government.
25 Payment for telephone, telegraph, water, and lighting

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1 service shall not exceed the minimum charge to private
2 parties.

3 Any such project for repairing of buildings or grounds
4 at the seat of government for which no specific
5 appropriation has been made, which when completed will
6 cost more than one hundred thousand dollars, shall,
7 before work is begun thereon, be subject to approval
8 or rejection by the [budget and financial control
9 committee] *standing committees on appropriations of the*
10 *two houses of the general assembly*.

11 Sec. 7. Section twenty point one (20.1), Code 1971,
12 is amended as follows:

13 20.1 BOARD CREATED. A state war surplus commodities
14 board is hereby created and established hereinafter
15 referred to as the "board", to consist of the com-
16 missioner of the department of social services or any
17 division director assigned by him, a member of the state

18 board of regents, a member of the Iowa state highway
 19 commission, a member of the executive council of the
 20 state, a member of the conservation commission of the
 21 state, the commissioner of the Iowa state department
 22 of health, a member of the department of public
 23 instruction, a member of the Iowa development commission,
 24 and the [chairman of the budget and financial control
 25 committee selected by the budget and financial control

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1 committee of each general assembly] *a member of one of*
 2 *the standing committees of appropriations selected*
 3 *jointly by the chairmen of the two standing committees*
 4 *on appropriations of the general assembly.*

5 Sec. 8. Sections two point forty-one (2.41) through
 6 two point forty-eight (2.48), and section twenty point
 7 three (20.3), Code 1971, are repealed.

8 Amend the title, page 1, line 1, by striking the words
 9 "control and use of state funds," and further amend the
 10 title by striking from lines 2 and 3 the words "and
 11 providing an appropriation".

EUGENE M. HILL

1 Amend Senate File 572 as follows:

2 1. Page 2 by striking lines 1 through 24 and by
 3 inserting in lieu thereof:
 4 "Section 1. There is appropriated from the gen-
 5 eral fund of the state to the state budget and financial
 6 control committee for each fiscal year of the biennium
 7 commencing July 1, 1971, and ending June 30, 1973, the
 8 following amounts, or so much thereof as may be necessary,
 9 to be used in the manner designated:

10 For salaries, support,	1971-72	1972-73
11 maintenance and miscellaneous	Fiscal Years	Fiscal Years
12 purposes	<u>\$95,000.00</u>	<u>\$105,000.00</u>

13 2. Page 3, line 12, by striking the words "*and the budget*
 14 *and financial control committee*".

15 3. Page 3, lines 17 and 18, by striking the words "*and*
 16 *the budget and financial control committee*".

17 4. Page 3, line 35, and page 4, line 1, by striking the
 18 words "*and the budget and financial control committee*".

19 5. Page 4, after line 12, add the following new section:
 20 "Sec. Notwithstanding the provisions of section
 21 eight point thirty-three (8.33) of the Code, all unen-
 22 cumbered or unobligated balances of appropriations made

Page 2

1 by this Act for the first fiscal year of the biennium
 2 commencing July 1, 1971, shall, on September 30, 1972, revert
 3 to the state treasury and to the credit of the fund from
 4 which appropriated. In all other respects the provisions
 5 of section eight point thirty-three (8.33) of the Code
 6 shall apply to appropriations made for the first fiscal
 7 year of such biennium. Unencumbered or unobligated
 8 balances of appropriations made for the second fiscal
 9 year of such biennium shall be subject to section eight

10 point thirty-three (8.33) of the Code.”

11 6. By renumbering the sections accordingly.

ARTHUR A. NEU
JAMES A. POTGETER
CHARLES O. LAVERTY
LEE H. GAUDINEER, JR.
TOM RILEY
LUCAS J. DeKOSTER
EUGENE M. HILL

1 Amend Senate File 573 as follows:

2 1. Page 4, line 24, by inserting after the first “fund” the
3 words, “, the Highway Safety Act funds,”.

WAYNE KEITH

1 Amend House File 236, line 22, by inserting after the word
2 “seventy” the words “and a rest area and rest area buildings
3 on interstate highway eighty north in Pottawattamie county
4 near Loveland”.

EARL G. BASS
JOHN C. RHODES

1 Amend House File 330 as follows:

2 1. Line 10, by adding after the word “property,” the words “Any
3 person in violation of the rules established under this subsection
4 shall be subject to a penalty as provided for in section 106.13 of
5 the Code.”

6 2. Amend the title, line 2, by adding after the word “commission”
7 the words “and providing a penalty”.

ALDEN J. ERSKINE

1 Amend House File 573 as follows:

2 1. Page 2, line 27, by striking the figure 3.00 and inserting
3 in lieu thereof the figure 1.00.

4 2. Page 3, line 12, by striking the figure 5.00 and inserting
5 in lieu thereof the figure 3.00.

JOHN M. WALSH

1 Amend House File 573, page 3, by adding the following
2 new section after line 27:

3 Sec. 3. All hunting and fishing licenses issued in the
4 state of Iowa after January 1, 1972, shall contain on the
5 face thereof, in bold type, the statement, ‘Hunting (or
6 fishing, whichever is applicable) upon private property is
7 legal only with written permission of the owner or person
8 in control of such private property’.

J. WESLEY GRAHAM

1 Amend House File 574, page 8, lines 43 and 44, by striking
2 the words “having a population of five thousand or more”.

JAMES A. POTGETER

1 Amend House File 574, page 11, line 28, by striking the
2 second word “the” and inserting in lieu thereof the word
3 “reasonable”.

JAMES A. POTGETER

- 1 Amend House File 574, page 12, line 14, by striking the
- 2 first word "the" and inserting in lieu thereof the word
- 3 "reasonable".

JAMES A. POTGETER

- 1 Amend House File 574, as amended and passed by the
- 2 House, as follows:
- 3 1. Page 13, insert after line 12 the following new
- 4 section:
- 5 "If a city has established the grade of a street or
- 6 alley, and any person has made improvements on lots abut-
- 7 ting the street or alley according to the established
- 8 grade, and afterward the grade is altered in a manner to
- 9 damage, injure, or diminish the value of the improved
- 10 property, the city shall pay to the owner of the property
- 11 the amount of such damage or injury.
- 12 If a city has opened a street or alley, and any person
- 13 has made improvements on lots abutting the street or
- 14 alley or uses such street or alley for ingress or egress,
- 15 and afterward the street or alley is vacated causing dam-
- 16 age or injury or loss of access, or diminishing the value
- 17 of the improved property, the city shall pay to the owner
- 18 of the property the amount of such damage or injury."
- 19 2. Page 15, line 9, insert after the period the
- 20 following sentence:
- 21 "Territory comprising railroad right-of-way may be included
- 22 in the application without the consent of the railroad if
- 23 a copy of the application is mailed by certified mail to
- 24 the owner of the right-of-way, at least ten days prior to
- 25 the filing of the application with the city council."

Page 2

- 1 3. Page 32, strike lines 32 through 35, inclusive,
- 2 and renumber the remaining subsection.
- 3 4. Page 34, line 32, insert after the word "by" the
- 4 word "qualified".
- 5 5. Page 35, line 8, insert after the word "one" the
- 6 word "eligible".
- 7 6. Page 38, strike lines 5 and 6.
- 8 7. Page 38, strike lines 7 through 28, inclusive,
- 9 and insert in lieu thereof the following:
- 10 "Sec. Motions passed by the council become
- 11 effective immediately, a resolution becomes effective
- 12 when the clerk attests to its passage, and an ordinance
- 13 or amendment becomes a law when published, unless a
- 14 subsequent effective date is provided within the measure."
- 15 8. Page 139, line 2, strike the words "the drug and
- 16 narcotic laws" and insert in lieu thereof the words
- 17 "[the drug and narcotic laws] *Senate File 1, Acts of the*
- 18 *Sixty-fourth General Assembly, First Session, and other*
- 19 *laws relating to controlled substances*".
- 20 9. Renumber sections and correct internal references
- 21 in accordance with this amendment.

LEE H. GAUDINEER, JR.

- 1 Amend House File 574, page 32, line 17, by adding after the
- 2 word "election." the following:

3 "When a change in compensation is adopted, it shall be
4 clearly stated in the condensed statement of the proceedings of
5 the council and shall be published within fourteen days in a
6 newspaper of general circulation in the city."

JAMES A. POTGETER

1 Amend House File 574, page 46, line 33, by adding after
2 the word "Code" the words ", subject to the provisions of
3 subsection two (2) of this section".

JAMES A. POTGETER

1 Amend House File 574 as follows:

- 2 1. Page 82, line 6, by inserting after the word "council"
3 the words ", except that the assessment for lots of more than
4 ten acres used for agricultural or horticultural purposes shall
5 not exceed ten percent of the value of the lot".
- 6 2. Page 82, line 11, by inserting after the word "apply"
7 the words "except for lots of more than ten acres used for
8 agricultural or horticultural purposes".

JAMES A. POTGETER

On motion of Senator Lamborn, the Senate adjourned until 9:00
a.m., Wednesday, June 9, 1971.

JOURNAL OF THE SENATE

ONE HUNDRED FIFTIETH DAY

SENATE CHAMBER

DES MOINES, IOWA, WEDNESDAY, JUNE 9, 1971

The Senate met in regular session, President Jepsen presiding.

Prayer was offered by the Reverend John N. Carlson, pastor of the First Lutheran Church, Algona, Iowa.

The Senate pledged allegiance to the flag.

The Journal of Tuesday, June 8, 1971, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Thordsen for the day because of illness on request of Senator Lamborn.

PRESENTATION OF VISITORS

The Chair announced that the following visitors were present in the Senate gallery:

Fifty students from Highland Park Elementary School, Fort Dodge, Iowa.

CONSIDERATION OF BILLS

Senator Lamborn asked and received unanimous consent to take up for consideration House File 719.

House File 719

On motion of Senator Brownlee, House File 719, a bill for an act appropriating funds transferred to the marine fuel tax fund to the state conservation commission, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Brownlee moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 719) the vote was:

Ayes, 44:

Anderson	Erskine	Messerly	Riley
Arbuckle	Gilley	Miller	Robinson
Balloun	Glenn	Mowry	Schaben
Brownlee	Graham	Neu	Shaff
Carlson	Griffin	Nicholson	Shawver
Coleman	Gross	Ollenburg	Smith
Conklin	Hill	Palmer	Stephens
Curran	Keith	Potgeter	Tapscott
Davis	Kennedy	Potter	Van Gilst
DeKoster	Lamborn	Rabedeaux	Van Drie
Doderer	Laverty	Rhodes	Walsh

Nays, none.

Absent or not voting, 6:

Bass	Gaudineer	Milligan	Thordsen
Briles	Kyhl		

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

Senator Lamborn asked and received unanimous consent that **House File 719** be **immediately messaged** to the House, which request was complied with.

Senator Lamborn asked and received unanimous consent to take up for consideration House File 720.

House File 720

On motion of Senator Brownlee, House File 720, a bill for an act to appropriate the fish and game protection fund for use by the state conservation commission, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Brownlee moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 720) the vote was:

Ayes, 46:

Anderson	Erskine	Messerly	Riley
Arbuckle	Gaudineer	Miller	Robinson
Balloun	Gilley	Mowry	Schaben
Briles	Glenn	Neu	Shaff
Brownlee	Graham	Nicholson	Shawver
Carlson	Griffin	Ollenburg	Smith
Coleman	Gross	Palmer	Stephens
Conklin	Hill	Potgeter	Tapscott
Curran	Keith	Potter	Van Drie
Davis	Kennedy	Rabedeaux	Van Gilst
DeKoster	Lamborn	Rhodes	Walsh
Doderer	Laverty		

Nays, none.

Absent or not voting, 4:

Bass	Kyhl	Milligan	Thordsen
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Lamborn asked and received unanimous consent that **House File 720** be **immediately messaged** to the House, which request was complied with.

Senator Lamborn asked and received unanimous consent to take up for consideration House File 721.

House File 721

On motion of Senator Brownlee, House File 721, a bill for an act relating to the administration fund of the state conservation commission, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Brownlee moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 721) the vote was:

Ayes, 47:

Anderson	Erskine	Messerly	Riley
Arbuckle	Gaudineer	Miller	Robinson
Balloun	Gilley	Milligan	Schaben
Briles	Glenn	Mowry	Shaff
Brownlee	Graham	Neu	Shawver
Carlson	Griffin	Nicholson	Smith
Coleman	Gross	Ollenburg	Stephens
Conklin	Hill	Palmer	Tapscott
Curran	Keith	Potgeter	Van Drie
Davis	Kennedy	Potter	Van Gilst
DeKoster	Lamborn	Rabedaux	Walsh
Doderer	Laverty	Rhodes	

Nays, none.

Absent or not voting, 3:

Bass	Kyhl	Thordsen
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Lamborn asked and received unanimous consent that **House File 721** be **immediately messaged** to the House, which request was complied with.

Senator Lamborn asked and received unanimous consent to take up for consideration House File 722.

House File 722

On motion of Senator Brownlee, House File 722, a bill for an act to appropriate from the general fund of the state of Iowa to the state conservation commission, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Brownlee moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 722) the vote was:

Ayes, 44:

Anderson	Gilley	Miller	Riley
Arbuckle	Glenn	Milligan	Robinson
Balloun	Graham	Mowry	Schaben
Briles	Griffin	Neu	Shaff
Brownlee	Gross	Nicholson	Shawver
Carlson	Hill	Ollenburg	Smith
Conklin	Keith	Palmer	Stephens
Curran	Kennedy	Potgeter	Tapscott
Davis	Lamborn	Potter	Van Drie
Doderer	Laverty	Rabedaux	Van Gilst
Erskine	Messerly	Rhodes	Walsh

Nays, none.

Absent or not voting, 6:

Bass	DeKoster	Kyhl	Thordsen
Coleman	Gaudineer		

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

Senator Lamborn asked and received unanimous consent that **House File 722** be **immediately messaged** to the House, which request was complied with.

Senator Lamborn asked and received unanimous consent to take up for consideration **House File 723**.

House File 723

On motion of Senator Brownlee, House File 723, a bill for an act to appropriate from the general fund of the state of Iowa to the state conservation commission for carrying out specific projects, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Brownlee moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 723) the vote was:

Ayes, 43:

Anderson	Glenn	Milligan	Robinson
Balloun	Graham	Mowry	Schaben
Briles	Griffin	Neu	Shaff
Brownlee	Gross	Nicholson	Shawver
Coleman	Hill	Ollenburg	Smith
Curran	Keith	Palmer	Stephens
Davis	Kennedy	Potgeter	Tapscott
DeKoster	Lamborn	Potter	Van Drie
Doderer	Lavery	Rabedeaux	Van Gilst
Erskine	Messerly	Rhodes	Walsh
Gilley	Miller	Riley	

Nays, 2:

Arbuckle Conklin

Absent or not voting, 5:

Bass Gaudineer Kyhl Thordsen
Carlson

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

Senator Lamborn asked and received unanimous consent that **House File 723** be **immediately messaged** to the House, which request was complied with.

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

The Senate resumed session, Senator Potgeter presiding.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has concurred in Senate amendment to and repassed the following bill in which the concurrence of the House was asked:

House File 705, a bill for an act to appropriate to the department of history and archives.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 734, a bill for an act relating to junkyards along interstate and federal aid primary highways.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 731, a bill for an act to appropriate from general fund to the higher education facilities commission.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 735, a bill for an act authorizing state highway commission to acquire existing interstate bridges.

WILLIAM R. KENDRICK, Chief Clerk

INTRODUCTION OF BILLS

Senate File 577, by committee on appropriations, a bill for an act to make an appropriation to the department of public instruction for reimbursements to school districts and county boards of education.

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

Senate File 578, by committee on appropriations, a bill for an act to make an appropriation to the Iowa development commission.

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

Senate File 579, by committee on appropriations, a bill for an act making an appropriation to the supreme court and district courts.

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

HOUSE MESSAGES CONSIDERED

House File 731, a bill for an act to appropriate from the general fund of the state to the higher education facilities commission.

Read first time and **passed on file**.

House File 734, a bill for an act relating to junkyards along interstate and federal aid primary highways.

Read first time and **passed on file**.

House File 735, a bill for an act authorizing the state highway commission to acquire existing interstate bridges, including partially constructed interstate bridges, to complete, improve, repair, remodel, or reconstruct interstate bridges and to issue revenue bonds therefor.

Read first time and **passed on file**.

COMMUNICATIONS

The following communications were received from the Governor:

OFFICE OF THE GOVERNOR
State Capitol
Des Moines, Iowa 50319

June 9, 1971

The Honorable Roger W. Jepsen
Lieutenant Governor of Iowa
State Capitol
Local

Dear Governor Jepsen:

It is my pleasure to submit to the Senate for their consideration the name of Virgil Jones of Storm Lake, Buena Vista County, Iowa, for appointment as a member of the Employment Safety Commission under the provisions of section 88A.4, 1971 Code of Iowa, for the regular six-year term beginning July 1, 1971, and ending June 30, 1977.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Jepsen:

It is my pleasure to submit to the Senate for their consideration the name of Sam M. Kinsinger of Ottumwa, Wapello County, Iowa, for appointment as a member of the Employment Safety Commission under the provisions of section 88A.4, 1971 Code of Iowa, for the unexpired portion of a term ending June 30, 1975.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Jepsen:

It is my pleasure to submit to the Senate for their consideration the name of Sherry R. Fisher of Des Moines, Polk County, Iowa, for appointment as a member of the State Soil Conservation Committee for the State of Iowa under the provisions of section 467A.4, 1971 Code of Iowa, as amended by House File 73, passed by the Sixty-fourth General Assembly, and signed into law by Governor Robert Ray on May 28, 1971, for the regular four-year term beginning July 1, 1971, and ending June 30, 1975.

Sincerely,
ROBERT D. RAY
Governor

Also:

Dear Governor Jepsen:

It is my pleasure to submit to the Senate for their consideration the name of Jerry Norland of Cylinder, Palo Alto County, Iowa, for appointment as a member of the State Soil Conservation Committee for the State of Iowa under the provisions of section 467A.4, 1971 Code of Iowa, as amended by House File 73, passed by the Sixty-fourth General Assembly, and signed into law by Governor Robert Ray on May 28, 1971, for the regular four-year term beginning July 1, 1971, and ending June 30, 1975.

Sincerely,
ROBERT D. RAY
Governor

CONSIDERATION OF BILLS

Senator Coleman asked and received unanimous consent to take up for consideration Senate File 572.

Senate File 572

On motion of Senator Coleman, Senate File 572, a bill for an act relating to the control and use of state funds, powers of the budget and financial control committee and providing an appropriation, was taken up and considered.

Senator Hill offered the amendment filed by him on June 8 and found on pages 1723-1726, inclusive, of the Senate Journal.

Senator Coleman raised a point of order on the amendment for the reason that it was not germane to the bill.

The Chair ruled the point well taken and the amendment out of order.

Senator Neu offered the following amendment filed by Senators Neu, Potgeter, et al.:

- 1 Amend Senate File 572 as follows:
- 2 1. Page 2 by striking lines 1 through 24 and by
- 3 inserting in lieu thereof:
- 4 "Section 1. There is appropriated from the gen-
- 5 eral fund of the state to the state budget and financial
- 6 control committee for each fiscal year of the biennium
- 7 commencing July 1, 1971, and ending June 30, 1973, the
- 8 following amounts, or so much thereof as may be necessary,
- 9 to be used in the manner designated:
- 10 For salaries, support, 1971-72 1972-73
- 11 maintenance and miscellaneous Fiscal Years Fiscal Years
- 12 purposes \$95,000.00 \$105,000.00
- 13 2. Page 3, line 12, by striking the words "*and the budget*
- 14 *and financial control committee*".
- 15 3. Page 3, lines 17 and 18, by striking the words "*and*
- 16 *the budget and financial control committee*".
- 17 4. Page 3, line 35, and page 4, line 1, by striking the
- 18 words "*and the budget and financial control committee*".
- 19 5. Page 4, after line 12, add the following new section:
- 20 "Sec. Notwithstanding the provisions of section
- 21 eight point thirty-three (8.33) of the Code, all unen-
- 22 cumbered or unobligated balances of appropriations made

Page 2

- 1 by this Act for the first fiscal year of the biennium
- 2 commencing July 1, 1971, shall, on September 30, 1972, revert
- 3 to the state treasury and to the credit of the fund from
- 4 which appropriated. In all other respects the provisions
- 5 of section eight point thirty-three (8.33) of the Code
- 6 shall apply to appropriations made for the first fiscal
- 7 year of such biennium. Unencumbered or unobligated

- 8 balances of appropriations made for the second fiscal
 9 year of such biennium shall be subject to section eight
 10 point thirty-three (8.33) of the Code.”
 11 6. By renumbering the sections accordingly.

Senator Neu moved the adoption of the amendment and requested a roll call.

On the question “Shall the Neu, Potgeter, et al., amendment be adopted?” (S.F. 572) the vote was:

Rule 24 was invoked.

Ayes, 26:

Arbuckle	Doderer	Neu	Riley
Balloun	Gaudineer	Palmer	Robinson
Bass	Glenn	Potgeter	Shaff
Brownlee	Gross	Potter	Shawver
Conklin	Hill	Rabedaux	Tapscott
Davis	Laverty	Rhodes	Van Drie
DeKoster	Milligan		

Nays, 21:

Anderson	Gilley	Messerly	Schaben
Briles	Graham	Miller	Smith
Carlson	Griffin	Mowry	Stephens
Coleman	Kennedy	Nicholson	Van Gilst
Curran	Lamborn	Ollenburg	Walsh
Erskine			

Absent or not voting, 3:

Keith	Kyhl	Thordsen
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The amendment was adopted.

Senator Riley withdrew the following amendment filed by him on June 9:

- 1 Amend Senate File 572 as follows:
- 2 1. Page 2, line 7, by striking the period (.) after the word
- 3 “Code”, and insert in lieu thereof the word “and”.
- 4 2. Page 2, line 8, by striking the figure and word “2. Payment”
- 5 and insert in lieu thereof the word “payment”.
- 6 3. Page 2, line 10, by striking the period (.) after the word
- 7 “Code”, and insert in lieu thereof the words “, but not to exceed
- 8 in the aggregate the sum of two hundred thousand (200,000.00)
- 9 dollars.”.
- 10 4. Page 2, line 11, by striking the figure “3” and insert the
- 11 figure “(2)”.
- 12 5. Page 2, line 17, by striking the period (.) after the word
- 13 “committee” and insert in lieu thereof the words “, but not to
- 14 exceed in the aggregate the sum of one million three hundred
- 15 thousand (1,300,000.00) dollars.”.

Senator Gaudineer withdrew the following amendment filed by him on June 9:

- 1 Amend Senate File 572, page 2, line 24, by adding

- 2 after the word, "Act." the following:
3 "However, no expenditures shall be made pursuant
4 to subsection 3 of section 1 of this Act within thirty
5 (30) days of convening of the General Assembly or
6 while it is in session. Any requests made during such
7 periods of time shall be referred to the standing
8 appropriation committees of both houses. If either
9 house of the General Assembly fails to act upon any such
10 request, the committee shall not thereafter grant
11 any additional funds."

Senator Messerly asked unanimous consent that further action on **Senate File 572** be deferred and that the bill retain its place on the calendar.

Objection was raised.

Senator Messerly moved that further action on Senate File 572 be deferred and that the bill retain its place on the calendar.

Roll call was requested.

Senator Gaudineer raised the point of order on the motion to defer that the Chair had called for final remarks.

The Chair ruled the point not well taken for the reason that the member making final remarks agreed to yield the floor.

President Jepsen took the chair at 4:35 p.m.

Senator Messerly asked and received unanimous consent to withdraw his motion to defer.

Senator Balloun moved to reconsider the vote by which the Neu, Potgeter, et al., amendment to Senate File 572 was adopted by the Senate.

Roll call was requested.

On the question "Shall the motion to reconsider the Neu, Potgeter, et al., amendment be adopted?" (S.F. 572) the vote was:

Rule 24 was invoked.

Ayes, 25:

Anderson	Erskine	Lamborn	Schaben
Balloun	Gilley	Messerly	Shawver
Bass	Graham	Mowry	Smith
Briles	Griffin	Nicholson	Stephens
Carlson	Keith	Ollenburg	Van Gilst
Coleman	Kennedy	Rabedeaux	Walsh
Curran			

Nays, 22:

Brownlee	Davis	Doderer	Glenn
Conklin	DeKoster	Gaudineer	Gross

Hill	Neu	Rhodes	Shaff
Laverty	Palmer	Riley	Tapscott
Miller	Potgeter	Robinson	Van Drie
Milligan	Potter		

Absent or not voting, 3:

Arbuckle	Kyhl	Thordsen
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The motion prevailed and the Neu, Potgeter, et al., amendment was taken up for reconsideration.

Senator Brownlee took the chair at 5:08 p.m.

Senator Neu moved the adoption of the amendment and requested a roll call.

On the question "Shall the Neu, Potgeter, et al., amendment be adopted?" (S.F. 572) the vote was:

Rule 24 was invoked.

Ayes, 24:

Arbuckle	Gaudineer	Milligan	Riley
Brownlee	Glenn	Neu	Robinson
Conklin	Gross	Palmer	Shaff
Davis	Hill	Potgeter	Shawver
DeKoster	Laverty	Potter	Tapscott
Doderer	Miller	Rhodes	Van Drie

Nays, 23:

Anderson	Curran	Kennedy	Schaben
Balloun	Erschine	Messerly	Smith
Bass	Gilley	Mowry	Stephens
Briles	Graham	Nicholson	Van Gilst
Carlson	Griffin	Ollenburg	Walsh
Coleman	Keith	Rabedeaux	

Absent or not voting, 3:

Kyhl	Lamborn	Thordsen
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The amendment was adopted.

Senator Gaudineer offered the following amendment by Senators Gaudineer and Doderer and moved its adoption:

- 1 Amend Senate File 572, page 2, by striking lines
- 2 25 through 35, inclusive, and by renumbering the
- 3 remaining sections in conformity herewith."

The amendment was adopted.

Senator Doderer offered the following amendment and moved its adoption:

- 1 Amend Senate File 572, page 3, by striking lines 27
- 2 through 35, inclusive, and page 4, by striking lines
- 3 1 through 12, inclusive.

Division was called for.

The amendment was adopted.

Senator Coleman moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 572) the vote was:

Ayes, 33:

Anderson	DeKoster	Laverty	Rhodes
Arbuckle	Erskine	Messerly	Riley
Balloun	Glenn	Milligan	Schaben
Brownlee	Graham	Mowry	Shaff
Carlson	Griffin	Nicholson	Shawver
Coleman	Keith	Ollenburg	Van Drie
Conklin	Kennedy	Potter	Van Gilst
Curran	Lamborn	Rabedaux	Walsh
Davis			

Nays, 13:

Bass	Gross	Neu	Robinson
Doderer	Hill	Palmer	Stephens
Gaudineer	Miller	Potgeter	Tapscott
Gilley			

Absent or not voting, 4:

Briles	Kyhl	Smith	Thordsen
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File 728, a bill for an act to appropriate from general fund to the department of agriculture.

WILLIAM R. KENDRICK, Chief Clerk

HOUSE MESSAGE CONSIDERED

House File 728, a bill for an act to appropriate from the general fund of the State of Iowa to the department of agriculture and its various divisions.

Read first time and **passed on file**.

**ANNOUNCEMENT OF INVESTIGATING COMMITTEES
ON GOVERNOR'S APPOINTMENTS**

President Jepsen, in accordance with section 2.32, Code 1971, announced the appointment of the following Senators to investigating committees:

As members of the Employment Safety Commission:

Virgil Jones of Storm Lake, Buena Vista County, Iowa, for a regular six-year term ending June 30, 1977.

Senator Brownlee, Chairman
Senator Graham
Senator Gross
Senator Neu
Senator Smith

Sam M. Kinsinger of Ottumwa, Wapello County, Iowa, for the unexpired portion of a term ending June 30, 1975.

Senator Rhodes, Chairman
Senator Glenn
Senator Mowry
Senator Stephens
Senator Van Drie

As members of the State Soil Conservation Committee:

Sherry R. Fisher of Des Moines, Polk County, Iowa, for a regular four-year term ending June 30, 1975.

Senator Milligan, Chairman
Senator Carlson
Senator Hill
Senator Laverty
Senator Van Drie

Jerry Norland of Cylinder, Palo Alto County, Iowa, for a regular four-year term ending June 30, 1975.

Senator Brownlee, Chairman
Senator Coleman
Senator Curran
Senator Keith
Senator Ollenburger

BILLS ASSIGNED TO COMMITTEE

President Jepsen announced the assignment of the following bills to committee:

- H. F. 571 Judiciary
- H. F. 713 State government
- H. F. 728 Appropriations
- H. F. 731 Appropriations
- H. F. 734 Transportation
- H. F. 735 Transportation

REPORT OF COMMITTEE

Senator DeKoster submitted the following report:

MR. PRESIDENT: Your committee on judiciary, to which was referred **House File 716**, a bill for an act to legalize and validate the procedures followed by the Poweshiek County Board of Supervisors in contracting with the Frank Wheeler Construction Company of Montezuma, Iowa, for the repair and remodeling of the Poweshiek County jail located at Montezuma,

Iowa, begs leave to report it has had the same under consideration and recommends the same **do pass**.

LUCAS J. DEKOSTER, Chairman

Ordered passed on file.

AMENDMENTS FILED

- 1 Amend the Shaff amendment to Senate File 514, filed
- 2 June 8, 1971, and appearing on page 1723 of the Senate
- 3 Journal, by striking from lines 3 and 4 the words and
- 4 figure "one hundred thirty-seven (137)" and inserting
- 5 in lieu thereof the words and figures "one hundred thirty-
- 6 six (136)".

ROGER J. SHAFF

- 1 Amend Senate File 573 as follows:
- 2 1. Page 2, line 9, by inserting after the word
- 3 "Salaries" the words "including longevity (28,138)".
- 4 2. Page 2, line 9, by striking the figures
- 5 "692,629.00" and "717,539.00" and inserting in lieu
- 6 thereof the figures "693,782.00" and "718,692.00".
- 7 3. Page 2, line 23, by inserting after the word
- 8 "Salaries" the words "including longevity (151,101)".
- 9 4. Page 2, line 23, by striking the figures
- 10 "2,521,955.00" and "2,613,924.00" and inserting in lieu
- 11 thereof the figures "2,527,992.00" and "2,619,961.00".
- 12 5. Page 2, line 28, by inserting after the word
- 13 "Salaries" the words "including longevity (72,289)".
- 14 6. Page 2, line 28, by striking the figures
- 15 "1,981,041.00" and "2,049,162.00" and inserting in lieu
- 16 thereof the figures "1,983,919.00" and "2,052,040.00".
- 17 7. Page 2, line 33, by inserting after the word
- 18 "Salaries" the words "including longevity (224,674)".
- 19 8. Page 2, line 33, by striking the figures
- 20 "2,443,504.00" and "2,519,312.00" and inserting in lieu
- 21 thereof the figures "2,452,483.00" and "2,528,291.00".
- 22 9. Page 3, line 7, by inserting after the word
- 23 "Salaries" the words "including longevity (346,415)".
- 24 10. Page 3, line 7, by striking the figures
- 25 "5,344,262.00" and "5,551,130.00" and inserting in lieu

Page 2

- 1 thereof the figures "5,358,107.00" and "5,564,975.00".
- 2 11. Page 3, line 12, by inserting after the word
- 3 "Salaries" the words "including longevity
- 4 (2,655,032.00)".
- 5 12. Page 3, line 12, by striking the figures
- 6 "27,978,500.00" and "28,766,480.00" and inserting in
- 7 lieu thereof the figures "28,084,617.00" and
- 8 "28,872,597.00".
- 9 13. By changing the totals accordingly.

EUGENE M. HILL
JAMES E. BRILES
RUDY VAN DRIE
JOHN M. WALSH

GENE W. GLENN
JAMES F. SCHABEN
CHARLES P. MILLER
GEORGE L. SHAWVER
JOHN L. MOWRY
QUENTIN V. ANDERSON
LEE H. GAUDINEER, JR.
CHARLES O. LAVERTY

1 Amend Senate File 573 as follows:

2 Page 4, line 35, by adding after the period the following:

3 "The state highway commission may make application to the
4 committees on appropriations for the reappropriation of any
5 funds that do revert, or probably will revert upon the dates
6 herein set and the respective committees on appropriations
7 or a subcommittee thereof shall hold a hearing upon the
8 application while the general assembly is in regular session."

COMMITTEE ON APPROPRIATIONS
FRANCIS L. MESSERLY, Chairman

1 Amend Senate File 577 as follows:

2 Page 4, line 35, by adding after the period the following:

3 "The department of public instruction may make application
4 to the committees on appropriations for the reappropriation of
5 any funds that do revert, or probably will revert upon the dates
6 herein set and the respective committees on appropriations or a
7 subcommittee thereof shall hold a hearing upon the application
8 while the general assembly is in regular session."

COMMITTEE ON APPROPRIATIONS
FRANCIS L. MESSERLY, Chairman

1 Amend House File 574, page 73, line 11, by striking the

2 word "ten" and inserting in lieu thereof the word "fifteen".

JAMES A. POTGETER

On motion of Senator Lamborn, the Senate adjourned until 9:00
a.m., Thursday, June 10, 1971.

JOURNAL OF THE SENATE

ONE HUNDRED FIFTY-FIRST DAY

SENATE CHAMBER

DES MOINES, IOWA, THURSDAY, JUNE 10, 1971

The Senate met in regular session, President Jepsen presiding.

Prayer was offered by the Reverend Loren E. Parman, pastor of the First Presbyterian Church, Boone, Iowa.

The Senate pledged allegiance to the flag.

The Journal of Wednesday, June 9, 1971, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Thordsen for the day because of illness on request of Senator Lamborn.

DISTINGUISHED VISITOR

President Jepsen presented Graham Sinclair, Ashburton, New Zealand, World President of the Junior Chamber International, who greeted the Senate on behalf of the President of New Zealand and the Jaycees from eighty-one member nations.

SPECIAL GUESTS

President Jepsen presented the following newly-elected officers from the 1971 Hawkeye Boys' State, who were present in the Senate chamber: Governor, Clark Pellett, Atlantic; Lieutenant Governor, Gene LaSuer, Newton; Secretary of State, Jon Pickard, Des Moines; Auditor of State, Joe Fittzgibbons, Estherville; Secretary of Agriculture, Ron Jensen, West Liberty; Attorney General, Steve Sauerbry, Cedar Rapids; Treasurer, Charles Burnett, Sioux City; Secretary of the Senate, Dave House, Sigourney; President pro tempore of the Senate, Everett Holmes, Davenport.

PRESENTATION OF VISITORS

The Chair announced that the following visitors were present in the Senate gallery:

Forty-three students from Marshalltown Community School,

Marshalltown, Iowa, accompanied by LaVern Hollscher and Thomas England.

Twenty students from Anne G. Wilson Elementary School, Ottumwa, Iowa, accompanied by Mrs. Donna Bolat.

HOUSE AMENDMENT TO SENATE AMENDMENT CONSIDERED

House File 703

Senator Keith called up for consideration House File 703, a bill for an act making an appropriation to the Iowa reciprocity board, amended by the House, and moved that the Senate concur in the following amendment:

- 1 Amend the Senate amendment to House File 703,
- 2 filed June 7, 1971, lines 3 and 4, by striking the
- 3 words "The department of agriculture and Iowa dairy
- 4 industry commission" and inserting in lieu thereof the
- 5 words "The Iowa reciprocity board".

The motion prevailed and the Senate concurred in the House amendment.

Senator Keith moved that the bill as amended by the House and concurred in by the Senate be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 703) the vote was:

Ayes, 43:

Anderson	DeKoster	Lamborn	Riley
Arbuckle	Doderer	Laverty	Robinson
Balloun	Erskine	Messerly	Schaben
Bass	Gaudineer	Miller	Shaff
Briles	Gilley	Neu	Shawver
Brownlee	Glenn	Nicholson	Smith
Carlson	Graham	Palmer	Stephens
Coleman	Gross	Potgeter	Tapscott
Conklin	Hill	Potter	Van Drie
Curran	Keith	Rabedeaux	Walsh
Davis	Kennedy	Rhodes	

Nays, none.

Absent or not voting, 7:

Griffin	Milligan	Ollenburg	Van Gilst
Kyhl	Mowry	Thordsen	

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

HOUSE AMENDMENT CONSIDERED

Senate File 528

Senator Balloun called up for consideration Senate File 528, a bill

for an act to appropriate funds from the general fund of the state to the higher education facilities commission for the state supported scholarship and medical student tuition loan programs, amended by the House, and moved that the Senate concur in the following amendment:

- 1 Amend Senate File 528, page 2, by striking all of
- 2 line 14 and inserting in lieu thereof the following:
- 3 "Code, the following amounts: \$290,000.00
- 4 \$235,000.00".

The motion prevailed and the Senate concurred in the House amendment.

Senator Anderson took the chair at 9:26 a.m.

Senator Balloun moved that the bill as amended by the House and concurred in by the Senate be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 528) the vote was:

Ayes, 41:

Anderson	Doderer	Messerly	Robinson
Arbuckle	Erskine	Neu	Schaben
Balloun	Gaudineer	Nicholson	Shaff
Bass	Gilley	Ollenburg	Shawver
Briles	Glenn	Palmer	Smith
Carlson	Graham	Potgeter	Stephens
Coleman	Gross	Potter	Tapscott
Conklin	Hill	Rabedeaux	Van Drie
Curran	Lamborn	Rhodes	Van Gilst
Davis	Laverty	Riley	Walsh
DeKoster			

Nays, none.

Absent or not voting, 9:

Brownlee	Kennedy	Miller	Mowry
Griffin	Kyhl	Milligan	Thordsen
Keith			

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

CONSIDERATION OF BILLS

Senate File 573

On motion of Senator Keith, Senate File 573, a bill for an act to appropriate from the primary road fund to the state highway commission, was taken up and considered.

President Jepsen took the chair at 9:45 a.m.

Senator Keith offered the following amendment filed by the committee on appropriations and moved its adoption:

- 1 Amend Senate File 573 as follows:
- 2 Page 4, line 35, by adding after the period the following:
- 3 "The state highway commission may make application to the
- 4 committees on appropriations for the reappropriation of any
- 5 funds that do revert, or probably will revert upon the dates
- 6 herein set and the respective committees on appropriations
- 7 or a subcommittee thereof shall hold a hearing upon the
- 8 application while the general assembly is in regular session."

The amendment was adopted.

Senator Keith offered the following amendment filed by him on June 8 and moved its adoption:

- 1 Amend Senate File 573 as follows:
- 2 1. Page 4, line 24, by inserting after the first "fund" the
- 3 words, ", the Highway Safety Act funds,".

The amendment was adopted.

Senator Hill offered the following amendment filed by Senators Hill, Briles, et al., on June 9:

- 1 Amend Senate File 573 as follows:
- 2 1. Page 2, line 9, by inserting after the word
- 3 "Salaries" the words "including longevity (28,138)".
- 4 2. Page 2, line 9, by striking the figures
- 5 "692,629.00" and "717,539.00" and inserting in lieu
- 6 thereof the figures "693,782.00" and "718,692.00".
- 7 3. Page 2, line 23, by inserting after the word
- 8 "Salaries" the words "including longevity (151,101)".
- 9 4. Page 2, line 23, by striking the figures
- 10 "2,521,955.00" and "2,613,924.00" and inserting in lieu
- 11 thereof the figures "2,527,992.00" and "2,619,961.00".
- 12 5. Page 2, line 28, by inserting after the word
- 13 "Salaries" the words "including longevity (72,289)".
- 14 6. Page 2, line 28, by striking the figures
- 15 "1,981,041.00" and "2,049,162.00" and inserting in lieu
- 16 thereof the figures "1,983,919.00" and "2,052,040.00".
- 17 7. Page 2, line 33, by inserting after the word
- 18 "Salaries" the words "including longevity (224,674)".
- 19 8. Page 2, line 33, by striking the figures
- 20 "2,443,504.00" and "2,519,312.00" and inserting in lieu
- 21 thereof the figures "2,452,483.00" and "2,528,291.00".
- 22 9. Page 3, line 7, by inserting after the word
- 23 "Salaries" the words "including longevity (346,415)".
- 24 10. Page 3, line 7, by striking the figures
- 25 "5,344,262.00" and "5,551,130.00" and inserting in lieu

Page 2

- 1 thereof the figures "5,358,107.00" and "5,564,975.00".
- 2 11. Page 3, line 12, by inserting after the word
- 3 "Salaries" the words "including longevity
- 4 (2,655,032.00)".
- 5 12. Page 3, line 12, by striking the figures
- 6 "27,978,500.00" and "28,766,480.00" and inserting in
- 7 lieu thereof the figures "28,084,617.00" and

8 "28,872,597.00".

9 13. By changing the totals accordingly.

Senator Rhodes took the chair at 10:35 a.m.

Senator Hill moved the adoption of the amendment and requested a roll call.

On the question "Shall the Hill, Briles, et al., amendment be adopted?" (S.F. 573) the vote was:

Ayes, 36:

Anderson	Erskine	Laverty	Rabedaux
Arbuckle	Gaudineer	Miller	Rhodes
Briles	Gilley	Milligan	Riley
Brownlee	Glenn	Mowry	Robinson
Carlson	Griffin	Neu	Schaben
Coleman	Gross	Ollenburg	Shawver
Curran	Hill	Palmer	Van Drie
Davis	Kennedy	Potgeter	Van Gilst
Doderer	Lamborn	Potter	Walsh

Nays, 10:

Balloun	DeKoster	Nicholson	Smith
Bass	Keith	Shaff	Stephens
Conklin	Messerly		

Absent or not voting, 4:

Graham	Kyhl	Tapscott	Thordsen
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The amendment was adopted.

Senator Gaudineer offered the following amendment:

- 1 Amend Senate File 573, page 4, line 12, by striking
- 2 the word "may" and by inserting in lieu thereof the word
- 3 "shall".

Senator Gaudineer moved the adoption of his amendment and called for a division.

The amendment lost.

Senator Potgeter offered the following amendment:

- 1 Amend Senate File 573, page 4, by striking lines 6 through 17
- 2 and renumbering the remaining sections.

Senator Potgeter moved the adoption of his amendment and requested a roll call.

On the question "Shall the Potgeter amendment be adopted?" (S.F. 573) the vote was:

Rule 24 was invoked.

Ayes, 24:

Anderson	Carlson	DeKoster	Griffin
Balloun	Conklin	Gilley	Gross
Bass	Davis	Graham	Hill

Keith
Lamborn
Lavery

Messerly
Milligan
Nicholson

Ollenburg
Potgeter
Potter

Rabedaux
Smith
Stephens

Nays, 21:

Arbuckle
Briles
Brownlee
Doderer
Erskine
Gaudineer

Glenn
Kennedy
Miller
Mowry
Neu

Palmer
Rhodes
Riley
Robinson
Schaben

Shawver
Tapscott
Van Drie
Van Gilst
Walsh

Absent or not voting, 5:

Coleman
Curran

Kyhl

Shaff

Thordsen

The amendment was adopted.

Senator Van Drie offered the following amendment:

- 1 Amend Senate File 573, page 5, line 32, by inserting
- 2 after the word "expenses" the words, "and to implement the
- 3 merit pay plan as proposed in the Jacobs report".

Senator Keith raised a point of order on the amendment for the reason that it was not germane to the bill.

The Chair ruled the point not well taken and the amendment in order.

President Jepsen took the chair at 11:30 p.m.

Senator Van Drie moved the adoption of his amendment and requested a roll call.

On the question "Shall the Van Drie amendment be adopted?" (S.F. 573) the vote was:

Ayes, 35:

Arbuckle
Briles
Brownlee
Carlson
Coleman
Conklin
Curran
Davis
DeKoster

Doderer
Erskine
Gaudineer
Glenn
Graham
Griffin
Gross
Kennedy
Lamborn

Lavery
Miller
Mowry
Neu
Palmer
Potgeter
Potter
Rabedaux
Rhodes

Riley
Robinson
Schaben
Shawver
Tapscott
Van Drie
Van Gilst
Walsh

Nays, 12:

Anderson
Balloun
Bass

Gilley
Hill
Keith

Milligan
Nicholson
Ollenburg

Shaff
Smith
Stephens

Absent or not voting, 3:

Kyhl

Messerly

Thordsen

The amendment was adopted.

Senator Keith moved that the bill be read the last time now,

which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 573) the vote was:

Ayes, 47:

Anderson	Doderer	Laverty	Rhodes
Arbuckle	Erskine	Messerly	Riley
Balloun	Gaudineer	Miller	Robinson
Bass	Gilley	Milligan	Schaben
Briles	Glenn	Mowry	Shaff
Brownlee	Graham	Neu	Shawver
Carlson	Griffin	Nicholson	Smith
Coleman	Gross	Ollenburg	Stephens
Conklin	Hill	Palmer	Tapscott
Curran	Keith	Potgeter	Van Drie
Davis	Kennedy	Potter	Van Gilst
DeKoster	Lamborn	Rabedaux	

Nays, none.

Absent or not voting, 3:

Kyhl	Thordsen	Walsh
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Keith asked and received unanimous consent that **Senate File 573** be **immediately messaged** to the House, which request was complied with.

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

The Senate resumed session, President Jepsen presiding.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Rhodes, from the joint committee on enrolled bills, submitted the following report and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate Files 509, 552, 553, 562 and 564; House Files 63, 66, 211, 268, 446, 463, 514, 567, 600, 606, 658, 688, 699, 702, 707 and 715.

JOHN C. RHODES
Chairman, Senate Committee
ELIZABETH R. MILLER
Chairman, House Committee

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate the following bills: Senate Files 509, 552, 553, 562 and 564; House Files 63, 66, 211, 268, 446, 463, 514, 567, 600, 606, 658, 688, 699, 702, 707 and 715.

BILLS SENT TO THE GOVERNOR

Senator Rhodes, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 10th day of June, 1971, sent to the Governor for his approval: Senate Files 509, 552, 553, 562 and 564.

JOHN C. RHODES, Chairman

Passed on file.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has rejected the conference committee report and requests a second conference committee on House File 654, a bill for an act relating to state aid for schools, property taxes and state sales and use tax.

Conferees on the part of the House on the second conference committee are: the Representative from Hancock, Mr. Stromer, chairman; the Representative from Cherokee, Mr. Curtis; the Representative from Polk, Mr. Kreamer, and the Representative from Polk, Mr. Skinner.

Also: That the House has amended Senate amendment to, concurred in Senate amendment as amended and passed the following bill in which the concurrence of the House was asked:

House File 347, a bill for an act relating to the dispossession of a landowner under condemnation proceedings for highway purposes.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 730, a bill for an act making an appropriation from the general fund for the state department of health.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 542, a bill for an act making an appropriation from the general fund to the department of public defense.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 543, a bill for an act to appropriate from general fund for capital improvements for institutions under department of social services.

Also: That the House is returning Senate File 563, a bill for an act to appropriate funds from the general fund to the state historical society, as requested by the Senate.

WILLIAM R. KENDRICK, Chief Clerk

HOUSE AMENDMENT TO SENATE AMENDMENT
TO HOUSE FILE 347

- 1 Amend the Senate amendment to House File 347 by adding
- 2 thereto the following:
- 3 7. Page 1, by striking from lines 19 and 20 the
- 4 following: "*and remaining damage award held with the*

5 *sheriff until final settlement*".

6 8. Page 1, line 15, by inserting before the word

7 "*commission*" the word "*compensation*".

HOUSE MESSAGE CONSIDERED

House File 730, a bill for an act making an appropriation from the general fund of the state for the state department of health and its divisions.

Read first time and **passed on file**.

SECOND CONFERENCE COMMITTEE APPOINTED

President Jepsen announced the appointment of the second conference committee on House File 654, on the part of the Senate: Senators Rhodes, chairman; Carlson, Potter and Miller.

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

The Senate resumed session, President Jepsen presiding.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate File 545, a bill for an act to appropriate from general fund for capital improvements for physical plant by superintendent of public buildings and grounds.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 551, a bill for an act to appropriate from general fund to the department of public safety for radio equipment.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 554, a bill for an act to appropriate from general fund to the Iowa state fair board.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 561, a bill for an act to appropriate from general fund to the Iowa state fair board.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 732, a bill for an act to establish the composition of the General Assembly.

WILLIAM R. KENDRICK, Chief Clerk

HOUSE MESSAGE CONSIDERED

House File 732, a bill for an act to establish the composition of the General Assembly and provide for election of the members thereof.

Read first time and **passed on file**.

BILLS ASSIGNED TO COMMITTEE

President Jepsen announced the assignment of the following bills to committee:

H. F. 730 Appropriations

H. F. 732 Constitutional amendments and reapportionment

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

The Senate resumed session, President Jepsen presiding.

CONSIDERATION OF BILLS

Senate File 576

On motion of Senator Mowry, Senate File 576, a bill for an act making an appropriation from the general fund of the state of Iowa to various state departments and their divisions, and transferring and appropriating from certain departmental funds, was taken up and considered.

Senator Mowry asked and received unanimous consent that Charlotte Munson from the office of the Fiscal Director be permitted to remain in the Senate chamber as his consultant during consideration of the bill.

Senator Mowry offered the following amendment and moved its adoption:

- 1 Amend Senate File 576 as follows:
- 2 1. Page 7, line 19, by striking the figures "391,875.00"
- 3 and "433,125.00" and inserting in lieu thereof the figures
- 4 "442,119.00" and "431,213.00".
- 5 2. Page 7, by inserting after line 19 the following
- 6 paragraph:
- 7 "The bureau of labor may sell documents printed by the
- 8 bureau of labor at cost according to rules established by
- 9 the bureau which rules shall be subject to chapter seventeen
- 10 A (17A) of the Code. Receipts from such sale shall be
- 11 deposited to the credit of the bureau of labor and may be
- 12 used by the bureau for administrative expenses."

The amendment was adopted.

Senator Mowry offered the following amendment and moved its adoption:

- 1 Amend Senate File 576 as follows:
- 2 1. Page 10, line 11, by striking the figure "138,456.00"
- 3 and inserting in lieu thereof the figure "128,456.00".
- 4 2. By changing the total accordingly.

The amendment was adopted.

Senator Potgeter offered the following amendment and moved its adoption:

- 1 Amend Senate File 576 as follows:
- 2 1. Page 8, line 19, by striking the figures "148,358.00
- 3 152,387.00" and inserting in lieu thereof the figures "158,358.00
- 4 162,387.00".
- 5 2. Page 13, line 1, by striking the figures "23,377,292.00
- 6 24,567,691.00" and inserting in lieu thereof the figures
- 7 "23,387,292.00 24,577,691.00".

Division was called for.

The amendment lost.

Senator Doderer offered the following amendment and called for a division of the amendment into two divisions:

Division 1

- 1 Amend Senate File 576 as follows:
- 2 1. Page 3, line 27, by striking the figures "2,193,019.00"
- 3 and "2,782,518.00" and inserting in lieu thereof the
- 4 figures "1,693,019.00" and "2,282,518.00".

Division 2

- 5 2. Page 3, line 28, by striking the figures
- 6 "2,624,970.00" and "3,251,275.00" and inserting
- 7 in lieu thereof the figures "2,124,970.00" and
- 8 "2,751,275.00".

Senator Doderer withdrew division 2 of the amendment.

Senator Doderer asked and received unanimous consent to withdraw division 1 of the amendment.

Senator Doderer offered the following amendment:

- 1 Amend Senate File 576 as follows:
- 2 1. Page 3, line 27, by striking the figures
- 3 "2,193,019.00" and "2,782,518.00" and inserting
- 4 in lieu thereof the figures "1,943,019.00" and
- 5 "2,532,518.00".
- 6 2. By changing the total accordingly.

Senator Brownlee took the chair at 6:26 p.m.

Senator Doderer moved the adoption of the amendment and called for a division.

The amendment lost.

Senator Mowry moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass??" (S.F. 576) the vote was:

Ayes, 31:

Arbuckle	Ersine	Laverty	Robinson
Balloun	Gaudineer	Messerly	Shaff
Bass	Gilley	Milligan	Shawver
Brownlee	Graham	Mowry	Smith
Coleman	Gross	Neu	Stephens
Conklin	Keith	Nicholson	Van Drie
Curran	Kennedy	Ollenburg	Van Gilst
DeKoster	Lamborn	Rabedeaux	

Nays, 6:

Doderer	Hill	Potgeter	Tapscott
Glenn	Palmer		

Absent or not voting, 13:

Anderson	Griffin	Potter	Schaben
Briles	Kyhl	Rhodes	Thordsen
Carlson	Miller	Riley	Walsh
Davis			

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

Senator Mowry moved that the vote by which **Senate File 576** passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate File 558, a bill for an act making an appropriation from the general fund to the Iowa state commerce commission.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 559, a bill for an act to appropriate and authorize expenditures from car dispatcher revolving fund.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 560, a bill for an act relating to state aid for mentally ill.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 568, a bill for an act to appropriate from primary road fund to industrial commission for payment of workmen's compensation claims.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 569, a bill for an act to appropriate to state highway commission for expenses incurred in administering merit employment system.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 570, a bill for an act to appropriate from general fund for Iowa commission for the blind.

WILLIAM R. KENDRICK, Chief Clerk

REPORT OF COMMITTEE

Senator Messerly submitted the following report:

MR. PRESIDENT: Your committee on appropriations, to which was referred **House File 724**, a bill for an act to appropriate funds from the general fund of the state to the state board of regents and institutions under the control of the board, begs leave to report it has had the same under consideration and recommends the same **be amended as follows; and when so amended the bill do pass:**

1 Amend House File 724, as amended, passed, and re-
2 printed by the House, as follows:

3 1. Page 2, line 17, by striking the figures
4 "136,000.00" and "140,000.00" and inserting in lieu
5 thereof the figures "136,610.00" and "143,320.00".

6 2. Page 2, line 24, by striking the figures
7 "34,410,000.00" and "36,073,000.00" and inserting in
8 lieu thereof the figures "35,919,000.00" and
9 "37,774,000.00".

10 3. Page 2, line 33, by striking the figures
11 "8,738,000.00" and "8,738,000.00" and inserting in
12 lieu thereof the figures "8,535,000.00" and
13 "8,033,000.00".

14 4. Page 3, line 6, by striking the figures
15 "2,117,000.00" and "2,201,000.00" and inserting in
16 lieu thereof the figures "2,201,000.00" and
17 "2,304,000.00".

18 5. Page 3, line 11, by striking the figures
19 "755,000.00" and "784,000.00" and inserting in lieu
20 thereof the figures "793,000.00" and "837,000.00".

21 6. Page 3, line 15, by striking the figures
22 "1,405,000.00" and "1,454,000.00" and inserting in
23 lieu thereof the figures "1,453,000.00" and
24 "1,509,000.00".

25 7. Page 3, line 20, by striking the figures

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1 "1,629,000.00" and "1,702,000.00" and inserting in
2 lieu thereof the figures "1,705,000.00" and
3 "1,800,000.00".

4 8. Page 3, line 28, by striking the figures
5 "27,108,000.00" and "28,419,000.00" and inserting in
6 lieu thereof the figures "28,869,900.00" and
7 "29,964,900.00".

8 9. Page 3, line 33, by striking the figures

- 9 "3,980,000.00" and "4,140,000.00" and inserting in
 10 lieu thereof the figures "3,992,000.00" and
 11 "4,171,000.00".
 12 10. Page 4A, line 4, by striking the figures
 13 "3,097,000.00" and "3,271,000.00" and inserting in
 14 lieu thereof the figures "3,373,000.00" and
 15 "3,549,000.00".
 16 11. Page 4A, line 11, by striking the figures
 17 "10,616,000.00" and "11,129,000.00" and inserting in
 18 lieu thereof the figures "11,306,900.00" and
 19 "12,233,200.00".
 20 12. Page 4A, line 16, by striking the figures
 21 "893,000.00" and "945,000.00" and inserting in lieu
 22 thereof the figures "900,890.00" and "947,150.00".
 23 13. Page 4A, line 21, by striking the figures
 24 "1,616,000.00" and "1,703,000.00" and inserting in
 25 lieu thereof the figures "1,624,900.00" and

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- 1 "1,710,600.00".
 2 14. Page 4A, by striking lines 27 through 34,
 3 inclusive,
 4 15. Page 4B, by striking line 43 and inserting in
 5 lieu thereof the words "state board of regents."
 6 16. Page 5A, by striking lines 1, 2, and 3.
 7 17. By changing the totals accordingly.

FRANCIS L. MESSERLY, Chairman

Ordered passed on file.

AMENDMENTS FILED

- 1 Amend Senate File 566 as follows:
 2 1. Page 2, line 17, by striking the word "payee" and inserting
 3 in lieu thereof the word "payer".
 4 2. Page 2, line 23, by striking the word "payor" and inserting
 5 in lieu thereof the word "payer".
 6 3. Page 2, line 24, by adding before the word "injury", the
 7 word "demotion".

LUCAS J. DeKOSTER

- 1 Amend the committee on appropriations amendment, filed June
 2 9, 1971, to Senate File 577 by striking line 2 and insert in lieu
 3 thereof the following:
 4 "Page 2, line 27, by adding after the period the following:".

COMMITTEE ON APPROPRIATIONS
 FRANCIS L. MESSERLY, Chairman

- 1 Amend Senate File 578, page 2, line 11, by striking the figures
 2 "1,048,631.00" and "1,113,434.00" and insert the figures "1,130,631.00"
 3 and "1,195,434.00".

R. DEAN ARBUCKLE

- 1 Amend House File 713, as amended and passed by the House, as
 2 follows:
 3 1. Page 4, by striking lines 26 and 27 and inserting in lieu thereof

4 the following: "notice, but not later than fourteen days before any
5 election,".

6 2. Page 6, line 17, by striking the word "tenth" and inserting in
7 lieu thereof the word "fifteenth".

8 3. Page 7, by inserting after line 34 the following new section, and
9 renumber the remaining sections:

10 Sec. 10. Section forty-eight point thirteen (48.13), Code 1971,
11 is amended as follows:

12 48.13 ELECTION REGISTERS. The commissioner of registration
13 shall have [nine] *fourteen* full days between the last day of registration
14 and election day to perfect his election registers and, for that pur-
15 pose, [nine] *fourteen* days before any election day shall be days upon
16 which voters may not register. During these [nine] *fourteen* days the
17 commissioner shall complete the election registers and, on the day
18 before election day, he shall deliver them as required by law to each
19 election precinct.

EDWARD E. NICHOLSON

1 Amend House File 724, as amended, passed, and reprinted by
2 the House, as follows:

3 1. Page 4A, by striking line 35.

4 2. Page 4B, by striking lines 36 through 43.

5 3. Page 5A, by striking lines 4 through 16.

CHARLES F. BALLOUN

FRANCIS L. MESSERLY

1 Amend House File 724, as amended, passed and reprinted
2 by the House, page 5B, by striking lines 43 through 45.

BASS VAN GILST

1 Amend the Senate committee on appropriations amendment to House
2 File 724, filed June 10, 1971, as follows:

3 1. Page 1, line 5, by striking the figures "136,610.00" and
4 "143,320.00" and inserting in lieu thereof the figures "144,000.00"
5 and "154,000.00".

6 2. Page 1, line 8, by striking the figure "35,919,000.00" and
7 inserting in lieu thereof the figure "37,694,000.00".

8 3. Page 1, line 9, by striking the figure "37,774,000.00" and
9 inserting in lieu thereof the figure "41,804,000.00".

10 4. Page 1, line 12, by striking the figure "8,535,000.00" and
11 inserting in lieu thereof the figure "8,738,000.00".

12 5. Page 1, line 13, by striking the figure "8,033,000.00" and
13 inserting in lieu thereof the figure "8,738,000.00".

14 6. Page 1, line 16, by striking the figure "2,201,000.00" and
15 inserting in lieu thereof the figure "2,241,000.00".

16 7. Page 1, line 17, by striking the figure "2,304,000.00" and
17 inserting in lieu thereof the figure "2,385,000.00".

18 8. Page 1, line 20, by striking the figures "793,000.00" and
19 "837,000.00" and inserting in lieu thereof the figures "804,000.00"
20 and "859,000.00".

21 9. Page 1, line 23, by striking the figure "1,453,000.00" and
22 inserting in lieu thereof the figure "1,474,000.00".

23 10. Page 1, line 24, by striking the figure "1,509,000.00" and
24 inserting in lieu thereof the figure "1,552,000.00".

25 11. Page 2, line 2, by striking the figure "1,705,000.00" and

Page 2

- 1 inserting in lieu thereof the figure "1,720,000.00"
- 2 12. Page 2, line 3, by striking the figure "1,800,000.00" and
- 3 inserting in lieu thereof the figure "1,830,000.00".
- 4 13. Page 2, line 6, by striking the figure "28,869,900.00" and
- 5 inserting in lieu thereof the figure "30,384,000.00".
- 6 14. Page 2, line 7, by striking the figure "29,964,900.00" and
- 7 inserting in lieu thereof the figure "33,664,000.00".
- 8 15. Page 2, line 10, by striking the figure "3,992,000.00" and
- 9 inserting in lieu thereof the figure "4,093,000.00".
- 10 16. Page 2, line 11, by striking the figure "4,171,000.00" and
- 11 inserting in lieu thereof the figure "4,379,000.00".
- 12 17. Page 2, line 14, by striking the figure "3,373,000.00 and
- 13 inserting in lieu thereof the figure "3,502,000.00".
- 14 18. Page 2, line 15, by striking the figure "3,549,000.00" and
- 15 inserting in lieu thereof the figure "3,812,000.00".
- 16 19. Page 2, line 18, by striking the figure "11,306,900.00" and
- 17 inserting in lieu thereof the figure "11,494,000.00".
- 18 20. Page 2, line 19, by striking the figure "12,233,200.00" and
- 19 inserting in lieu thereof the figure "13,082,000.00".
- 20 21. Page 2, line 22, by striking the figures "900,890.00" and
- 21 "947,150.00" and inserting in lieu thereof the figures "893,000.00"
- 22 and "945,000.00".
- 23 22. Page 2, line 25, by striking the figure "1,624,900.00" and
- 24 inserting in lieu thereof the figure "1,616,000.00".
- 25 23. Page 3, line 1, by striking the figure "1,703,600.00".

Page 3

- 1 inserting in lieu thereof the figure "1,710,000.00".

ARTHUR A. NEU

On motion of Senator Lamborn, the Senate adjourned until 8:00 a.m., Friday, June 11, 1971.

JOURNAL OF THE SENATE

ONE HUNDRED FIFTY-SECOND DAY

SENATE CHAMBER

DES MOINES, IOWA, FRIDAY, JUNE 11, 1971

The Senate met in regular session, Senator Brownlee presiding.

Prayer was offered by the Reverend C. C. Glenn, pastor of the Christian Church, Woodward and Granger, Iowa.

The Senate pledged allegiance to the flag.

The Journal of Thursday, June 10, 1971, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Thordsen for the day on request of Senator Lamborn.

PRESENTATION OF VISITORS

Senator Stephens rose on a point of personal privilege and presented to the Senate the Honorable Clifford M. Vance, former member of the Senate and House of Representatives from Henry and Jefferson Counties. Senator Vance served as President pro tempore of the Senate in the Sixtieth General Assembly.

Senator Tapscott rose on a point of personal privilege and presented to the Senate the Honorable William F. Denman, former member of the Senate and House of Representatives from Polk County.

HOUSE AMENDMENT TO SENATE AMENDMENT CONSIDERED

House File 347

Senator Riley called up for consideration House File 347, a bill for an act relating to the dispossession of a landowner under condemnation proceedings for highway purposes, amended by the House, and moved that the Senate concur in the following amendment:

- 1 Amend the Senate amendment to House File 347 by adding
- 2 thereto the following:
- 3 7. Page 1, by striking from lines 19 and 20 the
- 4 following: *"and remaining damage award held with the*

5 *sheriff until final settlement*".

6 8. Page 1, line 15, by inserting before the word

7 "*commission*" the word "*compensation*".

The motion prevailed and the Senate concurred in the House amendment.

Senator Riley moved that the bill as amended by the House and concurred in by the Senate be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 347) the vote was:

Ayes, 29:

Anderson	Erschine	Lamborn	Robinson
Balloun	Gilley	Laverty	Shaff
Bass	Glenn	Neu	Shawver
Brownlee	Graham	Nicholson	Smith
Carlson	Gross	Ollenburg	Stephens
Conklin	Hill	Potter	Van Drie
Curran	Keith	Riley	Van Gilst
DeKoster			

Nays, 3:

Arbuckle	Milligan	Walsh
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Absent or not voting, 18:

Briles	Griffin	Mowry	Rhodes
Coleman	Kennedy	Palmer	Schaben
Davis	Kyhl	Potgeter	Tapscott
Doderer	Messerly	Rabedeaux	Thordsen
Gaudineer	Miller		

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

CONSIDERATION OF BILLS

Senate File 577

On motion of Senator Balloun, Senate File 577, a bill for an act to make an appropriation to the department of public instruction for reimbursements to school districts and county boards of education, was taken up and considered.

Senator Balloun offered the following amendment filed by the committee on appropriations:

- 1 Amend Senate File 577 as follows:
- 2 Page 4, line 35, by adding after the period the following:
- 3 "The department of public instruction may make application
- 4 to the committees on appropriations for the reappropriation of
- 5 any funds that do revert, or probably will revert upon the dates
- 6 herein set and the respective committees on appropriations or a
- 7 subcommittee thereof shall hold a hearing upon the application
- 8 while the general assembly is in regular session."

Senator Balloun offered the following amendment to the amendment filed by the committee on appropriations and moved its adoption:

- 1 Amend the committee on appropriations amendment, filed June
- 2 9, 1971, to Senate File 577 by striking line 2 and insert in lieu
- 3 thereof the following:
- 4 "Page 2, line 27, by adding after the period the following:".

The amendment to the amendment was adopted.

On motion of Senator Balloun, the amendment as amended was adopted.

Senator Balloun moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 577) the vote was:

Ayes, 38:

Anderson	Erskine	Lavery	Robinson
Arbuckle	Gilley	Milligan	Shaff
Balloun	Glenn	Mowry	Shawver
Bass	Graham	Neu	Smith
Briles	Griffin	Nicholson	Stephens
Brownlee	Gross	Ollenburg	Tapscott
Carlson	Hill	Potgeter	Van Drie
Conklin	Keith	Potter	Van Gilst
Curran	Kennedy	Riley	Walsh
DeKoster	Lamborn		

Nays, none.

Absent or not voting, 12:

Coleman	Gaudineer	Miller	Rhodes
Davis	Kyhl	Palmer	Schaben
Doderer	Messerly	Rabedeaux	Thordsen

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

Senator Lamborn asked and received unanimous consent that **Senate File 577** be **immediately messaged** to the House, which request was complied with.

Senate File 578

On motion of Senator Curran, Senate File 578, a bill for an act to make an appropriation to the Iowa development commission, was taken up and considered.

Senator Arbuckle offered the following amendment filed by him on June 10:

- 1 Amend Senate File 578, page 2, line 11, by striking the figures
- 2 "1,048,631.00" and "1,113,434.00" and insert the figures "1,130,631.00"
- 3 and "1,195,434.00".

Senator Rabedeaux took the chair at 8:35 a.m.

Senator Brownlee took the chair at 8:45 a.m.

Senator Arbuckle moved the adoption of the amendment and requested a roll call.

On the question "Shall the amendment be adopted?" (S.F. 578) the vote was:

Ayes, 14:

Arbuckle	Davis	Potgeter	Tapscott
Brownlee	Glenn	Potter	Van Drie
Carlson	Griffin	Rhodes	Walsh
Curran	Neu		

Nays, 29:

Anderson	Gilley	Laverty	Riley
Balloun	Graham	Messerly	Robinson
Bass	Gross	Milligan	Shaff
Briles	Hill	Mowry	Shawver
Conklin	Keith	Nicholson	Smith
DeKoster	Kennedy	Ollenburg	Stephens
Doderer	Lamborn	Rabedeaux	Van Gilst
Erskine			

Absent or not voting, 7:

Coleman	Kyhl	Palmer	Thordsen
Gaudineer	Miller	Schaben	

The amendment lost.

Senator Curran moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 578) the vote was:

Ayes, 43:

Anderson	Doderer	Lamborn	Riley
Arbuckle	Erskine	Laverty	Robinson
Balloun	Gaudineer	Messerly	Schaben
Bass	Gilley	Milligan	Shawver
Briles	Glenn	Mowry	Smith
Brownlee	Graham	Neu	Stephens
Carlson	Griffin	Nicholson	Tapscott
Conklin	Gross	Ollenburg	Van Drie
Curran	Hill	Potgeter	Van Gilst
Davis	Keith	Potter	Walsh
DeKoster	Kennedy	Rabedeaux	

Nays, none.

Absent or not voting, 7:

Coleman	Miller	Rhodes	Thordsen
Kyhl	Palmer	Shaff	

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

Senator Curran asked and received unanimous consent that **Senate File 578** be **immediately messaged** to the House, which request was complied with.

Senate File 579

On motion of Senator Mowry, Senate File 579, a bill for an act making an appropriation to the supreme court and district courts, was taken up and considered.

Senator Mowry moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 579) the vote was:

Ayes, 45:

Anderson	Erskine	Messerly	Riley
Arbuckle	Gaudineer	Milligan	Robinson
Bass	Gilley	Mowry	Schaben
Briles	Glenn	Neu	Shaff
Brownlee	Graham	Nicholson	Shawver
Carlson	Griffin	Ollenburg	Smith
Coleman	Gross	Palmer	Stephens
Conklin	Hill	Potgeter	Tapscott
Curran	Keith	Potter	Van Drie
Davis	Kennedy	Rabedeaux	Van Gilst
DeKoster	Lamborn	Rhodes	Walsh
Doderer			

Nays, none.

Absent or not voting, 5:

Balloun	Laverty	Miller	Thordsen
Kyhl			

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

Senator Mowry asked and received unanimous consent that **Senate File 579** be **immediately messaged** to the House, which request was complied with.

Senate File 523

On motion of Senator Nicholson, Senate File 523, a bill for an act relating to the tax exemption on forest and fruit-tree reservations, was taken up and considered.

Senator Erskine offered the following amendment filed by Senators Erskine, et al.:

- 1 Amend Senate File 523 as follows:
- 2 1. Page 2, by striking lines 4 through 6, inclusive,
- 3 and inserting in lieu thereof the following:
- 4 "Sec. 2. Section one hundred sixty-one point three
- 5 (161.3), Code 1971, is amended as follows:
- 6 161.3 FOREST RESERVATION. A forest reservation
- 7 shall contain not less than two hundred growing forest
- 8 trees on each acre *or a number of forest trees designated*
- 9 *in a timber management plan approved by the state*
- 10 *forester. If the area selected is a forest containing*

11 the required number of growing forest trees, it shall
12 be accepted as a forest reservation under the provisions
13 of this chapter. If the area selected is a forest
14 containing less than two hundred forest trees to the
15 acre or less than approved by the state forester, or
16 if it is a grove or an area to be planted to trees,
17 the owner or owners thereof shall have planted,
18 cultivated, and otherwise properly cared for the number
19 of forest trees necessary to bring the total number
20 of growing trees to not less than two hundred on each
21 acre or not less than approved by the state forester,
22 during a period of not more than two years, after it
23 has been accepted as a forest reservation within the
24 meaning of this chapter. No ground upon which any farm
25 buildings stand shall be recognized as part of any such

Page 2

1 reservation. No tract of land surrounding any dwelling,
2 farm building, or other improvement shall be recognized
3 as a forest reservation, or any part thereof.

4 Sec. 3. Section one hundred sixty-one point twelve
5 (161.12), Code 1971, is amended as follows:

6 161.12 ASSESSOR. It shall be the duty of the
7 assessor to secure the facts relative to fruit-tree
8 and forest reservations by taking the sworn statement,
9 or affirmation, of the owner or owners making application
10 under this chapter, or if a forest reservation, a signed
11 statement of the state forester or his designee; and
12 to make special report to the county auditor of all
13 reservations made in the county under the provisions
14 of this chapter.

15 Sec. 4. Section four hundred forty-one point twenty-
16 two (441.22), Code 1971, is amended as follows:

17 441.22 FOREST AND FRUIT-TREE RESERVATIONS. Forest
18 reservations fulfilling the conditions of sections 161.1
19 to 161.13, inclusive, shall be assessed [on a taxable
20 valuation of four dollars per acre] at thirteen and one-
21 half percent of actual value. Fruit-tree reservations
22 shall be assessed [on a taxable valuation of four dollars
23 per acre] at thirteen and one-half percent of actual
24 value for a period of eight years from the time of
25 planting. In all other cases where trees are planted

Page 3

1 upon any tract of land, without regard to area, for
2 forest, fruit, shade, or ornamental purposes, or for
3 windbreaks, the assessor shall not increase the valua-
4 tion of such property because of such improvements.”

5 2. Renumber remaining section in accordance with
6 this amendment.

Senator Coleman offered the following amendment to the amend-
ment filed by him on June 3 and moved its adoption:

1 Amend the Erskine, et al., amendment to Senate File 523, filed
2 May 26, 1971, as follows:

3 1. Page 2, by striking all after the period (.) in line 1 and

4 all of lines 2 and 3.

5 2. Page 2, by striking lines 15 through 25, inclusive.

6 3. Page 3, by striking lines 1 through 4 and inserting in lieu
7 thereof the following:

8 "Sec. 4. Section four hundred forty-one point twenty-two
9 (441.22), Code 1971, is amended as follows: 441.22 Forest and
10 Fruit-Tree Reservations. Forest reservations fulfilling the
11 conditions of sections 161.1 to 161.13, inclusive, shall be
12 assessed on a taxable valuation of four dollars per acre. Fruit
13 tree reservations shall be assessed on a taxable valuation of
14 four dollars per acre for a period of eight years from the time
15 of planting. *Except that approved forest reservations located*
16 *within the incorporated limits of a city or town shall be*
17 *assessed as agricultural land at thirteen and one-half percent of*
18 *actual value. Fruit tree reservations within the incorporated*
19 *limits of cities and towns shall be assessed as agricultural land*
20 *at thirteen and one-half percent of actual value for a period of*
21 *eight years from the time of planting. After the expiration of*
22 *this period of time recognition as a fruit tree reservation shall*
23 *be withdrawn, the orchard assessed as agricultural land as*
24 *provided in chapter 441. In all other cases where trees are*

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1 planted upon any tract of land, without regard to area, for
2 forest, fruit, shade, or ornamental purposes or for windbreaks,
3 the assessor shall not increase the valuation of such property
4 because of such improvements."

Roll call was requested.

On the question "Shall the Coleman amendment to the amendment
be adopted?" (S.F. 523) the vote was:

Rule 24 was invoked.

Ayes, 22:

Anderson	Gaudineer	Laverty	Shawver
Balloun	Glenn	Miller	Smith
Briles	Gross	Palmer	Tapscott
Coleman	Keith	Robinson	Van Gilst
DeKoster	Kennedy	Schaben	Walsh
Erskine	Lamborn		

Nays, 21:

Arbuckle	Doderer	Neu	Rabedaux
Bass	Gilley	Nicholson	Riley
Brownlee	Graham	Ollenburg	Shaff
Carlson	Messerly	Potgeter	Stephens
Conklin	Milligan	Potter	Van Drie
Curran			

Voting present, 2:

Hill (under Rule 24)

Mowry (under Rule 24)

Absent or not voting, 5:

Davis	Kyhl	Rhodes	Thordsen
Griffin			

The amendment to the amendment was adopted.

Senator Erskine moved the adoption of the amendment as amended and called for a division.

The amendment as amended was adopted.

Senator Shaff moved to reconsider the vote by which the Erskine, et al., amendment as amended was adopted by the Senate.

Roll call was requested.

On the question "Shall the motion to reconsider the Erskine, et al., amendment as amended be adopted?" (S.F. 523) the vote was:

Rule 24 was invoked.

Ayes, 24:

Arbuckle	Curran	Messerly	Rabedeaux
Balloun	Doderer	Milligan	Riley
Bass	Gilley	Neu	Shaff
Brownlee	Graham	Nicholson	Smith
Carlson	Keith	Ollenburg	Stephens
Conklin	Lamborn	Potgeter	Van Drie

Nays, 22:

Anderson	Gaudineer	Miller	Schaben
Briles	Glenn	Palmer	Shawver
Coleman	Griffin	Potter	Tapscott
Davis	Gross	Rhodes	Van Gilst
DeKoster	Kennedy	Robinson	Walsh
Erskine	Laverty		

Voting present, 2:

Hill (under Rule 24)

Mowry (under Rule 24)

Absent or not voting, 2:

Kyhl Thordsen

The motion prevailed and the Erskine, et al., amendment as amended was taken up for reconsideration.

Senator Keith moved to reconsider the vote by which the Coleman amendment to the amendment was adopted by the Senate.

Roll call was requested.

On the question "Shall the motion to reconsider the Coleman amendment to the amendment be adopted?" (S.F. 523) the vote was:

Ayes, 25:

Arbuckle	Gilley	Milligan	Rhodes
Bass	Graham	Neu	Riley
Brownlee	Griffin	Nicholson	Shaff
Carlson	Keith	Ollenburg	Smith
Conklin	Lamborn	Potgeter	Stephens
Curran	Messerly	Rabedeaux	Van Drie
Doderer			

Nays, 20:

Anderson	Erskine	Laverty	Schaben
Briles	Gaudineer	Miller	Shawver
Coleman	Glenn	Palmer	Tapscott
Davis	Gross	Potter	Van Gilst
DeKoster	Kennedy	Robinson	Walsh

Voting present, 2:

Hill (under Rule 24)

Mowry (under Rule 24)

Absent or not voting, 3:

Balloun

Kyhl

Thordsen

The motion prevailed and the Coleman amendment to the amendment was taken up for reconsideration.

Senator Coleman moved the adoption of his amendment to the amendment.

Roll call was requested.

On the question "Shall the Coleman amendment to the amendment be adopted?" (S.F. 523) the vote was:

Rule 24 was invoked.

Ayes, 20:

Anderson	DeKoster	Kennedy	Schaben
Balloun	Erskine	Laverty	Shawver
Briles	Gaudineer	Miller	Tapscott
Coleman	Glenn	Palmer	Van Gilst
Davis	Gross	Robinson	Walsh

Nays, 26:

Arbuckle	Gilley	Neu	Rhodes
Bass	Graham	Nicholson	Riley
Brownlee	Griffin	Ollenburg	Shaff
Carlson	Keith	Potgeter	Smith
Conklin	Lamborn	Potter	Stephens
Curran	Messerly	Rabedeaux	Van Drie
Doderer	Milligan		

Voting present, 2:

Hill (under Rule 24)

Mowry (under Rule 24)

Absent or not voting, 2:

Kyhl

Thordsen

The amendment to the amendment lost.

President Jepsen took the chair at 11:00 a.m.

Senator Erskine moved the adoption of the amendment and called for a division.

The amendment was adopted.

Senator Nicholson moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 523) the vote was:

Ayes, 35:

Anderson	Doderer	Messeryly	Rhodes
Arbuckle	Ersine	Milligan	Riley
Balloun	Gaudineer	Neu	Robinson
Bass	Gilley	Nicholson	Shaff
Brownlee	Graham	Ollenburg	Smith
Carlson	Griffin	Palmer	Stephens
Conklin	Gross	Potgeter	Tapscott
Curran	Keith	Potter	Van Drie
DeKoster	Lamborn	Rabedeaux	

Nays, 10:

Briles	Kennedy	Schaben	Van Gilst
Coleman	Laverty	Shawver	Walsh
Glenn	Miller		

Voting present, 2:

Hill	Mowry
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Absent or not voting, 3:

Davis	Kyhl	Thordsen
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Nicholson moved that the vote by which **Senate File 523** passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

REPORTS OF INVESTIGATING COMMITTEES

Senator Van Drie submitted the following report and moved its adoption:

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Ralph McCartney of Charles City, Floyd County, Iowa, for appointment as a member of the Iowa State Board of Regents for the State of Iowa under the provisions of section 262.3 of the 1971 Code of Iowa for the regular six-year term beginning July 1, 1971, and ending June 30, 1977, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

RUDY VAN DRIE, Chairman
LEIGH R. CURRAN
FLOYD GILLEY
CLOYD E. ROBINSON
GEORGE L. SHAWVER

The motion prevailed and the report was adopted.

Senator Van Drie moved that the appointment of Ralph McCartney be confirmed.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 46:

Anderson	Erskine	Messerly	Rhodes
Arbuckle	Gaudineer	Miller	Riley
Balloun	Gilley	Milligan	Robinson
Bass	Glenn	Mowry	Schaben
Briles	Graham	Neu	Shaff
Brownlee	Griffin	Nicholson	Shawver
Carlson	Gross	Ollenburg	Smith
Coleman	Hill	Palmer	Stephens
Conklin	Keith	Potgeter	Tapscott
Curran	Kennedy	Potter	Van Drie
DeKoster	Lamborn	Rabedeaux	Van Gilst
Doderer	Laverty		

Nays, none.

Absent or not voting, 4:

Davis	Kyhl	Thordsen	Walsh
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President Jepsen declared the appointment of Ralph McCartney as a member of the State Board of Regents confirmed for the six-year term ending June 30, 1977.

Senator Briles submitted the following report and moved its adoption:

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Mrs. Thelma Heitsman of Corning, Adams County, Iowa, for appointment as a member of the Merit Employment Commission for the State of Iowa, pursuant to section 19A.6, 1971 Code of Iowa, for the regular six-year term commencing July 1, 1971, and ending June 30, 1977, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

JAMES E. BRILES, Chairman
 QUENTIN V. ANDERSON
 EARL G. BASS
 JAMES W. GRIFFIN, SR.
 JAMES F. SCHABEN

The motion prevailed and the report was adopted.

Senator Briles moved that the appointment of Thelma Heitsman be confirmed.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 46:

Anderson	Doderer	Messerly	Rhodes
Arbuckle	Erskine	Miller	Riley
Balloun	Gaudineer	Milligan	Robinson
Bass	Gilley	Mowry	Schaben
Briles	Glenn	Neu	Shaff
Brownlee	Graham	Nicholson	Shawver
Carlson	Griffin	Ollenburg	Smith
Coleman	Gross	Palmer	Stephens
Conklin	Hill	Potgeter	Tapscott
Curran	Keith	Potter	Van Drie
Davis	Lamborn	Rabedeaux	Van Gilst
DeKoster	Laverty		

Nays, none.

Absent or not voting, 4:

Kennedy	Kyhl	Thordsen	Walsh
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President Jepsen declared the appointment of Thelma Heitsman as a member of the Merit Employment Commission confirmed for the regular six-year term ending June 30, 1977.

Senator Riley submitted the following report and moved its adoption:

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Stephen Darling of Iowa City, Johnson County, Iowa, for appointment as a member of the Iowa Real Estate Commission under the provisions of section 117.8, Code 1971, for the regular four-year term beginning July 1, 1971, and ending June 30, 1975, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

TOM RILEY, Chairman
CHARLES F. BALLOUN
MINNETTE F. DODERER
W. R. RABEDEAUX
ROGER J. SHAFF

The motion prevailed and the report was adopted.

Senator Riley moved that the appointment of Stephen Darling be confirmed.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 44:

Anderson	Erschine	Messerly	Rhodes
Arbuckle	Gaudineer	Miller	Riley
Bass	Gilley	Milligan	Robinson
Brownlee	Glenn	Mowry	Schaben
Carlson	Graham	Neu	Shaff
Coleman	Griffin	Nicholson	Shawver
Conklin	Gross	Ollenburger	Smith
Curran	Hill	Palmer	Stephens
Davis	Keith	Potgeter	Tapscott
DeKoster	Kennedy	Potter	Van Drie
Doderer	Lamborn	Rabedeaux	Van Gilst

Nays, none.

Absent or not voting, 6:

Balloun	Kyhl	Thordsen	Walsh
Briles	Laverty		

President Jepsen declared the appointment of Stephen Darling as a member of the Iowa Real Estate Commission confirmed for the regular four-year term ending June 30, 1975.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Rhodes, from the joint committee on enrolled bills, sub-

mitted the following report and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: House File 347.

JOHN C. RHODES
Chairman, Senate Committee
ELIZABETH R. MILLER
Chairman, House Committee

Report adopted.

BILL SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate the following bill: House File 347.

CONSIDERATION OF BILLS

Senate File 574

On motion of Senator Shaff, Senate File 574, a bill for an act relating to the remittance of sales and use tax receipts to the department of revenue, was taken up and considered.

Senator Shaff moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 574) the vote was:

Ayes, 37:

Anderson	Gaudineer	Messerly	Rhodes
Arbuckle	Gilley	Miller	Riley
Balloun	Glenn	Mowry	Shaff
Bass	Graham	Neu	Shawver
Brownlee	Hill	Nicholson	Smith
Curran	Keith	Ollenburg	Stephens
Davis	Kennedy	Potgeter	Tapscott
DeKoster	Lamborn	Potter	Van Drie
Doderer	Laverty	Rabedeaux	Van Gilst
Erskine			

Nays, 4:

Gross	Palmer	Robinson	Schaben
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Voting present, 2:

Coleman	Conklin
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Absent or not voting, 7:

Briles	Griffin	Milligan	Walsh
Carlson	Kyhl	Thordsen	

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

Senator Arbuckle asked and received unanimous consent that

Senate File 574 be **immediately messaged** to the House, which request was complied with.

CALL OF THE SENATE

The Chair announced the following call of the Senate had been filed at the desk and directed the Secretary to call the roll:

MR. PRESIDENT: Pursuant to Rule 19 of the Rules of the Senate of the Sixty-fourth General Assembly, we, the undersigned, do hereby request a Call of the Senate on House File 724 and motions thereto.

RALPH W. POTTER
FRANCIS L. MESSERLY
RICHARD L. STEPHENS
ROGER J. SHAFF
WILSON L. DAVIS
R. DEAN ARBUCKLE
CLIFTON C. LAMBORN
ALDEN J. ERSKINE
WAYNE D. KEITH
ARTHUR A. NEU
JOHN M. WALSH
TOM RILEY
H. L. OLLENBURG

Roll call revealed all members present with the exception of Senators Kyhl, Thordsen and Walsh.

Senator Lamborn asked and received unanimous consent that Senators Kyhl and Thordsen be excused from the call of the Senate.

Senator Lamborn asked unanimous consent that Senator Walsh be excused from the Call of the Senate.

Objection was raised.

The Chair directed the Sergeant-at-arms to locate the absent member.

CONSIDERATION OF BILLS

House File 724

On motion of Senator Balloun, House File 724, a bill for an act to appropriate funds from the general fund of the state to the state board of regents and institutions under the control of the board, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Balloun offered the amendment by the committee on appropriations:

- 1 Amend House File 724, as amended, passed, and re-
- 2 printed by the House, as follows:

- 3 1. Page 2, line 17, by striking the figures
4 "136,000.00" and "140,000.00" and inserting in lieu
5 thereof the figures "136,610.00" and "143,320.00".
6 2. Page 2, line 24, by striking the figures
7 "34,410,000.00" and "36,073,000.00" and inserting in
8 lieu thereof the figures "35,919,000.00" and
9 "37,774,000.00".
10 3. Page 2, line 33, by striking the figures
11 "8,738,000.00" and "8,738,000.00" and inserting in
12 lieu thereof the figures "8,535,000.00" and
13 "8,033,000.00".
14 4. Page 3, line 6, by striking the figures
15 "2,117,000.00" and "2,201,000.00" and inserting in
16 lieu thereof the figures "2,201,000.00" and
17 "2,304,000.00".
18 5. Page 3, line 11, by striking the figures
19 "755,000.00" and "784,000.00" and inserting in lieu
20 thereof the figures "793,000.00" and "837,000.00".
21 6. Page 3, line 15, by striking the figures
22 "1,405,000.00" and "1,454,000.00" and inserting in
23 lieu thereof the figures "1,453,000.00" and
24 "1,509,000.00".
25 7. Page 3, line 20, by striking the figures

Page 2

- 1 "1,629,000.00" and "1,702,000.00" and inserting in
2 lieu thereof the figures "1,705,000.00" and
3 "1,800,000.00".
4 8. Page 3, line 28, by striking the figures
5 "27,108,000.00" and "28,419,000.00" and inserting in
6 lieu thereof the figures "28,869,900.00" and
7 "29,964,900.00".
8 9. Page 3, line 33, by striking the figures
9 "3,980,000.00" and "4,140,000.00" and inserting in
10 lieu thereof the figures "3,992,000.00" and
11 "4,171,000.00".
12 10. Page 4A, line 4, by striking the figures
13 "3,097,000.00" and "3,271,000.00" and inserting in
14 lieu thereof the figures "3,373,000.00" and
15 "3,549,000.00".
16 11. Page 4A, line 11, by striking the figures
17 "10,616,000.00" and "11,129,000.00" and inserting in
18 lieu thereof the figures "11,306,900.00" and
19 "12,233,200.00".
20 12. Page 4A, line 16, by striking the figures
21 "893,000.00" and "945,000.00" and inserting in lieu
22 thereof the figures "900,890.00" and "947,150.00".
23 13. Page 4A, line 21, by striking the figures
24 "1,616,000.00" and "1,703,000.00" and inserting in
25 lieu thereof the figures "1,624,900.00" and

Page 3

- 1 "1,710,600.00".
2 14. Page 4A, by striking lines 27 through 34,
3 inclusive.
4 15. Page 4B, by striking line 43 and inserting in

- 5 lieu thereof the words "state board of regents."
- 6 16. Page 5A, by striking lines 1, 2, and 3.
- 7 17. By changing the totals accordingly.

Senator Neu offered the following amendment to the amendment filed by him on June 10:

- 1 Amend the Senate committee on appropriations amendment to House
- 2 File 724, filed June 10, 1971, as follows:

- 3 1. Page 1, line 5, by striking the figures "136,610.00" and
- 4 "143,320.00" and inserting in lieu thereof the figures "144,000.00"
- 5 and "154,000.00".

- 6 2. Page 1, line 8, by striking the figure "35,919,000.00" and
- 7 inserting in lieu thereof the figure "37,694,000.00".

- 8 3. Page 1, line 9, by striking the figure "37,774,000.00" and
- 9 inserting in lieu thereof the figure "41,804,000.00".

- 10 4. Page 1, line 12, by striking the figure "8,535,000.00" and
- 11 inserting in lieu thereof the figure "8,738,000.00".

- 12 5. Page 1, line 13, by striking the figure "8,033,000.00" and
- 13 inserting in lieu thereof the figure "8,738,000.00".

- 14 6. Page 1, line 16, by striking the figure "2,201,000.00" and
- 15 inserting in lieu thereof the figure "2,241,000.00".

- 16 7. Page 1, line 17, by striking the figure "2,304,000.00" and
- 17 inserting in lieu thereof the figure "2,385,000.00".

- 18 8. Page 1, line 20, by striking the figures "793,000.00" and
- 19 "837,000.00" and inserting in lieu thereof the figures "804,000.00"
- 20 and "859,000.00".

- 21 9. Page 1, line 23, by striking the figure "1,453,000.00" and
- 22 inserting in lieu thereof the figure "1,474,000.00".

- 23 10. Page 1, line 24, by striking the figure "1,509,000.00" and
- 24 inserting in lieu thereof the figure "1,552,000.00".

- 25 11. Page 2, line 2, by striking the figure "1,705,000.00" and

Page 2

- 1 inserting in lieu thereof the figure "1,720,000.00"

- 2 12. Page 2, line 3, by striking the figure "1,800,000.00" and
- 3 inserting in lieu thereof the figure "1,830,000.00".

- 4 13. Page 2, line 6, by striking the figure "28,869,900.00" and
- 5 inserting in lieu thereof the figure "30,384,000.00".

- 6 14. Page 2, line 7, by striking the figure "29,964,900.00" and
- 7 inserting in lieu thereof the figure "33,664,000.00".

- 8 15. Page 2, line 10, by striking the figure "3,992,000.00" and
- 9 inserting in lieu thereof the figure "4,093,000.00".

- 10 16. Page 2, line 11, by striking the figure "4,171,000.00" and
- 11 inserting in lieu thereof the figure "4,379,000.00".

- 12 17. Page 2, line 14, by striking the figure "3,373,000.00" and
- 13 inserting in lieu thereof the figure "3,502,000.00"

- 14 18. Page 2, line 15, by striking the figure "3,549,000.00" and
- 15 inserting in lieu thereof the figure "3,812,000.00".

- 16 19. Page 2, line 18, by striking the figure "11,306,900.00" and
- 17 inserting in lieu thereof the figure "11,494,000.00".

- 18 20. Page 2, line 19, by striking the figure "12,233,200.00" and
- 19 inserting in lieu thereof the figure "13,082,000.00".

- 20 21. Page 2, line 22, by striking the figures "900,890.00" and

21 "947,150.00" and inserting in lieu thereof the figures "893,000.00"
22 and "945,000.00".

23 22. Page 2, line 25, by striking the figure "1,624,900.00" and
24 inserting in lieu thereof the figure "1,616,000.00".

25 23. Page 3, line 1, by striking the figure "1,710,600.00" and

Page 3

1 inserting in lieu thereof the figure "1,703,000.00".

Senator Potgeter took the chair at 12:22 p.m.

Senator Brownlee took the chair at 12:56 p.m.

President Jepsen took the chair at 1:27 p.m.

Senator Lamborn asked unanimous consent that Senator Walsh
be excused from the Call of the Senate.

Objection was raised.

Senator Lamborn moved that Senator Walsh be excused from the
Call of the Senate, which motion prevailed.

Senator Brownlee took the chair at 2:04 p.m.

Senator Neu moved the adoption of his amendment to the amend-
ment and requested a roll call.

On the question "Shall the amendment to the amendment be
adopted?" (H.F. 724) the vote was:

Rule 24 was invoked.

Ayes, 22:

Brownlee	Glenn	Neu	Schaben
Coleman	Griffin	Palmer	Tapscott
Conklin	Gross	Potgeter	Van Drie
DeKoster	Kennedy	Riley	Van Gilst
Doderer	Lavery	Robinson	Walsh
Gaudineer	Miller		

Nays, 26:

Anderson	Davis	Messerly	Rabedeaux
Arbuckle	Erskine	Milligan	Rhodes
Balloun	Gilley	Mowry	Shaff
Bass	Graham	Nicholson	Shawver
Briles	Hill	Ollenburg	Smith
Carlson	Keith	Potter	Stephens
Curran	Lamborn		

Absent or not voting, 2:

Kyhl Thordsen

The amendment to the amendment lost.

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

The Senate resumed session, President Jepsen presiding.

SENATOR EXCUSED

Senator Lamborn asked and received unanimous consent that Senator Miller be excused from the Call of the Senate on House File 724.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has adopted conference committee report and amendments contained therein and repassed the following bill in which the concurrence of the Senate is asked:

House File 654, a bill for an act relating to state aid for schools and imposing certain tax increases.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 727, a bill for an act relating to the movement of oversized and overweight vehicles, and loads.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 729, a bill for an act relating to the appointment of notaries public by Secretary of State.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 736, a bill for an act making an appropriation from general fund to the Iowa liquor control commission for capital improvements.

Also: That the House has adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 44, extending congratulations to George Mills on his successful career as a journalist.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 544, a bill for an act making an appropriation from general fund to the commission on alcoholism.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 557, a bill for an act to appropriate from general fund to the department of public safety.

WILLIAM R. KENDRICK, Chief Clerk

HOUSE MESSAGES CONSIDERED

House File 727, a bill for an act relating to the movement of oversized and overweight vehicles and loads and providing penalties for violations thereof.

Read first time and **passed on file.**

House File 729, a bill for an act relating to the appointment of notaries public by the Secretary of State.

Read first time and **passed on file.**

House File 736, a bill for an act making an appropriation from the general fund of the State of Iowa to the Iowa liquor control commission for capital improvements.

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

HOUSE AMENDMENT TO SENATE FILE 544

- 1 Amend Senate File 544, page 2, line 25, by striking
- 2 the word "ten" and inserting in lieu thereof the word
- 3 "twenty".

HOUSE AMENDMENT TO SENATE FILE 557

- 1 Amend Senate File 557, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 Page 2, following line 27, insert the following:
- 4 No funds from any source shall be expended for the
- 5 operation of the criminal conspiracy unit until all
- 6 rules and regulations regarding the operation of that
- 7 unit, subject to chapter seventeen A (17A) of the Code,
- 8 have been approved.

CONSIDERATION OF BILLS

House File 724

The Senate resumed consideration of House File 724 and the appropriations committee amendment.

Senator Shaff offered the following amendment to the amendment:

- 1 Amend the Senate committee on appropriations amendment to
- 2 House File 724, filed June 10, 1971, page 3, by adding after line
- 3 6 the following new item and renumber the remaining item:
- 4 17. Page 5B, by adding the following new section after line 50:
- 5 "The board of regents may reallocate funds appropriated by this
- 6 Act among the institutions under its jurisdiction as long as the
- 7 reallocation does not exceed the grand total figure appropriated
- 8 to the board of regents by this Act."

Division was called for.

The amendment to the amendment was adopted.

Senator Lavery offered the following amendment to the amendment:

1 Amend the Senate committee on appropriations amendment to House
2 File 724, filed June 10, 1971, as follows:

3 1. Page 1, line 5, by striking the figures "136,610.00" and
4 "143,320.00" and inserting in lieu thereof the figures "144,000.00"
5 and "154,000.00".

6 2. Page 1, line 8, by striking the figure "35,919,000.00" and
7 inserting in lieu thereof the figure "36,876,000.00".

8 3. Page 1, line 9, by striking the figure "37,774,000.00" and
9 inserting in lieu thereof the figure "40,110,000.00".

10 4. Page 1, line 12, by striking the figure "8,535,000.00" and
11 inserting in lieu thereof the figure "8,738,000.00" and

12 5. Page 1, line 13, by striking the figure "8,033,000.00" and
13 inserting in lieu thereof the figure "8,738,000.00".

14 6. Page 1, line 16, by striking the figure "2,201,000.00" and
15 inserting in lieu thereof the figure "2,193,000.00".

16 7. Page 1, line 17, by striking the figure "2,304,000.00" and
17 inserting in lieu thereof the figure "2,287,000.00".

18 8. Page 1, line 20, by striking the figures "793,000.00" and
19 "837,000.00" and inserting in lieu thereof the figures "792,000.00"
20 and "833,000.00".

21 9. Page 1, line 23, by striking the figure "1,453,000.00" and
22 inserting in lieu thereof the figure "1,452,000.00".

23 10. Page 1, line 24, by striking the figure "1,509,000.00" and
24 inserting in lieu thereof the figure "1,504,000.00".

25 11. Page 2, line 2, by striking the figure "1,705,000.00" and

Page 2

1 inserting in lieu thereof the figure "1,688,000.00".

2 12. Page 2, line 3, by striking the figure "1,800,000.00" and
3 inserting in lieu thereof the figure "1,762,000.00".

4 13. Page 2, line 6, by striking the figure "28,869,900.00" and
5 inserting in lieu thereof the figure "29,629,000.00".

6 14. Page 2, line 7, by striking the figure "29,964,900.00" and
7 inserting in lieu thereof the figure "32,195,000.00".

8 15. Page 2, line 10, by striking the figure "3,992,000.00" and
9 inserting in lieu thereof the figure "4,003,000.00".

10 16. Page 2, line 11, by striking the figure "4,171,000.00" and
11 inserting in lieu thereof the figure "4,191,000.00".

12 17. Page 2, line 14, by striking the figure "3,373,000.00" and
13 inserting in lieu thereof the figure "3,400,000.00".

14 18. Page 2, line 15, by striking the figure "3,549,000.00" and
15 inserting in lieu thereof the figure "3,602,000.00".

16 19. Page 2, line 18, by striking the figure "11,306,900.00" and
17 inserting in lieu thereof the figure "11,044,000.00".

18 20. Page 2, line 19, by striking the figure "12,233,200.00" and
19 inserting in lieu thereof the figure "12,246,000.00".

20 21. Page 2, line 22, by striking the figures "900,890.00" and
21 "947,150.00" and inserting in lieu thereof the figures "881,000.00"
22 and "919,000.00".

23 22. Page 2, line 25, by striking the figure "1,624,900.00" and
24 inserting in lieu thereof the figure "1,590,000.00".

25 23. Page 3, line 1, by striking the figure "1,710,600.00" and

Page 3

1 inserting in lieu thereof the figure "1,659,000.00".

Senator Lavery moved the adoption of his amendment to the amendment and requested a roll call.

On the question "Shall the Lavery amendment to the amendment be adopted?" (H.F. 724) the vote was:

Rule 24 was invoked.

Ayes, 24:

Brownlee	Doderer	Milligan	Robinson
Coleman	Gaudineer	Neu	Schaben
Conklin	Glenn	Palmer	Tapscott
Curran	Gross	Potgeter	Van Drie
Davis	Kennedy	Rhodes	Van Gilst
DeKoster	Lavery	Riley	Walsh

Nays, 23:

Anderson	Erskine	Lamborn	Rabedeaux
Arbuckle	Gilley	Messerly	Shaff
Balloun	Graham	Mowry	Shawver
Bass	Griffin	Nicholson	Smith
Briles	Hill	Ollenburg	Stephens
Carlson	Keith	Potter	

Absent or not voting, 3:

Kyhl	Miller	Thordsen
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The amendment to the amendment was adopted.

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

The Senate resumed session, President Jepsen presiding.

Senator Davis moved to reconsider the vote by which the Lavery amendment to the amendment was adopted by the Senate.

Roll call was requested.

On the question "Shall the motion to reconsider the Lavery amendment to the amendment be adopted?" (H.F. 724) the vote was:

Ayes, 28:

Anderson	Conklin	Hill	Potter
Arbuckle	Curran	Keith	Rabedeaux
Balloun	Davis	Lamborn	Rhodes
Bass	Erskine	Messerly	Shaff
Briles	Gilley	Mowry	Shawver
Carlson	Graham	Nicholson	Smith
Coleman	Griffin	Ollenburg	Stephens

Nays, 19:

Brownlee	Gross	Palmer	Tapscott
DeKoster	Kennedy	Potgeter	Van Drie
Doderer	Lavery	Riley	Van Gilst
Gaudineer	Milligan	Robinson	Walsh
Glenn	Neu	Schaben	

Absent or not voting, 3:

Kyhl	Miller	Thordsen
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The motion prevailed and the Lavery amendment to the amendment was taken up for reconsideration.

Senator Lavery moved the adoption of the amendment to the amendment.

The amendment to the amendment lost.

On motion of Senator Balloun, the committee amendment as amended was adopted.

Senator Balloun offered the following amendment filed by Senators Balloun and Messerly on June 10:

- 1 Amend House File 724, as amended, passed and reprinted by
- 2 the House, as follows:
- 3 1. Page 4A, by striking line 35.
- 4 2. Page 4B, by striking lines 36 through 43.
- 5 3. Page 5A, by striking lines 4 through 16.

Senator Balloun offered the following amendment to the amendment and moved its adoption:

- 1 Amend the Balloun-Messerly amendment to House File 724, filed
- 2 June 10, 1971, by adding in line 5 after the figure "16" the words
- 3 "and insert in lieu thereof the words 'There is appropriated from
- 4 the general fund of the state to the University of Iowa, university
- 5 hospitals, the sum of five hundred thousand (500,000) dollars for
- 6 each fiscal year of the biennium, which amounts shall be in addition
- 7 to any other amounts appropriated by this Act.'".

The amendment to the amendment was adopted.

On motion of Senator Balloun, the amendment as amended was adopted.

Senator Van Gilst withdrew the following amendment:

- 1 Amend House File 724, as amended, passed and reprinted
- 2 by the House, page 5B, by striking lines 43 through 45.

Senator Van Gilst offered the following amendment and moved its adoption:

- 1 Amend House File 724, as amended, passed, and reprinted by
- 2 the House, as follows:
- 3 Page 5B, line 43, by striking the words "fees and".

The amendment was adopted.

Senator Balloun moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 724) the vote was:

Ayes, 39:

Anderson
Arbuckle

Balloun
Bass

Briles
Brownlee

Carlson
Coleman

Conklin	Griffin	Neu	Schaben
Curran	Hill	Nicholson	Shaff
Davis	Keith	Ollenburg	Shawver
DeKoster	Lamborn	Potgeter	Smith
Erskine	Lavery	Potter	Stephens
Gilley	Messerly	Rabedeaux	Van Gilst
Glenn	Milligan	Rhodes	Walsh
Graham	Mowry	Riley	

Nays, 8:

Doderer	Gross	Palmer	Tapscott
Gaudineer	Kennedy	Robinson	Van Drie

Absent or not voting, 3:

Kyhl	Miller	Thordsen
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Balloun moved that the vote by which **House File 724** passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

ADOPTION OF SECOND CONFERENCE COMMITTEE REPORT**House File 654**

Senator Rhodes called up for consideration the following report:

REPORT OF SECOND CONFERENCE COMMITTEE

We, the undersigned members of the second conference committee appointed to consider the difference between the Senate and the House of Representatives on House File 654, a bill for an act relating to state aid for schools, school district property taxes, imposing a school district income tax, providing administration by the director of revenue, adopting provisions relating to the state individual income tax, relating to the corporate income tax, and providing aid to cities, towns and counties from sales tax receipts, respectfully submit the following recommendations:

1. That the Senate recede from its amendment to the bill as amended and passed by the House.
2. That House File 654, as amended, passed, and reprinted by the House, be amended by striking everything after the enacting clause and inserting in lieu thereof the following:

DIVISION I

Section 1. **STATE SCHOOL FOUNDATION PROGRAM.** This division establishes a state school foundation program. For the school year beginning July 1, 1972, and each succeeding school year, each school district in the state is entitled to receive state school foundation aid, which shall be an amount per pupil in fall enrollment equal to the difference between the amount per pupil in fall enrollment of foundation property tax plus miscellaneous income in the district, and the state foundation base or the district cost per pupil, whichever is less. However, if the amount so determined for any district is less than two hundred dollars per pupil in fall enrollment, the district is entitled to receive not

less than two hundred dollars per pupil in fall enrollment except when a district's total general fund millage rate for the school year beginning July 1, 1972, or any succeeding school year, is reduced to ninety percent of the district's total general fund millage rate for the school year beginning July 1, 1970. In this case the district is entitled to receive only that portion of the two hundred dollars per pupil necessary to retain that ten percent reduction.

Sec. 2. FOUNDATION PROPERTY TAX. Each school district shall cause to be levied each year beginning in 1972, for the school general fund, a foundation property tax of twenty mills per dollar of assessed valuation on all taxable property in the district. For the purpose of this division, a school district is defined as a school corporation organized under chapter two hundred seventy-four (274) of the Code. Each county auditor shall certify to each school district within the county and to the state comptroller, not later than October first each year, the assessed valuation of taxable property for the current year in each school district within the county.

Sec. 3. STATE FOUNDATION BASE. The state foundation base for the school year beginning July 1, 1972, is seventy percent of the state cost per pupil. For each succeeding school year the state foundation base shall be increased by the amount of one percent of the state cost per pupil, up to a maximum of eighty percent of the state cost per pupil. The district foundation base is the larger of the state foundation base or the amount per pupil in fall enrollment which the district will receive from foundation property tax, miscellaneous income, and state school foundation aid.

Sec. 4. FALL ENROLLMENT. Fall enrollment shall be determined by adding the resident pupils who are enrolled on the second Friday of September of each year in public elementary and secondary schools of the district, and in special education classes for which tuition is paid by the district whether the special education class is conducted by a county board of education or another school district.

Shared-time and part-time pupils of school age shall be counted in the proportion that the time for which they are enrolled or receive instruction for the school year bears to the time that full-time pupils carrying a normal course schedule, at the same grade level, in the same school district, for the same school year, are enrolled and receive instruction.

Each school district shall certify its fall enrollment to the state department of public instruction by September twenty-fifth of each year, and the information shall be promptly forwarded to the state comptroller.

Sec. 5. MISCELLANEOUS INCOME. Miscellaneous income is all revenues of a school district general fund budget, exclusive of federal aid provided under title twenty (20), chapter thirteen (13), of the United States Code,

the foundation property tax, the state school foundation aid, guaranteed state aid, the additional school district property tax levy, any supplemental aid distributed by the school budget review committee and any school district income surtax imposed in the district.

Sec. 6. DISTRICT COST. As used in this division, "district cost" means the total expenditures or anticipated expenditures of a district which are payable from the school general fund, exclusive of federal aid provided under title twenty (20), chapter thirteen (13), of the United States Code.

Sec. 7. ALLOWABLE GROWTH. Each year the state comptroller shall compute the state percent of growth by adding the percents of increase for the second and third years of the most recent three-year period for which accurate figures are available, for each of the following sources of revenue, and dividing the total by four:

1. State general fund revenues, adjusted for changes in rates or basis.

2. Statewide assessed valuation of taxable property, adjusted for statewide changes in assessment practices.

Each year the state comptroller shall compute the dollar equivalent of the state percent of growth by multiplying the state cost per pupil for the preceding school year by the current state percent of growth, except that this dollar equivalent is limited to a maximum amount of forty-six dollars for the school year beginning on July 1, 1972, forty-eight dollars for the school year beginning on July 1, 1973, and fifty-one dollars for the school year beginning on July 1, 1974. As used in this division, "allowable growth" means the dollar equivalent of the state percent of growth.

Sec. 8. STATE COST PER PUPIL. The state cost per pupil for the school year beginning July 1, 1971, is nine hundred twenty dollars. The state cost per pupil for the school year beginning on July 1, 1972, and for each succeeding school year is the previous year's state cost per pupil plus the allowable growth. If the state percent of growth is zero or less, the state cost per pupil shall be the same as the previous year's state cost per pupil.

Sec. 9. MAXIMUM GENERAL FUND BUDGET AND ADDITIONAL SCHOOL DISTRICT PROPERTY TAX LEVY.

1. The state comptroller shall determine the additional school district property tax levy for each school district, which is in addition to the foundation property tax levy, as follows:

- a. The district cost per pupil in fall enrollment for the current school year ending June thirtieth each year, plus the allowable growth, determines the district cost per pupil for the school year beginning July first each year. However, if the district cost per pupil

in fall enrollment for the current school year ending June thirtieth each year exceeds one hundred ten percent of the state cost per pupil, the school budget review committee shall review the proposed budget and establish the amount of allowable growth for that district, not to exceed the limitations in section seven (7) of this division.

b. The district cost per pupil multiplied by the estimated fall enrollment for the school year beginning July first each year, determines the maximum district cost for each district. A school district may not exceed its maximum district cost unless additional millage is authorized or supplemental state aid is distributed to the district by the school budget review committee as provided in section thirteen (13), subsection five (5), of this division, or unless an additional amount is raised by a school district income surtax approved by the voters.

c. The district foundation base multiplied by the number of pupils in fall enrollment, and the product subtracted from the lesser of the actual or maximum district cost for the school year beginning July first each year, determines the amount to be raised by the additional school district property tax levy, subject to the maximum millage provided in section ten (10) of this division, any additional millage authorized by the school budget review committee under section thirteen (13), subsection five (5), paragraph a, of this division, or the maximum millage reduction provided in section twenty-one (21) of this division.

2. No later than December first of each year, the state comptroller shall notify the county auditor of each county the amount, both in dollars and mills, of the additional property tax levy in each school district in the county. Each county auditor shall spread the additional property tax levy for each school district over all taxable property in the district.

3. a. A county board of education or joint county board of education shall not certify for the fiscal year commencing July 1, 1972, or the fiscal year commencing January 1, 1973, or any succeeding fiscal year, an amount of money to be raised by property taxes for the general fund budget in excess of the amount of money raised by property taxes for general fund expenditures for its last preceding fiscal year, plus an amount determined by multiplying the state percent of growth determined under section seven (7) of this division by the amount raised by property taxes for the general fund budget for its last preceding fiscal year.

b. In addition to the amounts provided in paragraph a of this subsection, a county board of education or joint county board of education may certify and receive moneys to expand special education programs for the

fiscal year commencing July 1, 1972, or January 1, 1973 or any succeeding year. However, this exception applies only to those special education programs or courses which would have qualified for state reimbursement pursuant to chapter two hundred eighty-one (281) of the Code, as interpreted by the rules and regulations of the state department of public instruction effective on July 1, 1970.

c. If, for any school year, responsibility for a special education pupil is transferred from a school district to a county or joint county board of education, or from a county or joint county board of education to a school district, the moneys budgeted for that pupil shall be transferred to the district or board which accepts responsibility for the pupil, or a proportionate amount shall be transferred if the change is made during the school year.

Sec. 10. MAXIMUM MILLAGE LEVY. For the purpose of determining the maximum millage levy in a school district, the state comptroller shall determine the sum of the foundation property tax levy and the additional property tax levy, in mills. When this total millage rate exceeds the district general fund levy in mills for the school year which began July 1, 1970, he shall adjust the district general fund millage levy to a rate equal to the millage levy for the school year beginning July 1, 1970, unless additional millage is approved by the school budget review committee, as provided in section thirteen (13), subsection five (5), paragraph a, of this division.

Sec. 11. GUARANTEED STATE AID. For the school year beginning July 1, 1972, and for the next four succeeding school years, the state shall provide specific funds, called guaranteed state aid, to any school district in which the maximum millage, excluding any additional millage approved by the school budget review committee, plus the district's miscellaneous income and state school foundation aid, does not meet the actual or maximum district cost, whichever is less.

There is hereby appropriated from the general fund of the state to the department of public instruction moneys sufficient to pay the guaranteed state aid provided in this section. The state comptroller shall pay this aid no later than May fifteenth of each year, beginning in 1973 for the school year beginning July 1, 1972.

Sec. 12. SCHOOL BUDGET REVIEW COMMITTEE. A school budget review committee is established, consisting of the superintendent of public instruction, the state comptroller, and three members appointed by the governor to represent the public and to serve three-year staggered terms. Those serving on the effective date of this division as public members of the school budget review committee established under prior law shall continue to serve out their unexpired terms as members of the

committee established under this section. The committee shall meet and hold hearings each year and shall continue in session until it has reviewed budgets of school districts, as provided in section thirteen (13) of this division. It may call in school board members and employees as necessary for the hearings. Legislators shall be notified of hearings concerning school districts in their constituencies.

The committee shall adopt its own rules of procedure. The superintendent of public instruction shall serve as chairman, and the state comptroller shall serve as secretary. The committee members representing the public are entitled to receive a per diem equal to the per diem of members of the board of public instruction, and their necessary travel and other expenses while engaged in their official duties. Expense payments shall be made from appropriations to the department of public instruction.

Sec. 13. DUTIES OF THE COMMITTEE.

1. The school budget review committee may recommend the revision of any rules, regulations, directives, or forms relating to school district budgeting and accounting, confer with local school boards or their representatives and make recommendations relating to any budgeting or accounting matters, and may direct the superintendent of public instruction or the state comptroller to make studies and investigations of school costs in any school district.

2. The committee shall report to each session of the general assembly, which report shall include any recommended changes in laws relating to school districts, and shall specify the number of hearings held annually, the reasons for the committee's recommendations, and other information as the committee deems advisable.

3. The committee shall review the proposed or certified budget of any school district if the district cost per pupil in estimated fall enrollment has increased over the district cost per pupil in fall enrollment for the previous year by more than the allowable growth of the district.

4. The committee may review the proposed or certified budget of any school district as follows:

a. If the budget shows district costs per pupil in estimated fall enrollment of more than the state cost per pupil.

b. If in the judgment of the committee, the budget shows the district cost to be unreasonably high in relation to the comparative cost factors of similar districts, even if the district cost per pupil in estimated fall enrollment does not exceed the state cost per pupil.

5. The committee may authorize a school budget in excess of limitations provided in sections nine (9) and ten (10) of this division as follows:

a. If a nonpublic school within a district closes wholly or in part, the committee may authorize an

increase in the school general fund millage beyond the maximum permitted under section ten (10) of this division, but only to the extent necessary to cover the cost of absorbing the former nonpublic school pupils into the public school system. The school board shall establish the amount of necessary increased cost to the satisfaction of the school budget review committee before an increase in millage is authorized.

b. Additional supplemental state aid may be paid to any district from any discretionary funds appropriated specifically to the committee for this purpose.

6. If the committee does not authorize a school district's budget, it shall state its recommendations in terms of a specific reduction in the district cost, and in terms of a projected reduction in the millage rate of the school district, and shall notify the school board of its recommendations through the state comptroller.

7. The committee, when making recommendations relating to school budgets, shall consider each district's circumstances and facts which are unique and unusual, including but not limited to any unusual increases or decreases in enrollments, natural disasters, unusual transportation problems, and initial staffing problems.

8. Failure by any school district to provide information or appear before the committee as requested for the accomplishment of review or hearing shall constitute justification for the committee to instruct the state comptroller to withhold any state aid to that district until the committee's inquiries are satisfied completely.

9. The school budget review committee may call in any county board of education for the purpose of reviewing its budget as it relates to the individual districts within the county.

Sec. 14. ELECTION TO EXCEED MAXIMUM DISTRICT COST.

If a school board wishes to exceed its maximum district cost, as determined under section nine (9) of this division, it shall first submit its proposed budget to the school budget review committee. The committee may approve the proposed budget or may make other recommendations, but if the board decides that the district should exceed its maximum district cost, and the committee has not authorized an additional millage or supplemental state aid as provided in section thirteen (13), subsection five (5), of this division, the board shall submit to the voters of the school district, at a regular or special school election held not later than September fifteenth, the question of whether the proposed budget shall be approved, and financed by a school district income surtax of a specified rate, or whether the district shall be limited to its maximum district cost.

If a majority of those voting approves the proposed budget and the specified school district income surtax rate, the surtax, determined as provided in section fifteen (15) of this division, may be imposed by resolution of the school board.

If the proposed budget and surtax does not receive approval by a majority of those voting, the school board shall reduce its general fund budget to an amount which does not exceed its maximum district cost.

The school board shall certify the result of an election required under this section to the county auditor, the school budget review committee, and the director of revenue, within ten days following the election. If a school district income surtax is approved, the school board shall publish notice of the surtax rate, as provided in chapter six hundred eighteen (618) of the Code.

Sec. 15. SCHOOL DISTRICT INCOME SURTAX.

1. If a school district income surtax is proposed by a school board, the state comptroller shall determine the rate of school district income surtax as follows:

a. Determine the excess amount needed.

b. Determine the total amount of state individual income tax as shown on the individual tax returns of persons residing in the school district on December thirty-first of the last preceding calendar year for which accurate figures are available or on the last day of a taxpayer's fiscal year ending within that calendar year. The director of revenue shall report this amount to the state comptroller as requested.

c. Divide the total amount of state individual income tax determined into the excess amount needed. The quotient is the school district income surtax rate which shall be imposed on the state individual income tax for the calendar year during which the school year begins, or for a taxpayer's fiscal year ending during that calendar year but after the date of the election approving the budget, and for subsequent years as provided in subsections two (2) and three (3) of this section, and shall be imposed on all individuals residing in the school district on December thirty-first of each calendar year, or on the last day of their fiscal year. As used in this section, "state individual tax" means the tax computed under section four hundred twenty-two point five (422.5) of the Code, less the deductions allowed in section four hundred twenty-two point twelve (422.12) of the Code.

2. A school district income surtax rate approved by the voters, or as much of it as may be necessary, shall continue to be in effect in that school district until the school board finds that the surtax or a part of it is unnecessary, or until the amount of the surtax is altered by another election. If a school board wishes to increase the district costs so that they cannot be met by the combination of maximum millage, state aid, miscellaneous income, and the approved school

district income surtax, the school board may hold another election to submit the question of whether to increase the surtax rate for the district, and may increase the rate only if an increase is approved by a majority of those voting.

3. At least once every five years, if a school district income surtax is found to be necessary, the school board shall submit to the voters of the school district, at a regular or special school election held not later than September fifteenth, the question of whether to continue imposition of the established rate of school district income surtax or of a lesser rate as necessary. If a majority of those voting does not approve the proposed school district income surtax rate, the school board shall reduce its general fund budget to an amount which does not exceed its maximum district cost.

Sec. 16. STATUTES APPLICABLE. The director of revenue shall administer any school district income surtax imposed under this division, and all the provisions of sections four hundred twenty-two point twenty (422.20), four hundred twenty-two point twenty-two (422.22) through four hundred twenty-two point thirty-one (422.31), inclusive, four hundred twenty-two point sixty-eight (422.68), and four hundred twenty-two point seventy-two (422.72) through four hundred twenty-two point seventy-five (422.75), inclusive, of the Code, shall apply in respect to administration of the school district income surtax.

Sec. 17. FORM AND TIME OF RETURN. The school district income surtax shall be made a part of the Iowa individual income tax return subject to the conditions and restrictions set forth in section four hundred twenty-two point twenty-one (422.21) of the Code.

Sec. 18. DEPOSIT OF SCHOOL DISTRICT INCOME SURTAX. The director of revenue shall deposit all moneys received as school district income surtax to the credit of each district from which the moneys are received, in a "school district income surtax fund" which is established in the office of the treasurer of state.

Sec. 19. SCHOOL DISTRICT INCOME SURTAX CERTIFICATION. On or before October twentieth each year, the director of revenue shall make an accounting of the school district income surtax collected under this division applicable to tax returns for the last preceding calendar year, or for fiscal year taxpayers, on the last day of their tax year ending during that calendar year and after the date of the election approving the surtax, from taxpayers in each school district in the state which has imposed a surtax, and shall certify to the state comptroller and the state department of public instruction the amount of total school district income surtax credited from the taxpayers of each school district. Additional returns in process, if any, at

the time of certification shall be completed and the additional amount of school district income surtax reported to the state comptroller for distribution back to the school district with the first installation of the following school year.

Sec. 20. SCHOOL DISTRICT INCOME SURTAX DISTRIBUTION.

The state comptroller shall draw warrants in payment of the amount of surtax payable to each of the school districts in two installments to be paid on approximately the first day of December and the first day of February, and shall cause the warrants to be delivered to the respective school districts.

Sec. 21. MAXIMUM MILLAGE REDUCTION. If the functioning of the state school foundation program established by this division causes a reduction in any school district, for the school year beginning July 1, 1972, of more than ten percent of the district's total general fund millage for the school year beginning July 1, 1970, the reduction for the school year beginning July 1, 1972 is limited to that ten percent, and the reduction for each of the school years beginning July 1, 1973, and July 1, 1974, is limited to ten percent of the preceding year's millage. However, if this limitation results in a district millage levy which raises more than the district needs to meet the lesser of its actual or maximum district cost, the ten percent limitation does not apply, and the district may reduce its millage as much as can be done without entitling the district to state school foundation aid. The state comptroller shall compute any maximum millage reduction required by this section, and shall notify the school boards accordingly.

Sec. 22. TENTATIVE BUDGET. Not later than December first for each ensuing fiscal year, the board of directors of each school district shall set a tentative budget in dollars of the amount the district may spend on each program in the system as defined by the school budget review committee and in the forms prescribed by the committee. This prospectus of program and allotted dollars as approved by the board shall guide the superintendent when preparing the proposed budget for that year. These limitations submitted by the board of directors to the superintendent of schools for the district shall be promptly forwarded to the committee.

Sec. 23. RULES AND REGULATIONS. The superintendent of public instruction, after consultation with the state comptroller, may adopt rules and regulations and definitions of terms as necessary and proper for the administration of this division.

Sec. 24. LOCAL BUDGET LAW. Provisions of chapter twenty-four (24) of the Code remain applicable to school budgets.

Sec. 25. ESTIMATES OF MISCELLANEOUS AIDS. No later than September first of each year, the department of

public instruction shall certify to the state comptroller the amounts of any state aids other than the amounts provided in this division that will be received by each school district in the state. In the event any estimate of state aids in any school budget certified to the auditor as provided by section twenty-four point seventeen (24.17) of the Code is more or less than the amount of state aids certified to the state comptroller by the department of public instruction as provided by this section, the state comptroller shall certify to the county auditors the final millage for each school district.

Sec. 26. APPROPRIATIONS. There is hereby appropriated each year from the general fund of the state an amount necessary to pay the state school foundation aid.

All state aids paid under this division, unless otherwise stated, shall be paid in installments due on or about September fifteenth, December fifteenth, March fifteenth, and May fifteenth of each year, and the installments shall be as nearly equal as possible as determined by the state comptroller, taking into consideration the relative budget and cash position of the state resources.

All moneys received by a school district from the state under the provisions of this division shall be deposited in the general fund of the school district, and may be used for any school general fund purpose.

Sec. 27. There is hereby appropriated from the general fund of the state to the department of public instruction for the year beginning July 1, 1972, and ending June 30, 1973, one million six hundred thousand (1,600,000) dollars, or so much thereof as may be necessary for reimbursing public school districts and county or joint county school systems for expenditures incurred in accordance with the provisions of section two hundred fifty-seven point twenty-six (257.26) of the Code.

Claims for reimbursement for the period beginning July 1, 1971, and ending June 30, 1972, shall be made by July 30, 1972, to the department of public instruction, clearly detailing the expenditures incurred, and in a form prescribed by the department.

As a condition to receiving reimbursement under this section, a school district shall show by affidavit of an officer of the school board that the amount of reimbursement claimed by the school district does not exceed one-half of the actual costs incurred by the district under section two hundred fifty-seven point twenty-six (257.26) of the Code, and does not include the portion of those costs for which the district received state school foundation aid. The claims for reimbursement shall be certified by the department of public instruction to the state comptroller on or before August 31, 1972. On or before September 15, 1972, the state comptroller shall draw warrants on the fund created

by this section, payable to the school districts which have established claims. In the event that the amount appropriated is insufficient to pay in full the total amounts certified to the state comptroller, he shall prorate the fund and notify each school district of its pro rata percentage on or before September 15, 1972.

Sec. 28. Section two hundred eighty-one point nine (281.9), Code 1971, is amended by adding the following new paragraph:

"This section applies to all existing programs to July 1, 1973, and to the continuation of such existing programs after July 1, 1973."

Sec. 29. Chapter two hundred eighty-one (281), Code 1971, is amended by adding the following new section:

"A school district, county board of education, or joint county board of education that provides special education as required by this chapter shall, prior to March 1, 1972, and each March first thereafter, apply to the department of public instruction, upon forms prescribed by the department, for qualification to receive reimbursement pursuant to this chapter. During the following fiscal year the department shall approve each application and qualification if the district, county board of education, or joint county board establishes all of the following:

1. That there are sufficient students within the area who are in need of the instruction.
2. That the applying unit is the unit that can best and most efficiently provide for the instruction without duplicating services otherwise provided, as opposed to another available educational unit.
3. That the unit has qualified teachers available.
4. That the instruction is a natural and normal progression of a planned course or courses of instruction, and that this progressive growth factor is not out of proportion to the ability of the educational unit to pay for the courses of instruction.
5. That all reimbursement sought is for actual delivery of special education services and not for administrative costs.
6. Other factors as the department may require.

There is hereby appropriated out of the general fund of the state to the department of public instruction beginning July 1, 1973, a sum sufficient to pay all approved applications for reimbursement pursuant to this chapter and this section, to the extent that the approved applications are for expanded special education programs beyond those programs provided for the fiscal year commencing July 1, 1971, or January 1, 1972, but only to the extent that the expanded programs would have qualified for state reimbursement pursuant to this chapter, as interpreted by the rules and regulations of the state department of public instruction effective on July 1, 1970."

Sec. 30. Section two hundred ninety-eight point one (298.1), Code 1971, is amended as follows:

298.1 SCHOOL TAXES. The board of each school corporation shall estimate the amount of the proposed expenditures and proposed receipts for the general school purposes at a time and in a manner to effectuate the provisions of [chapter 442] *sections 1 through 29, inclusive, of this Act*. Compliance with chapter 24 shall be observed.

[Prior to compliance with section 24.9, the superintendent of the county school systems shall call a joint meeting of school superintendents and school board members for all of the local districts within the county basic school tax unit. The time and place for such joint meetings shall be set by the superintendent of the county school system.]

[The purpose of the joint meeting shall be for a review of the budgets of the several school districts within the county basic school tax units, and for the discussion of common problems within the county basic unit.]

Sec. 31. Section four hundred twenty-two point thirty-five (422.65), Code 1971, is amended as follows:

422.65 ALLOCATION OF REVENUE. [Ten] *Fifty-five* percent of the total moneys received from the franchise tax shall be deposited in the state general fund. The remaining moneys received from the franchise tax shall be deposited in a franchise tax fund hereby established in the office of the treasurer of state, and shall be paid quarterly on warrants by the state comptroller, after certification by the director of revenue, as follows:

[1. Fifty percent to the basic school tax equalization fund of the basic school tax unit from which the tax is collected, to be distributed in the same manner as other funds in the basic school tax equalization fund.]

[2. Thirty] 1. *Sixty* percent to the general fund of the city or town from which the tax is collected.

[3. Twenty] 2. *Forty* percent to the general fund of the county from which the tax is collected.

If the financial institution maintains one or more offices for the transaction of business, other than its principal office, a portion of its franchise tax shall be allocated to each office, based upon a reasonable measure of the business activity of each office. The director of revenue shall prescribe, for each type of financial institution, a method of measuring the business activity of each office. Financial institutions shall furnish all necessary information for this purpose at the request of the director.

Quarterly, the director of revenue shall certify to the treasurer of state the amounts to be paid to each [basic school tax unit,] city, town, and county from the franchise tax fund. All moneys received from the franchise tax are hereby appropriated according to the provisions of this section. *This section is applicable*

to all funds collected on or after July 1, 1970.

Sec. 32. Effective January 1, 1972, section four hundred thirty A point three (430A.33), Code 1971, is amended as follows:

430A.3 LEVY. There is hereby imposed upon capital employed in the business of making loans or investments within the state of Iowa, as determined under the provisions of this chapter, a tax of five mills on each dollar of such capital; such tax to be considered a tax upon moneys and credits of such corporations which shall be levied by the board of supervisors, and placed upon the tax list and collected by the county treasurer. The amount collected in each taxing district in cities and towns shall be apportioned twenty percent to the county general fund, thirty percent to the city or town general fund, and fifty percent to the [basic school tax equalization fund] *general fund of the state*, and the amount collected in each taxing district outside of cities and towns shall be apportioned fifty percent to the county general fund and fifty percent to the [basic school tax equalization fund] *general fund of the state*. The term "loans" as used herein shall mean the lending of money to members of the general public upon other than real estate security. The term "investments" as used herein shall mean the discounting, purchasing, or otherwise acquiring notes, mortgages, sales contracts, debentures, or any other evidences of indebtedness, based upon other than real estate security when such investments are made in connection with loans made to members of the general public in the state of Iowa or in the courts of any operations having as their effect the financing of business transactions within the state of Iowa resulting in the incurring of any indebtedness based upon security other than real estate security.

Sec. 33. Effective July 1, 1972, chapter four hundred forty-two (442), Code 1971, is repealed. The provisions of this division shall control school general fund budgets for the school year beginning July 1, 1972, and the provisions of chapter four hundred forty-two (442) of the Code, as limited by House File one hundred twenty-one (121), Acts of the Sixty-fourth General Assembly, First Session, shall control school general fund budgets and the levy and distribution of school funds for the school year beginning July 1, 1971.

Sec. 34. Effective January 1, 1972, chapter five hundred thirty-three point twenty-two (533.22), Code 1971, is amended as follows:

533.22 TAXATION. A credit union shall be deemed an institution for savings and shall be subject to taxation only as to its real estate, tangible personal property, moneys and credits. The shares shall not be taxed.

The moneys and credits tax on credit unions is hereby imposed at a rate of five mills on each dollar of legal

and special reserves of every credit union, and shall be levied by the board of supervisors, and placed upon the tax list and collected by the county treasurer, except that an exemption shall be given to each credit union in the amount of four thousand dollars and, in addition, any amount of the legal and special reserves which are invested in United States government securities. The amount collected in each taxing district within a city or town shall be apportioned twenty percent to the county general fund, thirty percent to the city or town general fund, and fifty percent to the [basic school tax equalization fund] *general fund of the state*, and the amount collected in each taxing district outside of cities and towns shall be apportioned fifty percent to the county general fund and fifty percent to the [basic school tax equalization fund] *general fund of the state*. The moneys and credits tax shall be collected at the location of the credit union as shown in its articles of incorporation.

DIVISION II

Sec. 35. Section four hundred twenty-two point five (422.5), Code 1971, is amended by striking subsections three (3) through seven (7), inclusive, and inserting in lieu thereof the following:

3. On the third thousand dollars of taxable income, or any part thereof, three percent.

4. On the fourth thousand dollars of taxable income, or any part thereof, four percent.

5. On the fifth, sixth, and seventh thousand dollars of taxable income, or any part thereof, five percent.

6. On the eighth and ninth thousand dollars of taxable income, or any part thereof, six percent.

7. On all taxable income over nine thousand dollars, seven percent.

Sec. 36. Section four hundred twenty-two point thirty-three (422.33), unnumbered paragraphs one (1), two (2), three (3), and four (4), Code 1971, are amended as follows:

A tax is hereby imposed upon each corporation organized under the laws of this state, and upon every foreign corporation doing business in this state, annually in an amount computed by applying the following rates of taxation to the net income received by the corporation during the income year:

On the first twenty-five thousand dollars of taxable income, or any part thereof, the rate of [four] *six* percent.

On the taxable income between twenty-five thousand dollars and one hundred thousand dollars or any part thereof, the rate of [six] *eight* percent.

On taxable income of one hundred thousand dollars or more, the rate of [eight] *ten* percent.

Sec. 37. Section four hundred twenty-two point thirty-three (422.33), subsection one (1), paragraph "b", unnumbered paragraph four (4), Code 1971, is amended as follows:

The gross sales of the corporation within the state shall be taken to be the gross sales from goods [sold and] delivered within the state, excluding deliveries for transportation out of the state.

Sec. 38. The provisions of sections thirty-five (35), thirty-six (36), and thirty-seven (37) of this division shall be effective January 1, 1971, for all taxable years commencing on or after January 1, 1971, and to this extent sections thirty-five (35), thirty-six (36), and thirty-seven (37) of this division are retroactive.

DIVISION III

Sec. 39. Section four hundred twenty-five point one (425.1), subsection five (5), unnumbered paragraph one (1) and paragraph "b", Code 1971, are amended as follows:

5. [In addition to the homestead credit of twenty-five mills on twenty-five hundred dollars of assessed valuation allowable under this chapter, in the event] *In lieu of the homestead tax credit allowed pursuant to subsections 1 through 4 of this section, if the owner, as defined in this chapter, is over sixty-five years of age, or is totally disabled, and provided that his Iowa net income, as defined in section 422.7, plus interest and dividends from federal securities and income from social security and other tax-exempt retirement or pension plans, when included with that of the spouse, brother, sister, son, daughter, if any, living with the claimant, is less than [three thousand five hundred] four thousand dollars for the last twelve-month income tax accounting period, there shall be credited by the county auditor on such owner's eligible homestead, an amount equal to [but not exceeding the amount calculated as provided in this section] one hundred twenty-five dollars, except that the credit shall not exceed the amount of the property taxes levied and collectible on the homestead for that year.*

b. His Iowa net income, plus interest and dividends from federal securities and income from social security and other tax-exempt retirement or pension plans when included with that of his spouse, if any, during the last preceding twelve-month income tax accounting period is less than [three thousand five hundred] *four thousand* dollars.

Sec. 40. The provisions of section thirty-nine (39) of this division shall become effective January 1. 1972.

DIVISION IV

Sec. 41. There is created a "municipal assistance fund" in the office of the treasurer of state.

Sec. 42. There is appropriated to the municipal assistance fund from the general fund of the state the sum of five million (5,000,000) dollars for each fiscal year of the biennium commencing July 1, 1971, and ending June 30, 1973.

Sec. 43. On or before June fifteenth of each year of the biennium, the state comptroller shall distribute the moneys in the municipal assistance fund to each

city and town in the state in the proportion that the population of each city and town is to the total population of all cities and towns in the state. However, the comptroller shall in no event distribute in any year to any city or town an amount in excess of one-half the amount to be collected from property tax levies by that city or town for that year. Any moneys remaining in the municipal assistance fund shall remain in the fund and be available for distribution the following year.

Sec. 44.

1. The population of each city and town shall be determined by the latest available federal census. An incorporated city or town may have one special federal census taken each decade, and the population figure obtained shall be used in apportioning amounts under this subsection beginning the calendar year following the year in which the special census is certified to the secretary of state.

2. In any case where an incorporated city or town has been incorporated since the latest available federal census, the mayor and council shall certify to the treasurer of state the actual population of the incorporated city or town as of the date of incorporation and its apportionment of funds under this subsection shall be based upon such certification until the next federal census enumeration. Any community which has dissolved its corporation shall not receive any apportionment of funds under this subsection after its dissolution.

3. In any case where an incorporated city or town has annexed any territory since the last regular or special federal census, the mayor and council shall certify to the treasurer of state the actual population of the annexed territory as determined by the last certified federal census of the territory and the apportionment of funds under this subsection shall be based upon the population of the city or town as modified by the certification of the population of the annexed territory until the next regular or special federal census enumeration.

4. In any case where two or more incorporated cities or towns have consolidated, the apportionment of funds under this subsection shall be based upon the population of the incorporated city or town resulting from the consolidation and shall be determined by combining the population of all incorporated cities and towns involved in the consolidation as determined by the last regular or special federal census enumeration for the consolidating city or town.

Sec. 45. Section twenty-six point six (26.6), Code 1971, is amended as follows:

26.6 POPULATION OF COUNTIES, TOWNSHIPS, CITIES,

AND TOWNS. Whenever the population of any county, township, city, or town is referred to in any law of this state, it shall be determined by the last certified, or certified and published, official census unless otherwise provided. However, the population figure disclosed for any city or town as the result of a special federal census as modified as the result of consolidation or annexation in the manner provided in sections 312.3, and 123.50, shall be considered for no other purposes than the application of sections 123.50 [and], 312.3 and the provisions of this division. Whenever a special federal census is hereafter taken by any city or town, the mayor and council shall certify the said census as soon as possible to the secretary of state and to the treasurer of state as otherwise herein provided, and failing to do so, the treasurer of state shall, after six months from the date of said special census, turn over such moneys as authorized by sections 123.50 and 312.3 to the general fund of the state, and continue to do so until such time as certification by said mayor and council is made, or until the next decennial federal census. If there be a difference between the original certified record in the office of the secretary of state and the published census the former shall prevail.

DIVISION V

Sec. 46. Notwithstanding any provisions of the Code, interstate bridges owned by a city or town may be subject to assessment and taxation in the discretion of the governing body of the city or town owning such bridge.

DIVISION VI

Sec. 47. Section four hundred twenty-two point forty-five (422.45), Code 1971, is amended by adding the following new subsection:

"The gross receipts from sales of tangible personal property used or to be used as railroad rolling stock for transporting persons or property, or as materials or parts therefor."

Sec. 48. Section four hundred twenty-three point four (423.4), Code 1971, is amended by adding the following new subsection:

"Tangible personal property used or to be used as railroad rolling stock for transporting persons or property, or as materials or parts therefor."

DIVISION VII

Sec. 49. Section four hundred twenty-two point sixty-nine (422.69), Code 1971, is amended by striking subsection two (2).

Sec. 50. Section four hundred twenty-two point seventy-eight (422.78), Code 1971, is amended as follows:

422.78 ALLOCATION TO MONEYS AND CREDITS REPLACEMENT

FUND IN EACH COUNTY. *There is created a permanent fund in the office of the treasurer of state to be known*

as the "moneys and credits replacement fund". The director shall determine the percentage which the aggregate taxable value for the year 1965 of the property described in and subject to taxation under section 429.2 owned or held by individuals, administrators, executors, guardians, conservators, trustees or an agent or nominee thereof, and the aggregate taxable value for the year 1965 of the property described in and subject to taxation under section 431.1 for the year 1965 but not subject to taxation under said section for the year 1966, in each county bears to the total aggregate taxable value of such property reported from all of the counties in the state and shall certify the percentage for each county to the state comptroller prior to January 1, 1967. In January of 1967 and in January of each succeeding year thereafter, the state comptroller shall apply said percentage to the money which shall have accumulated in the moneys and credits tax replacement fund prior to such January and thereby determine the amount thereof due to each county. The state comptroller shall draw warrants on the moneys and credits tax replacement fund in such amounts payable to the county treasurer of each county and transmit them. The county treasurer shall apportion these amounts as follows: *For the amounts received in January 1972, and all previously collected amounts, twenty percent to the county general fund, fifty percent to the [basic school tax equalization fund] school general fund, and the remaining thirty percent to cities and towns in the proportion that the taxable values for each city and town for 1965 of property subject to taxation in 1965 under sections 429.2 and 431.1 is to the total of such taxable values for all cities and towns within the county; for the amounts received in January 1973, and all subsequently collected amounts, forty percent to the county general fund, and the remaining sixty percent to cities and towns in the proportion that the taxable values for each city and town for the year 1965 under sections 429.2 and 431.1 is to the total of such taxable values for all the cities and towns within the county.*

There is appropriated to the moneys and credits replacement fund from the general fund of the state for the fiscal year beginning July 1, 1972 the sum of two million five hundred thousand (2,500,000) dollars, such sum to be paid to the moneys and credits replacement fund not later than January 10, 1973.

3. Amend the title, page 1, by striking all after the word "to" and inserting in lieu thereof the words "financing of governmental programs by providing state aid to schools, school district property taxes, imposing a school district income tax including administration by the director of revenue and adoption of administrative provisions for the state individual income tax including penalties and interest, relating to the state individual and corporate income tax, relating to sales and use tax exemptions, providing

property tax relief for the elderly and totally disabled, relating to the taxation of municipal interstate toll bridges, and providing aid to cities, towns, and counties.”

On the part of the Senate:

JOHN C. RHODES, Chairman
REINHOLD O. CARLSON
RALPH W. POTTER

On the part of the House:

DELWYN STROMER, Chairman
WARREN E. CURTIS
ROBERT M. KREAMER

CALL OF THE SENATE

The Chair announced the following Call of the Senate filed on House File 654:

MR. PRESIDENT: Pursuant to Rule 19 of the Rules of the Senate of the Sixty-fourth General Assembly, we, the undersigned, do hereby request a Call of the Senate on House File 654 and motions thereto.

JOHN C. RHODES
RALPH W. POTTER
REINHOLD O. CARLSON
WAYNE D. KEITH
H. L. OLLENBURG
WILSON L. DAVIS
ALDEN J. ERSKINE
MARVIN W. SMITH
ROGER J. SHAFF
JOHN L. MOWRY
J. WESLEY GRAHAM
CLIFTON C. LAMBORN

The Chair announced all members present with the exception of Senators Kyhl, Miller and Thordsen.

Senator Lamborn asked and received unanimous consent that Senators Kyhl, Miller and Thordsen be excused from the Call.

Senator Walsh moved that House File 654 be made a special order of business for Monday, June 14, 1971, at 10:00 a.m. and requested a roll call.

On the question “Shall the motion to make House File 654 a special order of business be adopted?” the vote was:

Ayes, 17:

Briles
Coleman
Doderer
Gaudineer
Glenn

Griffin
Gross
Hill
Kennedy

Palmer
Potgeter
Riley
Robinson

Schaben
Tapscott
Van Gilst
Walsh

Nays, 30:

Anderson
Arbuckle
Balloun
Bass
Brownlee
Carlson
Conklin
Curran

Davis
DeKoster
Erskine
Gilley
Graham
Keith
Lamborn
Laverty

Messerly
Milligan
Mowry
Neu
Nicholson
Ollenburg
Potter

Rabedeaux
Rhodes
Shaff
Shawver
Smith
Stephens
Van Drie

Absent or not voting, 3:
Kyhl Miller

Thordsen

The motion lost.

Senator Walsh raised a point of order under Joint Rule 12, section 3, that the conference committee report did not confine itself to the amendments in question.

The Chair ruled the point not well taken and the report in order because it did limit itself to the same subject matter.

Senator Glenn raised a point of order that the conference committee report did not confine itself to the differences of opinion between the two houses and was, therefore, out of order pursuant to the joint rules of the House and Senate as interpreted further by Mason's Manual of Legislative Procedure, Sec. 770, Paragraph 2.

The Chair ruled the point not well taken, for the reason that the key word, "objectionable", of this section does not give specific direction on the subject in question. Objectionable is the descriptive form of the noun objection. Webster's dictionary defines objection as a reason or argument presented in opposition: a feeling of disapproval. Legislative action usually includes reasoning, debating and sometimes arguing. Furthermore, a legislator may express his "feeling of disapproval" on any issue by reasoning, debating or arguing and finally recording his disapproval by registering a "No" vote. The Chair rules that Paragraph 2, Sec. 770, of Mason's Legislative Manual does not substantiate nor justify the request that the second conference committee report on House File 654 be ruled out of order. In addition, the Chair called the attention of the Senate to the remainder of Paragraph 2 which says: "Objection to form must be made at the time the report is introduced, and if not made at that time is not in order at a later period." The objection in this instance was made after over forty minutes of debate.

Senator Glenn appealed from the ruling of the Chair.

The Chair put the question: "Shall the ruling of the Chair stand as the judgment of the Senate?"

On the question: "Shall the ruling of the Chair stand as the judgment of the Senate?" (H.F. 654) the vote was:

Ayes, 43:

Anderson
Arbuckle
Balloun
Bass
Briles
Brownlee
Carlson
Coleman
Conklin
Curran
Davis

DeKoster
Erskine
Gaudineer
Gilley
Graham
Griffin
Gross
Hill
Keith
Kennedy
Lamborn

Laverty
Messerly
Milligan
Mowry
Neu
Nicholson
Ollenburg
Potgeter
Potter
Rabedaux
Rhodes

Riley
Robinson
Schaben
Shaff
Shawver
Smith
Stephens
Van Drie
Van Gilst
Walsh

Nays, 4:

Doderer	Glenn	Palmer	Tapscott
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Absent or not voting, 3:

Kyhl	Miller	Thordsen
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The ruling was sustained.

Senator Brownlee took the chair at 8:20 p.m.

President Jepsen took the chair at 8:30 p.m.

Senator Riley took the chair at 8:35 p.m.

President Jepsen took the chair at 9:11 p.m.

Senator Walsh moved that the Senate adjourn until 9:00 a.m., Monday, June 14, 1971, and requested a roll call.

On the question "Shall the motion to adjourn until 9:00 a.m., Monday, June 14, 1971, be adopted?" the vote was:

Ayes, 9:

Coleman	Gross	Palmer	Tapscott
Gaudineer	Kennedy	Robinson	Walsh
Glenn			

Nays, 36:

Anderson	Davis	Lavery	Rabedeaux
Arbuckle	DeKoster	Messerly	Rhodes
Balloun	Erskine	Milligan	Riley
Bass	Gilley	Mowry	Shaff
Briles	Graham	Neu	Shawver
Brownlee	Griffin	Nicholson	Smith
Carlson	Hill	Ollenburg	Stephens
Conklin	Keith	Potgeter	Van Drie
Curran	Lamborn	Potter	Van Gilst

Absent or not voting, 5:

Doderer	Miller	Schaben	Thordsen
Kyhl			

The motion lost.

Senator Doderer asked unanimous consent that she be excused from the Call of the Senate and recorded in the Journal as voting "No" on House File 654.

Objection was raised.

Senator Doderer moved that the rules be suspended and that she be excused from the Call of the Senate and recorded in the Journal as voting "No" on House File 654.

On the question "Shall the motion to suspend the rules be adopted?" (H.F. 654) the vote was:

Ayes, 2:

Coleman	Doderer
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Nays, 35:

Anderson	DeKoster	Milligan	Riley
Arbuckle	Erskine	Mowry	Robinson
Bass	Gilley	Neu	Shaff
Briles	Graham	Nicholson	Shawver
Brownlee	Griffin	Ollenburg	Smith
Carlson	Hill	Potgeter	Stephens
Conklin	Keith	Potter	Van Drie
Curran	Lamborn	Rabedeaux	Walsh
Davis	Messerly	Rhodes	

Voting present, 7:

Glenn	Kennedy	Schaben	Van Gilst
Gross	Palmer	Tapscott	

Absent or not voting, 6:

Balloun	Kyhl	Miller	Thordsen
Gaudineer	Laverty		

The motion lost.

Senator Doderer moved that she be excused from the Call of the Senate.

The motion lost.

Senator Rhodes moved the adoption of the second conference committee report and all recommendations and amendments contained therein.

On the question "Shall the report of the second conference committee be adopted?" (H.F. 654) the vote was:

Ayes, 27:

Anderson	Davis	Laverty	Rhodes
Arbuckle	DeKoster	Mowry	Shaff
Balloun	Erskine	Neu	Shawver
Bass	Gilley	Nicholson	Smith
Brownlee	Graham	Ollenburg	Stephens
Carlson	Keith	Potter	Van Drie
Curran	Lamborn	Rabedeaux	

Nays, 20:

Briles	Glenn	Messerly	Robinson
Coleman	Griffin	Milligan	Schaben
Conklin	Gross	Palmer	Tapscott
Doderer	Hill	Potgeter	Van Gilst
Gaudineer	Kennedy	Riley	Walsh

Absent or not voting, 3:

Kyhl	Miller	Thordsen
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The motion prevailed and the second conference committee report and all recommendations and amendments contained therein were adopted.

Senator Rhodes moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 654) the vote was:

Ayes, 27:

Anderson	Davis	Lavery	Rhodes
Arbuckle	DeKoster	Mowry	Shaff
Balloun	Erskine	Neu	Shawver
Bass	Gilley	Nicholson	Smith
Brownlee	Graham	Ollenburg	Stephens
Carlson	Keith	Potter	Van Drie
Curran	Lamborn	Rabedeaux	

Nays, 20:

Briles	Glenn	Messerly	Robinson
Coleman	Griffin	Milligan	Schaben
Conklin	Gross	Palmer	Tapscott
Doderer	Hill	Potgeter	Van Gilst
Gaudineer	Kennedy	Riley	Walsh

Absent or not voting, 3:

Kyhl	Miller	Thordsen
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The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senator Rhodes moved that the vote by which **House File 654** passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

BILLS ASSIGNED TO COMMITTEE

President Jepsen announced the assignment of the following bills to committee:

H. F. 727 Transportation

H. F. 729 State government

INTRODUCTION OF BILL

Senate File 580, by committee on appropriations, a bill for an act relating to an appropriation for payment of certain damages occasioned by the nonnegligent operation of an Iowa highway safety patrol vehicle.

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

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on June 10, 1971, the Governor approved and transmitted to the Secretary of State the following bills:

S. F. 485—Relating to elections to fill vacancies in the General Assembly.

S. F. 500—Relating to the Iowa inheritance tax.

S. F. 533—To legalize the purchase of real estate by the State Historical Society of Iowa for the use and benefit of the State of Iowa.

H. F. 373—To appropriate funds to defray the expenses of the inaugural ceremonies.

H. F. 522—Relating to the regulation of the manufacture, sale, transportation, storage, possession, and use of explosive materials; providing penalties for violations of those regulations; and requiring prompt reporting of knowledge or discovery of explosive devices, and providing a penalty for failure to so report.

H. F. 686—Relating to the review of school budgets for the school year commencing July 1, 1971 by the School Budget Review Committee, and the filing of tentative budgets by individual school districts.

H. F. 694—Relating to and to appropriate from the Motor Vehicle Fuel Tax Fund to the Department of Revenue.

A communication was received announcing that on June 11, 1971, the Governor approved and transmitted to the Secretary of State the following bill:

H. F. 347—Relating to the dispossession of a landowner under condemnation proceedings for highway purposes.

EXPLANATION OF VOTE

The following Democratic members of the Iowa Senate voted against the appropriations to the board of regents as a protest since it was our feeling that the appropriation as passed was totally inadequate for continuing a high level of educational progress in Iowa established in the past several years. Under this appropriation the universities will be in serious difficulty. The 50,000 young people in our state schools will be shortchanged. The lack of a salary increase for the thousands of conscientious regents employees forces them to subsidize the State of Iowa. We protest this miserly treatment. For these reasons, we voted "no" on this regressive measure.

MINNETTE DODERER
LEE H. GAUDINEER, JR.
WILLIAM GROSS
GENE KENNEDY
WILLIAM PALMER
CLOYD ROBINSON
JOHN TAPSCOTT

REPORT OF COMMITTEE

Senator DeKoster submitted the following report:

MR. PRESIDENT: Your committee on judiciary, to which was referred **House File 565**, a bill for an act to legalize and validate the proceedings of the city council of the City of Windsor Heights and the city council of the

City of Clive, in the County of Polk, State of Iowa, in adopting an Inter-governmental Corporation Boundary Agreement and establishing a portion of their common corporation boundary line and in taking action in reliance thereon, begs leave to report it has had the same under consideration and recommends the same **do pass**.

LUCAS J. DEKOSTER, Chairman

Ordered passed on file.

AMENDMENT FILED

- 1 Amend the committee on ways and means amendment to
- 2 House File 406, filed June 8, 1971, as follows:
- 3 1. By striking from line 2 the numerals "6" and "7"
- 4 and inserting in lieu thereof the numerals "7" and "8".
- 5 2. By striking from line 5 the word "*vehicles*".

WAYNE D. KEITH

On motion of Senator Lamborn, the Senate adjourned until 9:00 a.m., Monday, June 14, 1971.

JOURNAL OF THE SENATE

ONE HUNDRED FIFTY-FIFTH DAY

SENATE CHAMBER

DES MOINES, IOWA, MONDAY, JUNE 14, 1971

The Senate met in regular session, President Jepsen presiding.

Prayer was offered by the Reverend Robert D. Rae, pastor of the Highland Park United Presbyterian Church, Des Moines, Iowa.

The Senate pledged allegiance to the flag.

The Journal of Friday, June 11, 1971, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Thordsen for the day on request on Senator Lamborn; Senator Doderer for the day on request of Senator Gaudineer.

DISTINGUISHED GUEST

The Chair presented Dr. Gerald DeGroot, Deputy General for Foreign Economic Relations, the Netherlands, who extended greetings to the Senate from his country.

HOUSE AMENDMENT CONSIDERED

Senate File 544

Senator Anderson called up for consideration Senate File 544, a bill for an act making an appropriation from the general fund of the state to the commission on alcoholism, amended by the House, and moved that the Senate refuse to concur in the following amendment:

- 1 Amend Senate File 544, page 2, line 25, by striking
- 2 the word "ten" and inserting in lieu thereof the word
- 3 "twenty".

Roll call was requested.

On the question "Shall the Senate refuse to concur in the House amendment?" (S.F. 544) the vote was:

Rule 24 was invoked.

Ayes, 26:

Anderson	Conklin	Keith	Rabedaux
Arbuckle	Erskine	Lamborn	Riley
Balloun	Gilley	Mowry	Robinson
Bass	Graham	Nicholson	Smith
Briles	Griffin	Ollenburg	Stephens
Brownlee	Gross	Potter	Van Gilst
Coleman	Hill		

Nays, 19:

Carlson	Glenn	Palmer	Shawver
Curran	Laverty	Potgeter	Tapscott
Davis	Miller	Rhodes	Van Drie
DeKoster	Milligan	Schaben	Walsh
Gaudineer	Neu	Shaff	

Absent or not voting, 5:

Doderer	Kyhl	Messery	Thorsen
Kennedy			

The Senate refused to concur in the House amendment.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Rhodes, from the joint committee on enrolled bills, submitted the following report and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate Files 542 and 543.

JOHN C. RHODES
Chairman, Senate Committee
ELIZABETH R. MILLER
Chairman, House Committee

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate the following bills: Senate Files 542 and 543.

BILLS SENT TO THE GOVERNOR

Senator Rhodes, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 14th day of June, 1971, sent to the Governor for his approval: Senate Files 542 and 543.

JOHN C. RHODES, Chairman

Passed on file.

HOUSE AMENDMENT CONSIDERED

Senate File 557

Senator Keith called up for consideration Senate File 557, a bill for an act to appropriate from the general fund of the state to the department of public safety and various divisions thereof, amended by the House as follows:

- 1 Amend Senate File 557, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 Page 2, following line 27, insert the following:
- 4 No funds from any source shall be expended for the
- 5 operation of the criminal conspiracy unit until all
- 6 rules and regulations regarding the operation of that
- 7 unit, subject to chapter seventeen A (17A) of the Code,
- 8 have been approved.

Senator Brownlee took the chair at 10:34 a.m.

Senator Glenn moved that the Senate concur in the House amendment.

Senator DeKoster offered the following amendment to the House amendment by Senators DeKoster and Neu:

- 1 Amend the House amendment to Senate File 557,
- 2 line 8, by striking the word "approved" and inserting
- 3 in lieu thereof the word "submitted".

Action on the House amendment to Senate File 557 was temporarily deferred for the preparation of an amendment.

CONSIDERATION OF BILLS

Senator Riley asked and received unanimous consent to take up for consideration Senate File 580.

Senate File 580

On motion of Senator Riley, Senate File 580, a bill for an act relating to an appropriation for payment of certain damages occasioned by the nonnegligent operation of an Iowa highway safety patrol vehicle, was taken up and considered.

Senator Riley moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 580) the vote was:

Ayes, 45:

Anderson	Brownlee	Davis	Glenn
Arbuckle	Carlson	DeKoster	Graham
Balloun	Coleman	Erskine	Griffin
Rass	Conklin	Gaudineer	Gross
Briles	Curran	Gilley	Hill

Keith	Neu	Rabedaux	Smith
Lamborn	Nicholson	Rhodes	Stephens
Laverty	Ollenburg	Riley	Tapscott
Messerly	Palmer	Robinson	Van Drie
Miller	Potgeter	Schaben	Van Gilst
Milligan	Potter	Shawver	Walsh
Mowry			

Nays, none.

Absent or not voting, 5:

Doderer	Kyhl	Shaff	Thorsen
Kennedy			

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

Senator Lamborn asked and received unanimous consent that **Senate Files 544 and 580** be **immediately messaged** to the House, which request was complied with.

CONSIDERATION OF HOUSE AMENDMENT CONTINUED

Senate File 557

The Senate resumed consideration of the House amendment to Senate File 557.

Senator DeKoster asked and received unanimous consent to withdraw the DeKoster-Neu amendment to the House amendment.

Senator Glenn offered the following amendment to the House amendment:

- 1 Amend the House amendment to Senate File 557 as follows:
- 2 1. Line 5 by striking the word "all", by striking lines
- 3 6, 7 and 8, and inserting in lieu thereof the words,
- 4 "the General Assembly shall have provided specific
- 5 statutory authority for the operation of said unit."

Senator Glenn moved the adoption of his amendment to the House amendment and requested a roll call.

On the question "Shall the Glenn amendment to the House amendment be adopted?" (S.F. 557) the vote was:

Ayes, 14:

Coleman	Miller	Riley	Tapscott
Glenn	Milligan	Robinson	Van Gilst
Gross	Palmer	Schaben	Walsh
Hill	Potgeter		

Nays, 31:

Anderson	Carlson	Erschine	Keith
Arbuckle	Conklin	Gaudineer	Lamborn
Bass	Curran	Gilley	Laverty
Briles	Davis	Graham	Messerly
Brownlee	DeKoster	Griffin	Mowry

Neu
Nicholson
Ollenburger

Potter
Rabedeaux
Rhodes

Shaff
Shawver
Smith

Stephens
Van Drie

Absent or not voting, 5:

Balloun
Doderer

Kennedy

Kyhl

Thordsen

The amendment to the House amendment lost.

Senator Gaudineer offered the following amendment to the House amendment by Senators Gaudineer and DeKoster and moved its adoption:

- 1 Amend the House amendment filed June 11, 1971, to Senate
- 2 File 557 as follows:
- 3 1. Line 6, by inserting after the word "the" the word,
- 4 "internal".
- 5 2. Line 7, by striking all after the word "unit" and all
- 6 of line 8 and by inserting in lieu thereof the words "have
- 7 been submitted to the legislative rules review committee, been
- 8 made a matter of public record, and received any recommendations
- 9 of such committee relative to such rules."

The amendment to the House amendment was adopted.

On motion of Senator Glenn, the Senate concurred in the House amendment as amended.

Senator Keith moved that the bill as amended by the House and further amended and concurred in by the Senate be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 557) the vote was:

Ayes, 42:

Anderson
Arbuckle
Balloun
Bass
Brownlee
Carlson
Coleman
Curran
Davis
DeKoster
Gaudineer

Gilley
Glenn
Graham
Griffin
Gross
Keith
Lamborn
Lavery
Messerly
Miller
Milligan

Mowry
Neu
Nicholson
Ollenburger
Palmer
Potgeter
Potter
Rabedeaux
Rhodes
Riley

Robinson
Schaben
Shaff
Shawver
Smith
Stephens
Tapscott
Van Drie
Van Gilst
Walsh

Nays, none.

Absent or not voting, 8:

Briles
Conklin

Doderer
Erschine

Hill
Kennedy

Kyhl
Thordsen

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

Senator Lamborn asked and received unanimous consent that **Senate File 557** be **immediately messaged** to the House, which request was complied with.

REPORT OF COMMITTEE

Senator Smith submitted the following report:

MR. PRESIDENT: Your committee on constitutional amendments and reapportionment, to which was referred **House File 732**, a bill for an act to establish the composition of the General Assembly and provide for election of members thereof, begs leave to report it has had the same under consideration and recommends the same **be amended as follows; and returns it without recommendation**:

- 1 Amend House File 732 as amended and passed by the
- 2 House as follows:
- 3 1. Page 6, by striking lines 11 through 19, inclusive,
- 4 and inserting in lieu thereof the following:
- 5 "9. The ninth representative district shall consist of:
- 6 a. In Cerro Gordo county, Clear Lake, Grant, Lincoln,
- 7 Lime Creek and Falls townships.
- 8 b. In Howard county, Oakdale and Jamestown townships
- 9 and that portion of Afton township lying outside the cor-
- 10 porate limits of the town of Elma.
- 11 c. All of Mitchell county.
- 12 d. All of Worth county."
- 13 2. Page 7, by striking line 1 through 4, inclusive,
- 14 and inserting in lieu thereof the following:
- 15 "b. In Cerro Gordo county:
- 16 (1) Lake, Mason, Portland, Bath and Owen townships.
- 17 (2) The city of Clear Lake.
- 18 (3) The part of the city of Mason City not included in
- 19 representative district ten, as described by subsection
- 20 ten (10) of this section."
- 21 3. Page 7, line 9, by striking the words "Pleasant
- 22 Grove and Riverton" and inserting in lieu thereof the words
- 23 "and Pleasant Grove".
- 24 4. Page 7, line 10, by inserting after the word "Ingham,"
- 25 the word "Reeve,".

Page 2

- 1 5. Page 7, by striking lines 17 and 18 and inserting
- 2 in lieu thereof the following:
- 3 "c. All of Howard county except Oakdale and Jamestown
- 4 townships and that portion of Afton township lying outside
- 5 the corporate limits of the town of Elma.
- 6 d. In Winneshiek county, Fremont and Orleans township."
- 7 6. Page 7, line 24, by striking the word "Springfield"
- 8 and inserting in lieu thereof the words "Fremont, Orleans".
- 9 7. Page 7, line 30, by striking the words "Highland
- 10 and Sperry townships" and inserting in lieu thereof the
- 11 words "Sperry township".
- 12 8. Page 8, lines 1 and 2, by striking the words
- 13 "Highland and Sperry townships" and inserting in lieu
- 14 thereof the words "Sperry township".
- 15 9. Page 8, line 3, by striking the word "Springfield,".

- 16 10. Page 13, line 11, by inserting after the word
17 "Union," the words "Mount Vernon,".
18 11. Page 13, line 1, by striking the word "Reeve,".
19 12. Page 14, line 2, by striking the word "Union,".
20 13. Page 14, by inserting after line 8 the following
21 new paragraph:
22 "d. In Floyd county, Riverton township."
23 14. Page 15, line 7, by inserting before the words
24 "Black Hawk" the word "Union,".
25 15. Page 19, by striking lines 19 through 32, inclu-

Page 3

- 1 sive, and inserting in lieu thereof the following:
2 "37. The thirty-seventh representative district shall
3 consist of:
4 a. In Crawford county, Soldier, Morgan, Otter Creek,
5 Stockholm, Jackson, Charter Oak, Hanover, Goodrich, Mil-
6 ford and West Side townships.
7 b. All of Carroll county except Richland and Union
8 townships.
9 38. The thirty-eighth representative district shall
10 consist of:
11 a. In Crawford county, Willow, Paradise, Denison, East
12 Boyer, Hayes, Boyer, Union, Washington, Nishnabotny and
13 Iowa townships.
14 b. All of Shelby county."
15 16. Page 45, by striking lines 3 through 16, inclusive,
16 and inserting in lieu thereof the following:
17 "81. The eighty-first representative district shall
18 consist of:
19 a. All of Harrison county.
20 b. All of Monona county.
21 82. The eighty-second representative district shall
22 consist of the following portion of Pottawattamie county:
23 a. All of Pottawattamie county outside the city of
24 Council Bluffs except (1) Center, Wright, Macedonia, Grove
25 and Waveland townships, and (2) that portion of Lewis

Page 4

- 1 township outside the corporate limits of the city of
2 Council Bluffs.
3 b. A part of the city of Council Bluffs bounded on the
4 west and southwest by representative districts eighty-
5 three and eighty-four as described in subsections eighty-
6 three (83) and eighty-four (84) of this section, and having
7 as its northern, eastern, and southeastern boundary that
8 portion of the corporate limits of the city of Council
9 Bluffs beginning at the intersection of the boundary be-
10 tween Garner and Kane townships and the northern corpo-
11 rate limits of the city of Council Bluffs, which is a
12 point on the boundary of representative district eighty-
13 three, and running east, south, and southwest along the
14 corporate limits of the city of Council Bluffs, to its
15 intersection with state highway 375, which is a point on
16 the boundary of representative district eighty-four."
17 17. Page 47, by striking lines 11 through 30, inclu-

- 18 sive, and inserting in lieu thereof the following:
19 "85. The eighty-fifth representative district shall
20 consist of:
21 a. All of Fremont county.
22 b. All of Page county."
23 18. Page 48, by striking lines 4, 5, 6 and 7 and
24 inserting in lieu thereof the following:
25 "The eighty-seventh representative district shall

Page 5

- 1 consist of:
2 a. In Adair county, Adair and Summit townships.
3 b. All of Audubon county.
4 c. All of Cass county.
5 d. In Guthrie county, Grant township."
6 19. Page 53, by striking lines 22 through 27, in-
7 clusive, and inserting in lieu thereof the following:
8 "4. The fourth senatorial district shall consist of
9 the seventh and twenty-fifth representative districts.
10 5. The fifth senatorial district shall consist of the
11 eighth and ninth representative districts.
12 6. The sixth senatorial district shall consist of the
13 tenth and eleventh representative districts."
14 20. Page 54, by striking lines 5 through 12, inclu-
15 sive, and inserting in lieu thereof the following:
16 "13. The thirteenth senatorial district shall consist
17 of the twenty-sixth and forty-third representative districts.
18 14. The fourteenth senatorial district shall consist
19 of the twelfth and twenty-seventh representative districts.
20 15. The fifteenth senatorial district shall consist of
21 the twenty-eighth and twenty-ninth representative districts.
22 16. The sixteenth senatorial district shall consist of
23 the thirtieth and thirty-first representative districts."
24 21. Page 54, by striking from line 24 the words
25 "forty-third and forty-fourth" and inserting in lieu

Page 6

- 1 thereof the words "forty-fourth and forty-seventh".
2 22. Page 54, by striking from line 28 the word "forty-
3 seventh" and inserting in lieu thereof the word "thirty-
4 second".

MARVIN W. SMITH, Chairman

Ordered passed on file.

On motion of Senator Lamborn, the Senate recessed until 1:15 p.m.

AFTERNOON SESSION

The Senate reconvened, Senator Brownlee presiding.

CALL OF THE SENATE

The Chair announced the following Call of the Senate on House File 732 and directed the Secretary to call the roll.

MR. PRESIDENT: Pursuant to Rule 19 of the Rules of the Senate of the Sixty-fourth General Assembly, we, the undersigned, do hereby request a Call of the Senate on House File 732 and motions thereto.

CLIFTON C. LAMBORN
JOHN M. WALSH
RALPH W. POTTER
H. L. OLLENBURG
WAYNE KEITH
ROGER J. SHAFF
EDWARD E. NICHOLSON
A. J. ERSKINE
LUCAS J. DeKOSTER
S. J. BROWNLEE
J. WESLEY GRAHAM
W. R. RABEDEAUX
FLOYD GILLEY

Roll call revealed all members present with the exception of Senators Doderer, Griffin, Kyhl and Thordsen.

Senator Lamborn asked and received unanimous consent that Senator Griffin be excused from the Call of the Senate on account of illness, and that he would return to the Senate chamber to vote if called.

Senator Lamborn asked and received unanimous consent that Senators Doderer, Kyhl and Thordsen be excused from the Call of the Senate.

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

The Senate resumed session, Senator Brownlee presiding.

CONSIDERATION OF BILLS

Senator Lamborn asked and received unanimous consent to take up for consideration House File 732.

House File 732

On motion of Senator Smith, House File 732, a bill for an act to establish the composition of the General Assembly and provide for election of the members thereof, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Smith offered the amendment filed by the committee on constitutional amendments and reapportionment, found on pages 1814-1816 of the Senate Journal.

Senator Smith offered the following amendment to the amendment and moved its adoption:

- 1 Amend the committee on constitutional amendments and
- 2 reapportionment amendment, filed June 14, 1971, to House File 732, page 1,
- 3 by striking in line 3 the figure "19" and insert in lieu thereof
- 4 the figure "21".

The amendment to the amendment was adopted.

Senator Erskine offered the following amendment to the amendment:

- 1 Amend the constitutional amendments and reapportion-
- 2 ment committee amendment to House File 732 as follows:
- 3 1. Page 1, by inserting after line 2 the following
- 4 new amendments and redesignating the succeeding amend-
- 5 ments accordingly:
- 6 "1. Page 5, by striking lines 19, 20, 21 and 22, and
- 7 inserting in lieu thereof the following:
- 8 '4. The fourth representative district shall consist
- 9 of:
- 10 a. All of Clay county except Lone Tree and Clay
- 11 townships.
- 12 b. All of Dickinson county except Richland and
- 13 Lloyd townships.'
- 14 2. Page 5, by striking lines 30, 31, 32, 33 and 34
- 15 and inserting in lieu thereof the following:
- 16 '6. The sixth representative district shall consist
- 17 of:
- 18 a. In Dickinson county, Richland and Lloyd townships.
- 19 b. All of Emmet county.
- 20 c. All of Palo Alto county, except West Bend township.
- 21 d. In Pocahontas county, Cummins and Powhatan town-
- 22 ships.'"

Senator Riley took the chair at 3:08 p.m.

Senator Erskine moved the adoption of the amendment to the amendment.

Division was called for.

The amendment to the amendment lost.

Senator Ollenburg offered the following amendment to the amendment by Senators Curran and Ollenburg and moved its adoption:

- 1 Amend the constitutional amendments and reapportionment
- 2 committee amendment to House File 732 as follows:
- 3 1. By striking from page 1, line 7 of the amendment
- 4 the words "Lime Creek".
- 5 2. By inserting in page 1 of the amendment, after
- 6 line 7, the following new paragraph and redesignating the
- 7 succeeding paragraphs accordingly:
- 8 "b. In Floyd county, Cedar and Niles townships."
- 9 3. By striking from page 1 of the amendment lines 13,
- 10 14, 15 and 16 and inserting in lieu thereof the following:
- 11 "Page 6, by striking lines 34 through 37, inclusive,

12 and page 7, by striking lines 1 through 4, inclusive, and
13 inserting in lieu thereof the following:
14 '11. The eleventh representative district shall
15 consist of:
16 a. In Floyd county, Rock Grove, Rudd, Floyd and St.
17 Charles townships, and the city of Charles City.
18 b. In Cerro Gordo county:
19 (1) Lake, Lime Creek, Mason, Portland, Bath and Owen
20 townships.'"

The amendment to the amendment was adopted.

Senator Lavery offered the following amendment to the amendment and moved its adoption:

1 Amend the constitutional amendments and reapportionment
2 committee amendment to House File 732 by adding the
3 following new amendment:
4 "Page 38, by striking lines 16 through 25, inclusive,
5 and inserting in lieu thereof the following:
6 '69. The sixty-ninth representative district shall
7 consist of:
8 a. In Marion county, Pleasant Grove township.
9 b. All of Warren county except Liberty and White
10 Breast townships.
11 70. The seventieth representative district shall
12 consist of:
13 a. In Mahaska county, Richland, Black Oak, Scott,
14 Jefferson and West Des Moines townships.
15 b. All of Marion county, except Pleasant Grove township.
16 c. In Warren county, Liberty and White Breast township.'"

The amendment to the amendment was adopted.

Senator Briles offered the following amendment to the amendment and moved its adoption:

1 Amend the constitutional amendments and reapportion-
2 ment committee amendment to House File 732 as follows:
3 1. Page 3, by inserting after line 14 the following
4 new amendment:
5 "16. Page 19, by striking lines 33, 34, 35 and 36,
6 and page 20, by striking lines 1 through 6, inclusive,
7 and inserting in lieu thereof the following:
8 "39. The thirty-ninth representative district shall
9 consist of:
10 a. In Carroll county, Richland and Union townships.
11 b. In Dallas county, Dallas, Lincoln, Linn and Union
12 townships.
13 c. All of Greene county.
14 d. All of Guthrie county except Bear Grove, Baker,
15 Grant, Thompson, Beaver, Jackson, Penn and Stuart town-
16 ships.
17 e. In Webster county, Gowrie township and that part
18 of the town of Gowrie lying in Lost Grove township.'"
19 2. Page 4, by inserting after line 22 the following

20 new amendment:

21 "19. Page 47, by striking lines 33 and 34 and inserting
22 in lieu thereof the following:

23 'a. In Cass county, Pleasant township.'"

24 3. Page 5, by striking line 5 and inserting in lieu
25 thereof the following:

Page 2

1 "d. In Guthrie county, Bear Grove, Baker, Grant,
2 Thompson and Beaver townships."

3 21. Page 48, by striking lines 8 through 17, inclusive,
4 and inserting in lieu thereof the following:

5 '88. The eighty-eighth representative district shall
6 consist of:

7 a. All of Adair county, except Adair and Summit town-
8 ships.

9 b. All of Adams county.

10 c. In Guthrie county, Beaver, Jackson, Penn and Stuart
11 townships.

12 d. In Madison county, Penn and Jackson townships and
13 that portion of the town of Earlham in Madison township.

14 e. All of Taylor county.'"

15 4. By renumbering the succeeding sections of the
16 committee amendment in accordance with this amendment.

Division was called for.

The amendment to the amendment was adopted.

Senator Smith moved the adoption of the amendment as amended and requested a roll call.

On the question "Shall the committee amendment as amended be adopted?" (H.F. 732) the vote was:

Rule 24 was invoked.

Ayes, 19:

Anderson	Gilley	Nicholson	Riley
Bass	Graham	Ollenburg	Shaff
Briles	Keith	Potter	Smith
Brownlee	Lamborn	Rabedeaux	Stephens
Erskine	Neu	Rhodes	

Nays, 27:

Arbuckle	DeKoster	Messerly	Schaben
Balloun	Gaudineer	Miller	Shawver
Carlson	Glenn	Milligan	Tapscott
Coleman	Gross	Mowry	Van Drie
Conklin	Hill	Palmer	Van Gilst
Curran	Kennedy	Potgeter	Walsh
Davis	Laverty	Robinson	

Absent or not voting, 4:

Doderer	Griffin	Kyhl	Thorsen
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The amendment as amended lost.

Senator Palmer offered the following amendment by Senators Palmer, Gaudineer, et al.:

- 1 Amend House File 732 as amended and passed by the
- 2 House as follows:
- 3 1. Page 2, by striking line 25 and inserting in
- 4 lieu thereof the following:
- 5 "Sec. 2. As used in this Act:
- 6 1. Each reference to a specific".
- 7 2. Page 2, by inserting after line 33 the following
- 8 new subsection:
- 9 "2. Each reference to an enumeration district,
- 10 census tract, or census tract block group means the
- 11 enumeration district, census tract, or census tract
- 12 block group so identified, established by the United
- 13 States bureau of the census for the 1970 federal
- 14 decennial census, and shown upon the place map for the
- 15 indicated city or town, or upon the metropolitan map
- 16 series for the standard urbanized area designated by
- 17 the census bureau which includes the indicated city
- 18 or town, as such maps have been prepared by the geography
- 19 division of the United States bureau of the census."
- 20 3. By striking all of section four (4) of the bill
- 21 and inserting in lieu thereof the following:
- 22 "Sec. 4. The state is divided into one hundred
- 23 representative districts, as follows:
- 24 1. The first representative district shall consist
- 25 of:

Page 2

- 1 a. All of Lyon county.
- 2 b. In Sioux county, Sheridan, Capel and Grant town-
- 3 ships.
- 4 c. In O'Brien county, Lincoln, Franklin and Floyd
- 5 townships.
- 6 d. In Osceola county, Viola, Wilson, Holman, Gilman
- 7 and Goewey townships.
- 8 2. The second representative district shall consist
- 9 of:
- 10 a. In Sioux county, that portion of the town of
- 11 Sioux Center in Welcome township, and West Branch,
- 12 Sherman, Holland, Nassau, East Orange, Floyd and Lynn
- 13 townships.
- 14 b. In Plymouth county, Elgin, Fredonia, Marion,
- 15 Meadow and Remsen townships.
- 16 c. In O'Brien county, Carroll, Summit, Center,
- 17 Baker, Dale, Highland, Caledonia and Union townships,
- 18 and that portion of Liberty township lying outside the
- 19 corporate limits of the town of Sutherland.
- 20 d. In Cherokee county, Marcus, Liberty, Cedar,
- 21 Amherst and Sheridan townships, and that portion of
- 22 Cherokee township lying outside the corporate limits
- 23 of the city of Cherokee.
- 24 3. The third representative district shall consist
- 25 of:

Page 3

- 1 a. All of Dickinson county.
- 2 b. In Osceola county, Horton, Fairview, Ocheyedan,
- 3 Allison, Baker and Harrison townships.
- 4 c. In Clay county, Waterford, Summit, Lone Tree
- 5 and Riverton townships and the city of Spencer.
- 6 4. The fourth representative district shall consist
- 7 of:
- 8 a. All of Clay county, except that portion included
- 9 in representative district three, as described in
- 10 subsection three (3) of this section.
- 11 b. In O'Brien county, Hartley, Omega, Grant and
- 12 Waterman townships, and that portion of the town of
- 13 Sutherland lying in Liberty township.
- 14 c. All of Palo Alto county.
- 15 d. In Kossuth county, Lotts Creek and Whittemore
- 16 townships.
- 17 e. In Pocahontas county, Swan Lake township.
- 18 f. In Cherokee county, Spring township.
- 19 g. In Buena Vista county, Brooke and Barnes
- 20 townships.
- 21 5. The fifth representative district shall consist
- 22 of:
- 23 a. All of Emmet county.
- 24 b. In Kossuth county, Eagle, Grant, Springfield,
- 25 Ledyard, Harrison, Swea, Seneca, Greenwood, Ramsey,

Page 4

- 1 Portland, Burt, Fenton and Union townships and the city
- 2 of Algona.
- 3 6. The sixth representative district shall consist
- 4 of:
- 5 a. In Kossuth county, Plum Creek, Cresco, Irvington,
- 6 Garfield, Riverdale and Sherman townships, and the town
- 7 of Luverne in Luverne township.
- 8 b. All of Humboldt county, except Corinth township,
- 9 that portion of Weaver township lying outside the
- 10 corporate limits of the town of Gilmore City, the town
- 11 of Dakota City, and the city of Humboldt.
- 12 c. All of Wright county, except Troy and Woolstock
- 13 townships.
- 14 d. In Franklin county, that portion of the town
- 15 of Dows lying in Morgan township.
- 16 e. In Hancock county, Amsterdam, Twin Lake and Avery
- 17 townships, and that portion of Magor township lying
- 18 outside the corporate limits of the town of Corwith.
- 19 7. The seventh representative district shall consist
- 20 of:
- 21 a. In Kossuth county, Hebron, Lincoln, German,
- 22 Buffalo, Wesley and Prairie townships and that portion
- 23 of Luverne township outside the corporate limits of
- 24 the town of Luverne.
- 25 b. All of Winnebago county.

Page 5

- 1 c. All of Hancock county, except that portion
2 included in representative district six, as described
3 in subsection six (6) of this section.
4 d. In Worth county, Silver Lake township.
5 8. The eighth representative district shall consist
6 of:
7 a. In Worth county, Hartland, Bristol, Brookfield,
8 Fertile and Danville townships.
9 b. In Cerro Gordo county:
10 (1) Grant, Lincoln, Clear Lake, Clear Lake City
11 and Lake townships, and enumeration district 23 in Mason
12 township.
13 (2) Enumeration districts 29, 30A, 30B, 31, 40,
14 41, 42, 43, 44, 45, 46, 47, 49, 50, 51 and 52A of the
15 city of Mason City.
16 9. The ninth representative district shall consist
17 of:
18 a. In Cerro Gordo county:
19 (1) Lime Creek, Falls, Portland and Owen townships,
20 enumeration district 24 of Mason township, and that
21 portion of Dougherty township lying outside the corporate
22 limits of the town of Dougherty. The city of Mason
23 City not included in representative district eight,
24 as described in subsection eight (8) of this section.
25 b. In Floyd county, Rock Grove township.

Page 6

- 1 c. In Worth county, Grove, Deer Creek, Kensett,
2 Barton, Lincoln and Union townships.
3 10. The tenth representative district shall consist
4 of:
5 a. All of Mitchell county, except that portion of
6 the town of Riceville lying in Jenkins township.
7 b. All of Floyd county, except Rock Grove, Scott,
8 Union, Pleasant Grove and Riverton townships.
9 11. The eleventh representative district shall
10 consist of:
11 a. All of Howard county.
12 b. In Mitchell county, that portion of the town
13 of Riceville lying in Jenkins township.
14 c. All of Chickasaw county except Fredericksburg
15 township.
16 d. In Floyd county, Riverton township.
17 e. In Butler county, Fremont township.
18 f. In Bremer county, Polk township.
19 12. The twelfth representative district shall consist
20 of:
21 a. All of Winneshiek county, except Glenwood,
22 Frankville and Bloomfield townships.
23 b. In Allamakee county, Hanover township.
24 c. In Chickasaw county, Fredericksburg township.
25 d. In Fayette county, Eden, Auburn, Dover, Bethel,

Page 7

- 1 Windsor and Union townships, and the city of West Union.
- 2 13. The thirteenth representative district shall
- 3 consist of:
- 4 a. All of Allamakee county, except Hanover township.
- 5 b. In Winneshiek county, Glenwood, Frankville and
- 6 Bloomfield townships.
- 7 c. In Fayette county, Clermont, Pleasant Valley
- 8 and Illyria townships.
- 9 d. In Clayton county, Grand Meadow, Monona, Giard,
- 10 Mendon, Marion, Wagner, Farmersburg, Clayton, Garnavillo,
- 11 and Read townships.
- 12 14. The fourteenth representative district shall
- 13 consist of:
- 14 a. In Clayton county, Highland, Boardman, Sperry,
- 15 Cox Creek, Volga, Jefferson, Cass, Lodomillo, Elk,
- 16 Mallory, Millville and Buena Vista townships.
- 17 b. In Fayette county, Smithfield, Fairfield, Oran,
- 18 Jefferson, Scott and Putnam townships, and the town
- 19 of Fayette.
- 20 c. In Buchanan county, that portion of the town
- 21 of Fairbank lying in Fairbank township.
- 22 15. The fifteenth representative district shall
- 23 consist of:
- 24 a. In Sioux county, Settler, Sioux, Rock, Lincoln,
- 25 Garfield, Plato, Buncombe, Eagle Center, Logan,

Page 8

- 1 Washington and Reading townships, and that portion of
- 2 Welcome township lying outside the corporate limits
- 3 of the city of Sioux Center.
- 4 b. In Plymouth county, Portland, Preston, Grant,
- 5 Westfield, Johnson, Washington, America, Plymouth,
- 6 Stanton, Union, Henry and Elkhorn townships.
- 7 16. The sixteenth representative district shall
- 8 consist of:
- 9 a. In Plymouth county, Sioux, Liberty, Hancock,
- 10 Perry, Hungerford and Lincoln townships.
- 11 b. In Woodbury county, enumeration districts 11,
- 12 12, 13, 14, 15, 16A, 16B, 17, 18, 19, 20, 21, 23, 32,
- 13 33, 35 and 42 of the city of Sioux City.
- 14 17. The seventeenth representative district shall
- 15 consist of enumeration districts 22, 24, 25, 26, 27,
- 16 28, 29, 30, 34, 36, 37, 38, 39, 40, 41, 53, 54, 55,
- 17 57, 58, 59, 60, 67, 68, 69A, 69B, 71, 72, 73A, 73B,
- 18 74 and 75 of the city of Sioux City.
- 19 18. The eighteenth representative district shall
- 20 consist of the following portions of Woodbury county:
- 21 a. Concord, Banner, Arlington, Floyd, Merville and
- 22 Wolk Creek townships and
- 23 b. Enumeration districts 43A, 43B, 44, 45, 47, 48,
- 24 49, 51, 52, 56, 61, 62, 63, 64, 65, 66, 70A, 70B, 77,
- 25 78, 80, 82, 85, 86 and 87 of the city of Sioux City.

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- 1 19. The nineteenth representative district shall

- 2 consist of:
- 3 a. In Cherokee county, Tilden, Rock, Pilot, Grand
- 4 Meadow, Willow and Silver townships and that portion
- 5 of the city of Cherokee lying in Cherokee township.
- 6 b. In Plymouth county, Garfield township.
- 7 c. In Woodbury county, Rutland, Union, Kedron, Rock,
- 8 Grant, Miller, Morgan, Little Sioux, Oto and Liston
- 9 townships.
- 10 d. All of Ida county, except Galva, Silver Creek,
- 11 Corwin and Blaine townships.
- 12 e. In Crawford county, Soldier, Morgan, Otter Creek,
- 13 Charter Oak, Hanover, Goodrich, Willow, Paradise, Boyer
- 14 and Union townships.
- 15 20. The twentieth representative district shall
- 16 consist of:
- 17 a. All of Monona county.
- 18 b. In Woodbury county:
- 19 (1) Willow, Sloan, Lakeport, West Fork, Grange,
- 20 Liberty and Woodbury townships.
- 21 (2) Enumeration districts 46A, 46B, 46C, 50, 76,
- 22 79, 81 and 83 of the city of Sioux City.
- 23 21. The twenty-first representative district shall
- 24 consist of:
- 25 a. In Cherokee county, Afton, Pitcher and Diamond

Page 10

- 1 townships.
- 2 b. All of Buena Vista county, except Brooke and
- 3 Barnes townships.
- 4 c. In Sac county, Delaware township.
- 5 d. In Pocahontas county, Marshall, Dover, Grant,
- 6 Center, Cedar, Colfax and Bellville townships.
- 7 22. The twenty-second representative district shall
- 8 consist of:
- 9 a. In Ida county, Galva, Silver Creek, Corwin and
- 10 Blaine townships.
- 11 b. All of Sac county, except Delaware township.
- 12 c. In Carroll county, Kniest township, all of
- 13 Sheridan township lying outside the corporate limits
- 14 of the town of Lidderdale, and the town of Breda in
- 15 Wheatland township.
- 16 d. In Calhoun county, Williams, Garfield, Butler,
- 17 Twin Lakes, Lake Creek, Elm Grove, Jackson and Calhoun
- 18 townships, the town of Lake City, and those portions
- 19 of the town of Pomeroy lying in Sherman township, and
- 20 of the city of Rockwell City lying in Center township,
- 21 respectively.
- 22 23. The twenty-third representative district shall
- 23 consist of:
- 24 a. In Pocahontas county, Cummins, Powhatan, Des
- 25 Moines, Sherman, Roosevelt, Garfield, Lincoln, Lake

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- 1 and Lizard townships and the town of Rolfe.
- 2 b. In Humboldt county, Corinth township, that portion
- 3 of Weaver township lying outside the corporate limits
- 4 of the town of Gilmore city, the town of Dakota City,

- 5 and the city of Humboldt.
6 c. In Webster county:
7 (1) Jackson, Deer Creek, Badger and Newark townships,
8 and enumeration district 40 of Cooper township.
9 (2) Enumeration districts 11, 12, 13, 14, 15, 16,
10 17, 24, 27, 36, 37 and 38 of the city of Fort Dodge.
11 24. The twenty-fourth representative district shall
12 consist of:
13 a. In Greene county, Hardin, Bristol, Kendrick,
14 Paton, Dawson, Highland and Cedar townships.
15 b. All of Calhoun county, except that portion
16 included in representative district twenty-two, as
17 described in subsection twenty-two (22) of this section.
18 c. In Webster county:
19 (1) Johnson and Douglas townships and that portion
20 of Gowrie township lying outside the corporate limits
21 of the town of Gowrie.
22 (2) All of the city of Fort Dodge not included in
23 representative district twenty-three, as described in
24 subsection twenty-three (23) of this section.
25 25. The twenty-fifth representative district shall

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- 1 consist of:
2 a. In Webster county, Fulton, Elkhorn, Otho, Pleasant
3 Valley, Roland, Sumner, Clay, Burnside, Yell, Lost
4 Grove, Dayton and Hardin townships, and enumeration
5 district 41 of Cooper township.
6 b. In Boone county, Grant, Pilot Mound, Dodge,
7 Amaqua, Yell and Des Moines townships, and that portion
8 of the town of Ogden lying in Marcy township.
9 26. The twenty-sixth representative district shall
10 consist of:
11 a. In Webster county, Colfax, Washington and Webster
12 townships.
13 b. All of Hamilton county, except Williams township.
14 c. In Wright county, Troy and Woolstock townships.
15 d. In Hardin county, Clay, Sherman, Tipton, Pleasant,
16 Eldora, Concord and Grant townships, and the city of
17 Eldora.
18 27. The twenty-seventh representative district shall
19 consist of:
20 a. In Cerro Gordo county, Grimes, Pleasant Valley,
21 and Geneseo townships.
22 b. All of Franklin county, except West Fork, Ingham
23 and Geneva townships, and that portion of the town of
24 Dows lying in Morgan township.
25 c. In Hamilton county, Williams township.

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- 1 d. In Hardin county, Alden, Hardin, Etna, Buckeye
2 Ellis and Jackson townships.
3 28. The twenty-eighth representative district shall
4 consist of:
5 a. In Cerro Gordo county, the town of Dougherty
6 in Dougherty township.

- 7 b. In Franklin county, West Fork, Ingham and Geneva
8 townships.
9 c. In Floyd county, Scott, Union and Pleasant Grove
10 townships.
11 d. All of Butler county, except Fremont township.
12 e. All of Grundy county, except Grant, Black Hawk,
13 Felix and Clay townships.
14 29. The twenty-ninth representative district shall
15 consist of:
16 a. All of Bremer county, except Polk township.
17 b. In Fayette county, Banks and Fremont townships.
18 c. In Black Hawk county:
19 (1) Lester and Bennington townships, and enumeration
20 districts 92, 93, 94, 96 and 97 of East Waterloo
21 township.
22 (2) Enumeration districts 47 and 48 of the town
23 of Elk Run Heights.
24 (3) Enumeration districts 54, 55, 56, 63, 64, 70,
25 71, 72, 87 and 88 of the city of Waterloo.

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- 1 30. The thirtieth representative district shall
2 consist of the following portions of Black Hawk county:
3 a. Enumeration district 49 of the town of Elk Run
4 Heights.
5 (1) Enumeration districts 50, 51A, 51B and 52 of
6 the city of Evansdale and East Waterloo township.
7 (2) Enumeration districts 61, 66, 67, 68, 69, 73
8 through 86, inclusive, 89, 90, 91, 134, 136, 137 and
9 138 of the city of Waterloo.
10 31. The thirty-first representative district shall
11 consist of the following portions of Black Hawk county:
12 a. Enumeration districts 42 and 43 of Cedar Falls
13 township.
14 b. Enumeration districts 15 through 28 inclusive,
15 29A, 29B, 29C, and 31 through 40 inclusive, of the city
16 of Cedar Falls.
17 32. The thirty-second representative district shall
18 consist of the following portions of Black Hawk county:
19 a. Mount Vernon, Washington and Union townships,
20 enumeration districts 44, 45A, and 45B of Cedar Falls
21 township, and enumeration district 95 of East Waterloo
22 township.
23 b. Enumeration districts 13 and 14 of the city of
24 Cedar Falls.
25 c. Enumeration districts 57, 58, 59, 60, 62, 65,

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- 1 99, 100, 101, 102A, 102B, 103 through 108 inclusive,
2 117, 118, 119, 121, 122 and 123 of the city of Waterloo.
3 33. The thirty-third representative district shall
4 consist of:
5 a. In Grundy county, Grant township.
6 b. The following portions of Black Hawk county:
7 (1) Black Hawk, Orange, Lincoln and Eagle townships,
8 and enumeration district 46 of Cedar Falls township.

- 9 (2) Enumeration district 30 of the city of Cedar
10 Falls.
11 (3) Enumeration districts 109 through 116 inclusive,
12 120, 124 through 130 inclusive, 132, 133, 135 and 141
13 through 146 inclusive, of the city of Waterloo.
14 34. The thirty-fourth representative district shall
15 consist of:
16 a. All of Tama county.
17 b. In Marshall county, Vienna, Marion, and
18 Greencastle townships and the town of LeGrand in LeGrand
19 township.
20 c. In Grundy county, Felix, Clay and Black Hawk
21 townships.
22 d. In Benton county, Bruce and Monroe townships.
23 35. The thirty-fifth representative district shall
24 consist of:
25 a. All of Benton county, except Bruce, Monroe,

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- 1 Benton, Canton, Fremont, Eldorado, St. Clair, and
2 Florence townships, and the town of Shellsburg.
3 b. In Black Hawk county:
4 (1) Cedar and Big Creek townships.
5 (2) Enumeration district 153 of the city of Evans-
6 dale.
7 (3) Enumeration districts 131, 139, 140, 147, 148,
8 149, 150, 151A, 151B, and 152 of the city of Waterloo.
9 36. The thirty-sixth representative district shall
10 consist of:
11 a. In Benton county, Benton, Canton, Fremont,
12 Eldorado, St. Clair and Florence townships, and the
13 town of Shellsburg.
14 b. In Linn county:
15 (1) Fairfax township and enumeration districts 72,
16 73 and 74 of Clinton township.
17 (2) Enumeration districts 94, 141 through 151
18 inclusive, 154, 155, 156, 157, 158 and 168 of the city
19 of Cedar Rapids.
20 37. The thirty-seventh representative district shall
21 consist of:
22 a. In Black Hawk county, Poyner, Barclay, Fox and
23 Spring Creek townships.
24 b. All of Buchanan county, except Byron, Fremont,
25 Middlefield, and Newton townships and that portion of

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- 1 Madison township lying outside the corporate limits
2 of the town of Aurora.
3 c. In Linn county, Grant, Otter Creek, Washington
4 and Fayette townships, enumeration district 59 of Monroe
5 township, and enumeration district 68 of Clinton
6 township.
7 38. The thirty-eighth representative district shall
8 consist of the following portions of Linn county:
9 a. Enumeration districts 55, 56, 57, 60, 61A, 61B,
10 64 and 65 of Monroe township and the towns of Hiawatha

- 11 and Robins, and enumeration districts 69, 70 and 71
12 of Clinton township.
13 b. Enumeration districts 71, 83A, 83B, 85, 86, 87,
14 88, 89A, 89B, 89C, 90, 91, 92A, 92B, 93, 95, 98, 99,
15 100, 135, 138, 139 and 140 of the city of Cedar Rapids.
16 39. The thirty-ninth representative district shall
17 consist of the following portions of Linn county:
18 a. Enumeration districts 50 through 54 inclusive
19 of Marion township and 191 through 198 inclusive of
20 Bertram township.
21 b. Enumeration districts 34 through 40 inclusive,
22 41 and 43 of the city of Marion.
23 c. Enumeration districts 77, 78A, 79, 80, 81, 82,
24 84, 96A, 96B, 97, 101 through 114 inclusive, and 129
25 of the city of Cedar Rapids.

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- 1 40. The fortieth representative district shall
2 consist of enumeration districts 115 through 126
3 inclusive, 127A, 127B, 128, 130, 131, 132, 133, 134A,
4 134B, 136, 137, 167A, 167B, 169, 171 through 177
5 inclusive, 178A, 178B, 179, 180 and 181 of the city
6 of Cedar Rapids.
7 41. The forty-first representative district shall
8 consist of the following portions of Linn county:
9 a. Spring Grove, Jackson, Boulder, Maine and Putnam
10 townships, enumeration districts 18, 19, 20A, 20B, 45,
11 46, 47, 48, 49A and 49B of Marion township, enumeration
12 districts 62 and 63 of Monroe township, and enumeration
13 districts 188 and 190 of Bertram township.
14 b. Enumeration districts 21 through 29 inclusive,
15 30A, 30B, 32, 41 and 44 of the city of Marion.
16 c. Enumeration districts 58, 76, 165, 182, 184,
17 185 and 186 of the city of Cedar Rapids.
18 42. The forty-second representative district shall
19 consist of:
20 a. In Johnson county, Monroe, Jefferson, Penn, Big
21 Grove, Newport and Cedar townships.
22 b. In Cedar county, Linn township.
23 c. In Linn county:
24 (1) Buffalo, Brown, Linn and Franklin townships,
25 enumeration district 189 of Bertram township and

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- 1 enumeration district 210 of College township.
2 (2) Enumeration districts 159A, 159B, 160 through
3 164 inclusive, 166, 170, 183 and 187 of the city of
4 Cedar Rapids.
5 43. The forty-third representative district shall
6 consist of:
7 a. In Buchanan county, Byron, Fremont, Middlefield
8 and Newton townships, and that portion of Madison
9 township lying outside the corporate limits of the town
10 of Aurora.
11 b. All of Delaware county.
12 c. In Dubuque county, Liberty and New Wine townships,

- 13 and the town of Worthington in Dodge township.
14 44. The forty-fourth representative district shall
15 consist of the following portions of Dubuque county:
16 a. Cascade, Whitewater, Taylor, Iowa, Concord,
17 Jefferson, Center, Vernon, Prairie Creek, Washington,
18 Table Mound, Mosalem and Peru townships, and that portion
19 of Dodge township lying outside the corporate limits
20 of the town of Worthington.
21 b. Enumeration districts 22 through 36 inclusive,
22 38, 39, 40, 42 and 43 in Dubuque township, the town
23 of Sageville, and the city of Dubuque.
24 45. The forty-fifth representative district shall
25 consist of enumeration districts 41, 44 through 54

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- 1 inclusive, and 56 through 65 inclusive, of the city
2 of Dubuque.
3 46. The forty-sixth representative district shall
4 consist of enumeration districts 37, 55, and 66 through
5 88 inclusive, of the city of Dubuque.
6 47. The forty-seventh representative district shall
7 consist of:
8 a. All of Cedar county, except Linn, Cass, Gower,
9 and Springdale townships.
10 b. In Clinton county, Liberty township.
11 c. All of Jones county, except Monticello City,
12 Lovell, Richland, Washington, Clay and Scotch Grove
13 townships.
14 48. The forty-eighth representative district shall
15 consist of:
16 a. All of Jackson county.
17 b. In Jones county, Monticello City, Lovell,
18 Richland, Washington, Scotch Grove and Clay townships.
19 c. In Clinton county, Sharon township.
20 49. The forty-ninth representative district shall
21 consist of:
22 a. In Scott county, Princeton township.
23 b. All of Clinton county, except Liberty and Sharon
24 townships and that part of the city of Clinton
25 constituting the fiftieth representative district, as

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- 1 described in subsection fifty (50) of this section.
2 50. The fiftieth representative district shall
3 consist of enumeration districts 21 through 31 inclusive,
4 33, 34, 35, 38 through 43, inclusive, 45, 46, 47, 48,
5 50, 51, 52, 53, 56 and 57 of the city of Clinton.
6 51. The fifty-first representative district shall
7 consist of:
8 a. In Pottawattamie county, Rockford, Boomer, Neola,
9 Minden, Pleasant, Knox, Layton, Lincoln, Valley, James,
10 York, Norwalk, Hazle Dell, Center, Belknap and Washington
11 townships, the town of McCelland in Hardin township,
12 and enumeration districts 15 and 16 in the town and
13 township of Crescent.
14 b. In Shelby county, Shelby and Monroe townships.

- 15 c. All of Harrison county, except Harrison, Douglas
16 and Cass townships.
17 52. The fifty-second representative district shall
18 consist of:
19 a. All of Shelby county except Shelby, Monroe,
20 Jackson and Clay townships.
21 b. In Harrison county, Harrison, Douglas and Cass
22 townships.
23 c. In Audubon county, Lincoln and Douglas townships.
24 d. In Carroll county, Ewoldt, Warren and Washington
25 townships.

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- 1 e. In Crawford county, Denison, East Boyer, Iowa,
2 Nishnabotny and Washington townships.
3 53. The fifty-third representative district shall
4 consist of:
5 a. In Crawford county, Stockholm, Jackson, Milford,
6 West Side and Hayes townships.
7 b. In Carroll county, Wheatland, Arcadia, Maple
8 River, Grant, Pleasant Valley, Roselle, Eaton and Newton
9 townships, and the city of Carroll.
10 c. All of Audubon county except Lincoln and Douglas
11 townships.
12 d. In Guthrie county, Grant township.
13 e. In Shelby county, Jackson and Clay townships.
14 54. The fifty-fourth representative district shall
15 consist of:
16 a. In Carroll county, Jasper, Glidden, Richland
17 and Union townships.
18 b. In Greene county, Scranton, Jackson, Grant,
19 Junction, Washington, Franklin, Greenbrier and Willow
20 townships, and the city of Jefferson.
21 c. All of Guthrie county except Grant, Penn and
22 Stuart townships.
23 d. In Boone county, Beaver, Union, Peoples and Cass
24 townships, and that part of Marcy township lying outside
25 the corporate limits of the town of Ogden.

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- 1 e. In Dallas county, Linn township.
2 55. The fifty-fifth representative district shall
3 consist of:
4 a. All of Dallas county except Linn and Grant town-
5 ships.
6 b. In Madison county, Jefferson and Union townships
7 and the city of Winterset.
8 56. The fifty-sixth representative district shall
9 consist of:
10 a. All of Warren county.
11 b. In Madison county, Lee and Crawford townships.
12 57. The fifty-seventh representative district shall
13 consist of:
14 a. In Boone county, Worth, Colfax, Douglas and
15 Garden townships.
16 b. In Polk county, Union, Madison, Lincoln, Elkhart
17 and Washington townships and enumeration districts 18

- 18 and 26 of Crocker township.
19 c. In Story county:
20 (1) Indian Creek, Union and Palestine townships,
21 and that portion of Grant township lying outside the
22 corporate limits of the city of Nevada.
23 (2) Enumeration districts 11, 12, 13, 16 through
24 20, inclusive, 44, 45, 46A, 47, 48, 49, 50, 66, 67,
25 74, 75 and 76 of the city of Ames.

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- 1 58. The fifty-eighth representative district shall
2 consist of all of the city of Ames except that part
3 included in representative district fifty-seven, as
4 described in subsection fifty-seven (57) of this section.
5 59. The fifty-ninth representative district shall
6 consist of:
7 a. In Dallas county, Grant township.
8 b. The following portions of Polk county:
9 (1) Jefferson and Saylor townships, enumeration
10 districts 67 through 73 inclusive, 90 through 94
11 inclusive, and 98 of Webster township, and enumeration
12 districts 23, 24 and 25 of Crocker township.
13 (2) Enumeration districts 13A, 13B, 14 through 17
14 inclusive, 21, 27, 28 and 29 of the city of Ankeny.
15 (3) Enumeration districts 80 through 85 inclusive,
16 92, 93, 97 and 101 of the city of Urbandale.
17 (4) Enumeration district 247 of the city of Des
18 Moines.
19 60. The sixtieth representative district shall
20 consist of the following portions of Polk county:
21 a. Enumeration districts 95 and 96 of Webster
22 township.
23 b. Enumeration districts 74, 76, 77, 78 and 79 of
24 the city of Urbandale.
25 c. Enumeration districts 86 through 89 inclusive,

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- 1 118 through 129 inclusive, 134, 135 and 353 of the city
2 of Des Moines.
3 61. The sixty-first representative district shall
4 consist of the following portions of Polk county:
5 a. Enumeration districts 112 and 113 of Walnut town-
6 ship, and enumeration districts 318, 319, 320 and 323
7 of Bloomfield township.
8 b. Enumeration districts 99, 100, 102A, 102B and
9 103 of the city of Urbandale.
10 c. Enumeration districts 104A and 104B of the city
11 of Clive.
12 d. Enumeration districts 105, 106 and 107 of the
13 city of Windsor Heights.
14 e. Enumeration districts 110, 136, 141, 142, 144
15 and 145 of the city of Des Moines.
16 f. Enumeration districts 327 through 331 inclusive,
17 335 and 336 of the city of West Des Moines.
18 62. The sixty-second representative district shall
19 consist of enumeration districts 130, 131, 132, 133,

20 137, 138, 139, 140, 143, 146 through 161 inclusive,
21 163A and 163B of the city of Des Moines.
22 63. The sixty-third representative district shall
23 consist of the following portions of Polk county:
24 a. Enumeration districts 108 and 109 of the city
25 of Windsor Heights.

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1 b. Enumeration districts 111, 179 through 197
2 inclusive, 200, 201, 203 and 216 of the city of Des
3 Moines.
4 c. Enumeration districts 325, 326, 332, 333 and
5 334 of the city of West Des Moines.
6 64. The sixty-fourth representative district shall
7 consist of the following portions of Polk county:
8 a. Enumeration districts 321, 322 and 324A of Bloom-
9 field township.
10 b. Enumeration district 198, 212, 213, 214, 215,
11 217, 218A, 218B, 219, 220, 221, 222, 223, 225, 229,
12 231, 281, 303, 304, 306, 307, 308, 309, 311, 312, 313A
13 and 313B of the city of Des Moines.
14 65. The sixty-fifth representative district shall
15 consist of enumeration districts 114, 115, 116, 117,
16 162, 164 through 175 inclusive, 177, 178, 245, 246,
17 248, 249, 250, 251, 252, 254, 255, 257 and 277 of the
18 city of Des Moines.
19 66. The sixty-sixth representative district shall
20 consist of enumeration districts 176, 199, 202, 204
21 through 211 inclusive, 224, 226, 227, 228, 230, 258,
22 274, 275, 278, 279, 280, 282, 283, 288, 289, 300, 301,
23 302 and 305 of the city of Des Moines.
24 67. The sixty-seventh representative district shall
25 consist of the following portions of Polk county:

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1 a. Douglas, Franklin, Delaware, Clay, Beaver, Camp,
2 Four Mile and Allen townships, and enumeration districts
3 314, 315, 316 and 317 of Bloomfield township.
4 b. Enumeration districts 267 through 273 inclusive,
5 276, 284, 285, 286, 287 and 299 of the city of Des
6 Moines.
7 68. The sixty-eighth representative district shall
8 consist of enumeration districts 232 through 244
9 inclusive, 256, and 259 through 266 inclusive of the
10 city of Des Moines.
11 69. The sixty-ninth representative district shall
12 consist of:
13 a. In Boone county, Harrison and Jackson townships.
14 b. All of Story county except those portions included
15 in representative districts fifty-seven and fifty-eight,
16 as described in subsections fifty-seven (57) and fifty-
17 eight (58), respectively, of this section.
18 c. In Hardin county, Providence and Union town-
19 ships.
20 d. All of Marshall county, except Liscomb, Vienna,

- 21 Taylor, Marion, LeGrand and Greencastle townships, and
22 also excepting the city of Marshalltown including those
23 portions lying in Marietta and Timber Creek townships.
24 70. The seventieth representative district shall
25 consist of the following portions of Marshall county:

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- 1 a. Liscomb and Taylor townships.
2 b. The city of Marshalltown.
3 71. The seventy-first representative district shall
4 consist of the following portions of Jasper county:
5 a. Clear Creek, Independence, Malaka, Poweshiek,
6 Sherman, Washington, Mound Prairie, Fairview townships,
7 and that portion of Newton township lying outside the
8 corporate limits of the city of Newton.
9 b. All of the city of Newton, including that portion
10 lying in Palo Alto township.
11 72. The seventy-second representative district shall
12 consist of:
13 a. In Jasper county, Mariposa, Hickory Grove,
14 Kellogg, Rock Creek, Buena Vista, Elk Creek and Lynn
15 Grove townships.
16 b. In Poweshiek county, Chester, Sheridan, Madison,
17 Jefferson, Bear Creek, Malcom, and Grant townships,
18 the city of Grinnell, and that portion of the town of
19 Victor lying in Warren township.
20 c. In Iowa county, Honey Creek, Marengo, Washington,
21 Lenox, Hilton, Sumner and Hartford townships.
22 73. The seventy-third representative district shall
23 consist of:
24 a. In Jasper county, Richland township.
25 b. In Poweshiek county, Washington, Pleasant, Scott,

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- 1 Lincoln, Sugar Creek, Union, Jackson and Deep River
2 townships, and that portion of Warren township lying
3 outside the corporate limits of the town of Victor.
4 c. All of Mahaska county.
5 d. In Keokuk county, Benton township.
6 74. The seventy-fourth representative district shall
7 consist of:
8 a. All of Keokuk county, except Benton township.
9 b. In Wapello county, Compentine township.
10 c. All of Jefferson county, except Walnut, Lockridge,
11 and Round Prairie townships.
12 75. The seventy-fifth representative district shall
13 consist of:
14 a. In Iowa county, Iowa, York, Troy, Pilot, Lincoln,
15 Dayton, English, Fillmore and Green townships.
16 b. In Johnson county, Oxford, Hardin, Washington,
17 Sharon and Liberty townships.
18 c. All of Washington county, except Jackson,
19 Highland, Oregon, Marion and Crawford townships.
20 76. The seventy-sixth representative district shall
21 consist of:
22 a. In Johnson county, Graham, Scott, Pleasant Valley,

- 23 Lincoln and Lone Tree township.
24 b. In Washington county, Jackson, Highland, Oregon,
25 Marion and Crawford township.

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- 1 c. In Jefferson county, the town of Coppock in
2 Walnut township.
3 d. In Henry county, the town of Coppock in Jefferson
4 township.
5 e. All of Louisa county, except Marshall and Morning
6 Sun townships.
7 f. In Cedar county, Cass, Gower and Springdale town-
8 ships.
9 g. All of Muscatine county, except Wilton, Fulton,
10 Montpelier and Sweetland townships, and also excepting
11 all of the city of Muscatine.
12 77. The seventy-seventh representative district
13 shall consist of the following portions of Johnson
14 county:
15 a. Madison and Union townships, that portion of
16 Clear Creek township lying outside the corporate limits
17 of the city of Coralville, and enumeration district
18 20 of East Lucas township.
19 b. Enumeration districts 11, 14, 15, 62, 63, 64 and
20 65 of the city of Coralville.
21 c. Enumeration districts 22 through 34, inclusive,
22 and 41 through 49 inclusive, of the city of Iowa City.
23 78. The seventy-eighth representative district shall
24 consist of the following portions of Johnson county:
25 a. West Lucas township and enumeration district

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- 1 21 of East Lucas township.
2 b. The town of University Heights.
3 c. Enumeration districts 35A, 35B, 36 through 40
4 inclusive, 50 through 57 inclusive, 58A, 58B, 59, 60A,
5 60B and 60C of the city of Iowa City.
6 79. The seventy-ninth representative district shall
7 consist of the following portions of Muscatine county:
8 a. Wilton, Fulton, Montpelier and Sweetland
9 townships.
10 b. All of the city of Muscatine.
11 80. The eightieth representative district shall
12 consist of the following portions of Scott county:
13 a. Liberty, Allens Grove, Winfield, Cleona, Hickory
14 Grove, Blue Grass and Buffalo townships, and enumeration
15 district 430 of Sheridan township.
16 b. Enumeration districts 457, 458, 460 and 461,
17 block groups 1 and 2 of census tract 126, block groups
18 2 and 3 of census tract 121, block group 2 of census
19 tract 122, block groups 1, 2, 3 and 5 of census tract
20 123, block group 1 of census tract 124 and block group
21 1 of census tract 125, of the city of Davenport.
22 81. The eighty-first representative district shall
23 consist of the following portions of Scott county:
24 a. Butler, Lincoln and Le Claire townships, and

25 enumeration district 431 of Sheridan township.

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1 b. Enumeration districts 425, 426, 427, 428, 429A,
2 429B, and 449 through 456, inclusive, block groups 1
3 and 4 of census tract 111, block group 1 of census tract
4 118, block groups 1, 2 and 3 of census tract 119, block
5 groups 1, 2 and 9 of census tract 120, block group 1
6 of census tract 121, and block groups 1, 2 and 9 of
7 census tract 127, of the city of Davenport.

8 c. Enumeration districts 441, 443B 446, 447 and
9 448, and block groups 2 and 9 of census tract 137, of
10 the city of Bettendorf, the town of Riverdale, and
11 Pleasant Valley township.

12 82. The eighty-second representative district shall
13 consist of block group 3 of census tract 105, block
14 groups 1, 2, 3, 4, 8 and 9 of census tract 107, block
15 groups 1, 2 and 3 of census tract 108, block groups
16 1 and 2 of census tract 109, block groups 1, 2 and 3
17 of census tract 110, block groups 2 and 3 of census
18 tract 111, block groups 1, 2, 3 and 4 of census tract
19 112, block groups 2, 3 and 4 of census tract 113, block
20 group 3 of census tract 114, block groups 2, 7 and 9
21 of census tract 118, and block groups 1 and 3 of census
22 tract 122 of the city of Davenport.

23 83. The eighty-third representative district shall
24 consist of block groups 1 and 2 of census tract 105,
25 block groups 1, 2, 3, 4, 5 and 7 of census tract 106,

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1 block group 1 of census tract 113, block groups 1 and
2 2 of census tract 114, block groups 1, 3 and 4 of census
3 tract 115, block groups 1, 2, 3 and 4 of census tract
4 116, block groups 1, 2, 3 and 4 of census tract 117,
5 block groups 1, 2 and 7 of census tract 128, and block
6 group 4 of census tract 131 of the city of Davenport.

7 84. The eighty-fourth representative district shall
8 consist of the following portions of Scott county:

9 a. Enumeration districts 442, 443A, 444 and 445,
10 block groups 1, 2, 3, 5 and 9 of census tract 132, block
11 groups 1, 2 and 3 of census tract 133, block groups
12 1, 2, 5 and 9 of census tract 134, block groups 1, 2
13 and 9 of census tract 135, and block groups 1, 2 and
14 9 of census tract 136 of the city of Bettendorf.

15 b. Block group 2 of census tract 115, block group
16 1 of census tract 129, block groups 1 and 2 of census
17 tract 130, and block groups 1, 2 and 3 of census tract
18 131 of the city of Davenport.

19 85. The eighty-fifth representative district shall
20 consist of the following portions of Pottawattamie
21 county:

22 a. The city of Carter Lake.

23 b. Enumeration district 104, and block groups 2
24 and 5 of census tract 302, block groups 1, 2 and 3 of
25 census tract 303, block groups 1 and 4 of census tract

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1 307, block groups 1, 2, 3 and 4 of census tract 304.01,
2 block groups 1, 2 and 3 of census tract 304.02, block
3 groups 1, 2 and 3 of census tract 305.01, block groups
4 1, 2, 3 and 4 of census tract 305.02, block groups 1,
5 2, 3, 4 and 5 of census tract 306.01, and block groups
6 1, 2, 3 and 4 of census tract 306.02 of the city of
7 Council Bluffs.

8 86. The eighty-sixth representative district shall
9 consist of the following portions of Pottawattamie
10 county:

11 a. That portion of Hardin township lying outside
12 the corporate limits of the town of McClelland,
13 enumeration districts 38 and 39 of Garner township,
14 enumeration districts 41 and 42 of Lake township,
15 enumeration district 17 of Crescent township, and
16 enumeration districts 43A and 47 of Lewis township.

17 b. Enumeration district 40A, block groups 1, 2,
18 3, 4 and 9 of census tract 301, block group 1 of census
19 tract 302, block groups 2, 3, 5 and 9 of census tract
20 307, block group 1 of census tract 308, block groups
21 1 and 2 of census tract 309, block groups 1, 2 and 3
22 of census tract 310, block groups 1, 2, 3, 4 and 5 of
23 census tract 311, and block groups 1, 2, 4 and 9 of
24 census tract 312 of the city of Council Bluffs.

25 87. The eighty-seventh representative district shall

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1 consist of:

2 a. The following portions of Pottawattamie county:

3 (1) Keg Creek, Silver Creek, Carson, Macedonia,
4 Grove and Waveland townships, enumeration districts 36B
5 and 37 of Garner township, and enumeration districts
6 46, 48 and 50 of Lewis township.

7 (2) Enumeration districts 34, 35, 40B, 101A, 101B,
8 102A, 102B, and 103, and block groups 2, 3, 4 and 5
9 of census tract 308, block groups 4, 5 and 9 of census
10 tract 310, block groups 1, 2, 3 and 9 of census tract
11 313, block groups 1, 2 and 9 of census tract 314, and
12 block group 4 of census tract 304.02 of the city of
13 Council Bluffs.

14 b. All of Mills county, except Lyons, White Cloud
15 and Deer Creek townships.

16 88. The eighty-eighth representative district shall
17 consist of:

18 a. All of Fremont county.

19 b. In Mills county, Lyons, White Cloud and Deer
20 Creek townships.

21 c. In Page county, Colfax, Washington, Morton,
22 Lincoln, Tarkio, Grant, Pierce and Fremont townships.

23 d. In Montgomery county, Grant, West, Garfield,
24 Red Oak, and Lincoln townships, and that portion of
25 Sherman township lying outside the corporate limits

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1 of the town of Elliot.

- 2 89. The eighty-ninth representative district shall
3 consist of:
4 a. In Pottawattamie county, Wright township.
5 b. All of Cass county.
6 c. All of Adair county.
7 d. In Guthrie county, Stuart and Penn townships.
8 90. The ninetieth representative district shall
9 consist of:
10 a. In Montgomery county, Pilot Grove, Douglas,
11 Frankfort, Washington, Scott and East townships, the
12 town of Villisca, and that portion of the town of Elliot
13 in Sherman township.
14 b. In Page county, Douglas, Valley, Nodaway,
15 Nebraska, Harlan, East River, Amity and Buchanan
16 townships.
17 c. All of Adams county.
18 d. All of Taylor county.
19 91. The ninety-first representative district shall
20 consist of:
21 a. All of Madison county, except Jefferson, Lee,
22 Union, Crawford and Ohio townships, and the city of
23 Winterset.
24 b. All of Union county, except Pleasant township.
25 c. All of Ringgold township.

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- 1 d. In Decatur county, Fayette township and the city
2 of Lamoni.
3 92. The ninety-second representative district shall
4 consist of:
5 a. In Madison county, Ohio township.
6 b. All of Clarke county.
7 c. In Union county, Pleasant township.
8 d. In Lucas county, Union, Warren, Benton and
9 Washington townships.
10 e. In Monroe county, Jackson township.
11 f. All of Decatur county except Fayette township
12 and the city of Lamoni.
13 g. All of Wayne county.
14 h. In Appanoose county, Chariton, Independence,
15 Johns, Franklin, and Pleasant townships, and that part
16 of Lincoln township lying outside the corporate limits
17 of the town of Numa.
18 93. The ninety-third representative district shall
19 consist of:
20 a. In Marion county.
21 (1) Lake Prairie, Summit, Red Rock, Pleasant Grove,
22 Union, Franklin, Dallas and Washington townships, and
23 enumeration district 31 of Knoxville township.
24 (2) Enumeration districts 21, 22, 23A, 23B, 24,
25 25, 26 and 30 of the city of Knoxville.

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- 1 b. In Lucas county, Otter Creek, Liberty, English,
2 Pleasant, Jackson, White Breast, Lincoln and Cedar

- 3 townships, and the city of Chariton.
4 94. The ninety-fourth representative district shall
5 consist of:
6 a. In Marion county:
7 (1) Clay, Liberty and Indiana townships, and
8 enumeration district 32 of Knoxville township.
9 (2) Enumeration districts 19, 20, 27A, 27B, 28 and
10 29 of the city of Knoxville.
11 b. All of Monroe county, except Jackson township.
12 c. All of Appanoose county, except Chariton,
13 Independence, Johns, Franklin and Pleasant townships
14 and that part of Lincoln township lying outside the
15 corporate limits of the town of Numa.
16 95. The ninety-fifth representative district shall
17 consist of:
18 a. All of Davis county.
19 b. All of Van Buren county, except Farmington and
20 Bonaparte townships, and that part of Cedar township
21 outside the town of Stockport.
22 c. In Wapello county:
23 (17) All of the county outside the corporate limits
24 of the city of Ottumwa.
25 (2) Enumeration districts 30, 31, 32 and 33A of

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- 1 the city of Ottumwa.
2 96. The ninety-sixth representative district shall
3 consist of all of the city of Ottumwa, except that part
4 assigned to representative district ninety-five by
5 subsection ninety-five (95) of this section.
6 97. The ninety-seventh representative district shall
7 consist of:
8 a. In Van Buren county, that part of Cedar township
9 outside the town of Stockport.
10 b. In Jefferson county, Round Prairie and Lockridge
11 townships, and that part of Walnut township outside
12 the town of Coppock.
13 c. In Henry county, Jefferson, Wayne, Scott, Trenton,
14 Marion, Canaan, and Tippecanoe townships.
15 d. In Louisa county, Marshall and Morning Sun
16 townships.
17 e. The following portions of Des Moines county:
18 (1) Washington, Yellow Springs, Huron, Pleasant
19 Grove, Franklin, Benton, Jackson and Danville townships,
20 and those portions of Flint River and Tama townships
21 lying outside the corporate limits of the cities of
22 Burlington and West Burlington.
23 (2) Enumeration districts 9, 11, 12, 13, 14, 15,
24 30, 31, 36, 37, 38, 41 and 42 of the city of Burlington.
25 (3) Enumeration districts 17, 18, 19, 20 and 32

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- 1 of the city of West Burlington.
2 98. The ninety-eighth representative district shall
3 consist of:

- 4 a. The following portions of Des Moines county:
 5 (1) Those portions of Union and Concordia townships
 6 lying outside the corporate limits of the cities of
 7 Burlington and West Burlington, and the territory which
 8 constituted Augusta township prior to March 16, 1970.
 9 All of the city of Burlington except that part
 10 included in representative district ninety-seven, as
 11 described by subsection ninety-seven (97) of this
 12 section.
 13 b. In Lee county, Denmark township.
 14 99. The ninety-ninth representative district shall
 15 consist of:
 16 a. In Henry county, Center, New London, Salem,
 17 Jackson, and Baltimore townships, and the city of Mt.
 18 Pleasant.
 19 b. In Van Buren county, Bonaparte and Farmington
 20 townships.
 21 c. The following portions of Lee county:
 22 (1) Cedar, Marion, Pleasant Ridge, Harrison,
 23 Franklin, West Point, Green Bay, Van Buren, Charleston
 24 and Des Moines townships, and that portion of Washington
 25 township lying outside the corporate limits of the city

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- 1 of Fort Madison.
 2 (2) Wards 1 and 2 of the city of Ft. Madison.
 3 100. The one hundredth representative district shall
 4 consist of the following portions of Lee county:
 5 a. Jackson and Montrose townships, and that portion
 6 of Jefferson township lying outside the corporate limits
 7 of the city of Ft. Madison.
 8 b. All of the city of Keokuk.
 9 c. All of the city of Ft. Madison except that part
 10 assigned to representative district ninety-nine, as
 11 described by subsection ninety-nine (99) of this
 12 section."

Senator Palmer moved the adoption of the amendment and requested a roll call.

On the question "Shall the Palmer, Gaudineer, et al., amendment be adopted?" (H.F. 732) the vote was:

Rule 24 was invoked.

Ayes, 21:

Anderson	Glenn	Ollenburg	Shawver
Balloun	Gross	Palmer	Tapscott
Briles	Hill	Riley	Van Drie
Coleman	Kennedy	Robinson	Van Gilst
Davis	Miller	Schaben	Walsh
Gaudineer			

Nays, 25:

Arbuckle	Erskine	Messerly	Potter
Bass	Gilley	Milligan	Rabedeaux
Brownlee	Graham	Mowry	Rhodes
Carlson	Keith	Neu	Shaff
Conklin	Lamborn	Nicholson	Smith
Curran	Laverty	Potgeter	Stephens
DeKoster			

Absent or not voting, 4:

Doderer	Griffin	Kyhl	Thordsen
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The amendment lost.

President Jepsen took the chair at 4:36 p.m.

Senator Gaudineer offered the following amendment and moved its adoption:

1 Amend House File 732, as amended and passed by the
2 House, by striking from page 3 lines 5 through 29,
3 inclusive, and from page 4 lines 1 through 14, inclusive,
4 and inserting in lieu thereof the following:

5 "2. Each senatorial district established by section
6 five (5) of this Act in which no incumbent senator was
7 residing as of June 1, 1971, or in which no senator
8 was residing as of June 1, 1971, who had been elected
9 to a four-year term in 1970 or subsequently elected
10 to complete the unexpired portion of a four-year term
11 which began in January, 1971, shall elect one senator
12 for a term of four years in 1972, and every fourth year
13 thereafter.

14 3. Each senatorial district established by section
15 five (5) of this Act in which only one incumbent senator
16 resides as of the last day on which nomination papers
17 for members of the general assembly may be filed in
18 the office of the secretary of state for the 1972 primary
19 election, as fixed by section forty-three point eleven
20 (43.11) of the Code, shall be represented in the Sixty-
21 fifth General Assembly by that senator if (a) he was
22 elected in 1970 to a four-year term or was subsequently
23 elected to complete the unexpired portion of a four-
24 year term which began in January, 1971, and (b) he was
25 a resident of the district on June 1, 1971, or on the

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1 date of his election to the senate, whichever is later.
2 The district shall elect one senator for a term of four
3 years in 1974, and every fourth year thereafter.

4 4. Each senatorial district established by section
5 five (5) of this Act in which more than one incumbent
6 senator was residing as of June 1, 1971, shall elect
7 one senator for a term of four years in 1972, and every

8 fourth year thereafter. The term of any senator residing
9 in a district in which an election is required by this
10 subsection, who was elected in 1970 to a four-year term
11 or was subsequently elected to complete the unexpired
12 portion of a four-year term which began in January,
13 1971, shall be terminated effective January 1, 1973.
14 However, this subsection shall not apply to a district
15 if (a) subsection three (3) of this section is
16 applicable, due to the death, resignation, or change
17 of residence of one or more senators, or (b) subsection
18 five (5) of this section is applicable.
19 5. In any senatorial district established by section
20 five (5) of this Act in which a senatorial election
21 in 1972 would otherwise be required by subsection four
22 (4) of this section, no senatorial election shall be
23 held in 1972 if all the incumbent senators residing
24 in the district as of the last day on which nomination
25 papers for members of the general assembly may be filed

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1 in the office of the secretary of state for the 1972
2 primary election, as fixed by section forty-three point
3 eleven (43.11) of the Code, have filed with the secretary
4 of state not less than thirty days prior to that date,
5 a statement signed by each of them to the effect that:
6 a. The district is to be represented in the senate
7 for the Sixty-fifth General Assembly by one of the
8 signatory resident incumbent senators, who must be
9 identified in the statement and must have been elected
10 to a four-year term in 1970 or subsequently elected
11 to complete the unexpired portion of a term which began
12 in January, 1971.
13 b. Each of the other incumbent senators residing
14 in the district who were elected to a four-year term
15 in 1970 or were subsequently elected to complete the
16 unexpired portion of a four-year term which began in
17 January, 1971, have filed with the governor their
18 resignations from the senate, to take effect not later
19 than January 1, 1973.
20 c. No incumbent senator residing in the district
21 whose term will expire on or about January 1, 1973,
22 will be a candidate for election as senator from that
23 district in 1972.
24 The district shall be represented in the Sixty-fifth
25 General Assembly by the resident incumbent senator

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1 designated in the signed statement, and shall elect
2 one senator for a term of four years in 1974 and each
3 four years thereafter."

The amendment lost.

Senator Gaudineer offered the following amendment:

- 1 Amend House File 732, as amended and passed by the
- 2 House, by striking from page 3 lines 5 through 29, in-
- 3 clusive, and from page 4 lines 1 through 14, inclusive,
- 4 and inserting in lieu thereof the following:
- 5 "2. Each even-numbered senatorial district established
- 6 by section five (5) of this Act shall elect one senator
- 7 for a term of four years in 1972, and every fourth year
- 8 thereafter. Each odd-numbered senatorial district
- 9 established by section five (5) of this Act shall elect
- 10 one senator for a term of two years in 1972 and shall
- 11 elect one senator for a term of four years in 1974 and
- 12 every fourth year thereafter."

Senator Gaudineer moved the adoption of his amendment and requested a roll call.

On the question "Shall the Gaudineer amendment be adopted?" (H.F. 732) the vote was:

Ayes, 13:

Coleman	Hill	Palmer	Tapscott
Gaudineer	Kennedy	Robinson	Van Gilst
Glenn	Miller	Schaben	Walsh
Gross			

Nays, 33:

Anderson	Davis	Messerly	Rabedaux
Arbuckle	DeKoster	Milligan	Rhodes
Balloun	Erskine	Mowry	Riley
Bass	Gilley	Neu	Shaff
Briles	Graham	Nicholson	Shawver
Brownlee	Keith	Ollenburg	Smith
Carlson	Lamborn	Potgeter	Stephens
Conklin	Laverty	Potter	Van Drie
Curran			

Absent or not voting, 4:

Doderer	Griffin	Kyhl	Thordsen
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The amendment lost.

Senator Erskine offered the following amendment and moved its adoption:

- 1 Amend House File 732, as amended and passed by the
- 2 House, as follows:
- 3 1. Page 5, by striking lines 35 and 36, and page 6,
- 4 by striking lines 1 through 10, inclusive, and inserting
- 5 in lieu thereof the following:
- 6 "7. The seventh representative district shall consist
- 7 of:
- 8 a. All of Kossuth county, except Springfield, Hebron,
- 9 Ledyard, Lincoln, Ramsey, German, Buffalo, Wesley,
- 10 Prairie, Luverne and Sherman townships.
- 11 b. All of Humboldt county, except Vernon, Lake,
- 12 Norway, Humboldt and Grove townships.

- 13 c. In Palo Alto county, West Bend township.
 14 d. In Pocahontas county, that portion of Gilmore City
 15 in Garfield and Lake townships.
 16 8. The eighth representative district shall consist
 17 of:
 18 a. All of Winnebago county.
 19 b. All of Hancock county, except Magor, Amsterdam,
 20 Twin Lake and Avery townships.
 21 c. In Kossuth county, Springfield, Hebron, Ledyard,
 22 Lincoln, Ramsey, German, Buffalo and Wesley townships."
 23 2. Page 13, by striking lines 16, 17, 18, and 19 and
 24 inserting in lieu thereof the following:
 25 "c. In Humboldt county, Humboldt, Vernon, Grove, Lake

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1 and Norway townships."

Roll call was requested.

On the question "Shall the Erskine amendment be adopted?"
 (H.F. 732) the vote was:

Rule 24 was invoked.

Ayes, 20:

Anderson	Erskine	Lamborn	Rabedeaux
Balloun	Glenn	Laverty	Rhodes
Briles	Graham	Mowry	Riley
Brownlee	Hill	Nicholson	Smith
Davis	Keith	Potter	Van Drie

Nays, 26:

Arbuckle	Gaudineer	Neu	Shaff
Bass	Gilley	Ollenburg	Shawver
Carlson	Gross	Palmer	Stephens
Coleman	Kennedy	Potgeter	Tapscott
Conklin	Messerly	Robinson	Van Gilst
Curran	Miller	Schaben	Walsh
DeKoster	Milligan		

Absent or not voting, 4:

Doderer	Griffin	Kyhl	Thordsen
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The amendment lost.

Senator Coleman offered the following amendment by Senators Coleman and Brownlee and moved its adoption:

- 1 Amend House File 732, as amended and passed by the House,
 2 as follows:
 3 1. Page 5, line 25, by striking the word "Dover" and
 4 inserting the word "Grant".
 5 2. Page 11, line 25, by striking the word "Grant" and
 6 inserting the word "Dover".

The amendment was adopted.

Senator Potgeter offered the following amendment by Senators Potgeter and Balloun:

- 1 Amend House File 732, as amended and passed by the
2 House, as follows:
3 1. Page 5, by striking lines 3 through 14, inclusive,
4 and inserting in lieu thereof the following:
5 "1. The first representative district shall consist
6 of:
7 a. All of Lyon county.
8 b. In Sioux county, Sheridan, Grant, Capel, Lynn,
9 West Branch, Holland, Floyd, Nassau and East Warren
10 townships, and that portion of the city of Sioux Center
11 lying in Welcome township.
12 2. The second representative district shall consist
13 of:
14 a. In Sioux county, Settlers, Sioux, Rock, Lincoln,
15 Garfield, Plato, Buncombe, Eagle, Center, Logan, Washing-
16 ton, Reading, and Sherman townships, and that portion
17 of Welcome township lying outside the corporate limits
18 of the city of Sioux Center.
19 b. In Plymouth county, Portland, Preston, Johnson,
20 Grant, Washington, Elgin, America, Fredonia, Marion
21 and Meadow townships."
22 2. Page 5, by striking lines 23 through 36,
23 inclusive, page 6, by striking lines 1 through 37,
24 inclusive, and page 7, by striking lines 1 through 18,
25 inclusive, and inserting in lieu thereof the following:

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- 1 "5. The fifth representative district shall consist
2 of:
3 a. All of Buena Vista county.
4 b. In Pocahontas county, Swan Lake, Cummins,
5 Marshall, Sherman, Center, Roosevelt, Dover, Grant and
6 Lincoln townships.
7 6. The sixth representative district shall consist
8 of:
9 a. In Clay county, Logan and Garfield townships.
10 b. All of Emmet county.
11 c. All of Palo Alto county.
12 7. The seventh representative district shall consist
13 of:
14 a. All of Kossuth county, except Prairie and Luverne
15 townships.
16 b. In Humboldt county, Wacousta, Delana, Avery,
17 Rutland, Weaver and Corinth townships.
18 c. In Pocahontas county, Powhatan, Des Moines,
19 Garfield and Lake townships and the town of Rolfe.
20 8. The eighth representative district shall consist
21 of:
22 a. All of Hancock county.
23 b. In Humboldt county, Vernon township.
24 c. In Kossuth county, Prairie and Luverne town-
25 ships.

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- 1 d. All of Winnebago county.
2 9. The ninth representative district shall consist

3 of:

4 a. In Cerro Gordo county:

5 (1) All of the county outside the corporate limits
6 of the city of Mason City, except Grimes and Pleasant
7 Valley townships.

8 (2) The part of the city of Mason City not included
9 in representative district ten as described in subsection
10 ten (10) of this section.

11 b. All of Worth county.

12 10. The tenth representative district shall consist
13 of all of the city of Mason City except the part lying
14 general south and west of a line drawn as follows:

15 Beginning at the intersection of Fourth Street South-
16 west with the western corporate limit of the city of
17 Mason City, east along Fourth Street Southwest to Pierce
18 avenue, south along Pierce avenue to the Chicago, Mil-
19 waukee, St. Paul and Pacific railroad tracks, easterly
20 along those railroad tracks to South Federal avenue,
21 south along South Federal avenue to the railroad tracks
22 running east and west immediately north of and parallel
23 to Nineteenth Street Southwest, west along those railroad
24 tracks to South Monroe avenue, south along South Monroe
25 avenue to Twenty-fifth Street Southwest, east along

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1 Twenty-fifth Street Southwest to South Federal avenue,
2 and south along South Federal avenue to its intersection
3 with the southern corporate limits of the city of Mason
4 City.

5 11. The eleventh representative district shall
6 consist of:

7 a. In Floyd county, Rock Grove, Rudd, Floyd, Cedar,
8 Niles and St. Charles townships, and the city of Charles
9 City.

10 b. All of Mitchell county.

11 12. The twelfth representative district shall consist
12 of:

13 a. All of Butler county except Washington township
14 and that portion of Monroe township lying outside the
15 corporate limits of the town of Parkersburg.

16 b. In Floyd county, Rockford, Ulster, Scott, Union,
17 Pleasant Grove and Riverton townships.

18 c. In Franklin county, Ross, West Fork, Mott, Ingham,
19 Reeve, Geneva, Grant and Osceola townships, the town
20 of Sheffield, and the city of Hampton.

21 13. The thirteenth representative district shall
22 consist of:

23 a. In Bremer county, Frederika, Le Roy, Sumner No.
24 2 and Dayton townships, and the city of Sumner.

25 b. All of Chickasaw county except Bradford town-

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1 ship.

2 c. All of Howard county."

3 3. Page 7, by striking lines 28 and 29.

4 4. Page 7, line 30, by inserting after the word

5 "county" the word "Marion,".

6 5. Page 8, line 1, by inserting after the word

7 "except" the word "Marion,".

8 6. Page 11, by striking lines 23 through 35, inclu-
9 sive, page 12, by striking lines 1 through 35, inclusive,
10 page 13, by striking lines 1 through 39, inclusive,
11 and page 14, by striking lines 1 through 8, inclusive,
12 and inserting in lieu thereof the following:

13 "23. The twenty-third representative district shall
14 consist of:

15 a. In Pocahontas county, Cedar, Colfax, Bellville
16 and Lizard townships.

17 b. In Webster county:

18 (1) Jackson, Deer Creek, Johnson, Douglas, Fulton,
19 Elk Horn, Roland and Clay townships.

20 (2) A part of the city of Fort Dodge bounded by
21 a line drawn as follows:

22 Beginning at the intersection of the south corporate
23 limit of the city of Fort Dodge with South Twenty-second
24 street, and moving in a generally clockwise direction
25 around the corporate limits of the city of Fort Dodge

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1 to the point where the eastern corporate limit intersects
2 the Chicago Great Western railroad tracks running north-
3 easterly from the city of Fort Dodge, southeasterly
4 along those railroad tracks to their intersection with
5 the southward extension of North Twenty-ninth street,
6 north along the southward extension of North Twenty-
7 ninth street to Tenth Avenue North, west along Tenth
8 Avenue North to North Twentieth street, south along
9 North Twentieth street to Sixth Avenue North, west along
10 Sixth Avenue North to North Fifteenth street, south
11 along North Fifteenth street to Third Avenue North,
12 east along Third Avenue North to North Sixteenth street,
13 south along North Sixteenth street to First Avenue
14 North, east along First Avenue North to North Twelfth
15 street, south along North Twelfth street and South
16 Twelfth street to U.S. highway 20, southwesterly along
17 U.S. highway 20 to the Illinois Central railroad tracks,
18 southeasterly along the Illinois Central railroad tracks
19 to their intersection with the Chicago Great Western
20 railroad tracks, northeast along the Chicago Great
21 Western railroad tracks to South Fifteenth street, north
22 along South Fifteenth street to Ninth Avenue South,
23 east along Ninth Avenue South to South Eighteenth street,
24 south along South Eighteenth street to Oleson Park
25 avenue, southeast and south along Oleson Park avenue

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1 to Fifteenth Avenue South, east along Fifteenth Avenue
2 South to South Twenty-second street and south along
3 South Twenty-second street to its intersection with
4 the southern corporate limits of the city of Fort Dodge,
5 the place of beginning.
6 24. The twenty-fourth representative district shall

- 7 consist of:
8 a. In Humboldt county:
9 (1) Humboldt, Grove, Lake, Beaver and Norway
10 townships.
11 (2) The town of Dakota City.
12 (3) The city of Humboldt.
13 b. In Webster county:
14 (1) Badger, Newark, Cooper, Colfax, Pleasant Valley,
15 Otho, Washington, Sumner, Burnside, Webster and Yell
16 townships.
17 (2) That part of the city of Fort Dodge not included
18 in representative district twenty-three as described
19 in subsection twenty-three (23) of this section.
20 c. In Wright county, Boone and Liberty townships
21 and that portion of the town of Goldfield lying in Eagle
22 Grove township.
23 25. The twenty-fifth representative district shall
24 consist of:
25 a. All of Hamilton county except Rose Grove,

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- 1 Ellsworth and Scott townships.
2 b. In Wright county, Norway, Lake, Grant, Dayton,
3 Lincoln, Troy, Woolstock and Wall Lake townships, that
4 portion of Belmond township lying outside the corporate
5 limits of the city of Belmond, and all of Eagle Grove
6 township outside the corporate limits of the town of
7 Goldfield.
8 26. The twenty-sixth representative district shall
9 consist of:
10 a. In Cerro Gordo county, Grimes and Pleasant Valley
11 townships.
12 b. In Franklin county, Wisner, Richland, Scott,
13 Marion, Morgan, Hamilton, Oakland and Lee townships.
14 c. In Hamilton county, Rose Grove township.
15 d. In Hardin county:
16 (1) Alden, Hardin, Buckeye, Ellis, Jackson, Clay,
17 Sherman, Tipton, Pleasant and Eldora townships.
18 (2) The city of Eldora.
19 e. In Wright county, Pleasant, Iowa, Blaine and
20 Vernon townships, and that portion of the city of Belmond
21 lying in Belmond township.
22 27. The twenty-seventh representative district shall
23 consist of:
24 a. In Black Hawk county, Union, Washington, Mt.
25 Vernon, Bennington, Lester and Barclay townships.

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- 1 b. In Bremer county:
2 (1) Polk, Douglas, Lafayette, Warren, Fremont,
3 Washington, Jackson, Jefferson, Maxfield and Franklin
4 townships.
5 (2) The city of Waverly.
6 (3) In Chickasaw county, Bradford township."
7 7. Page 16, by striking lines 18 through 35, inclu-
8 sive, and page 17, by striking lines 1, 2, 3 and 4,

- 9 and inserting in lieu thereof the following:
- 10 "31. The thirty-first representative district shall
11 consist of that part of the city of Waterloo lying in
12 East Waterloo township, and that portion of the unincor-
13 porated territory of East Waterloo township bounded
14 on the east, north and south by the city of Waterloo
15 and consisting primarily of George Wyth state park.
- 16 32. The thirty-second representative district shall
17 consist of:
- 18 a. In Black Hawk county:
- 19 (1) Poyner and Fox townships and that portion of
20 the unincorporated territory of East Waterloo township
21 lying outside the northern and eastern corporate limits
22 of the city of Waterloo.
- 23 (2) The town of Elk Run Heights.
- 24 (3) The city of Evansdale.
- 25 b. All of Buchanan county except Madison, Fremont,

Page 10

- 1 Middlefield, Newton, Homer and Jefferson townships."
- 2 8. Page 19, by striking from lines 21 and 22 the
3 words "Richland and Union townships" and inserting in
4 lieu thereof the words "Union township".
- 5 9. Page 19, by striking from line 23 the word
6 "Goodrich,".
- 7 10. Page 19, by striking from line 35 the words
8 "Richland and Union townships" and inserting in lieu
9 thereof the words "Union township".
- 10 11. Page 20, by striking from lines 5 and 6 the
11 words "township and that part of the town of Gowrie
12 lying in Lost Grove township" and inserting in lieu
13 thereof the words "and Lost Grove townships".
- 14 12. Page 20, line 10, by striking the words "Dayton
15 township" and inserting in lieu thereof the words "Dayton
16 and Hardin townships".
- 17 13. Page 20, by striking lines 11 through 36, inclu-
18 sive, and page 21, by striking lines 1 through 19,
19 inclusive, and inserting in lieu thereof the following:
- 20 "41. The forty-first representative district shall
21 consist of:
- 22 a. In Hamilton county, Ellsworth and Scott townships.
- 23 b. The following portions of Story county:
- 24 (1) Lafayette, Howard and Richland townships, and
25 those portions of Franklin and Milford townships lying

Page 11

- 1 outside the corporate limits of the city of Ames.
- 2 (2) The city of Nevada.
- 3 (3) The part of the city of Ames lying north of
4 a line drawn as follows:
- 5 Beginning at the intersection of the western corporate
6 limits of the city of Ames and Ontario street, east
7 along Ontario street and the eastward extension of
8 Ontario street to the point where it coincides with
9 Thirteenth street, continuing east along Thirteenth
10 street to Squaw Creek, southeasterly and south along

11 Squaw Creek to the Chicago and Northwestern railroad
12 tracks, southeasterly along those railroad tracks to
13 Brookridge avenue, north and northerly along Brookridge
14 avenue to Ninth street, easterly and east along Ninth
15 street to Grand avenue, south along Grand avenue to
16 the Chicago and Northwestern railroad tracks and easterly
17 along the main line Chicago and Northwestern railroad
18 track to the eastern corporate limits of the city of
19 Ames.

20 42. The forty-second representative district shall
21 consist of the following portions of Story county:

22 a. Palestine township and that portion of Washington
23 township lying outside the corporate limits of the city
24 of Ames.

25 b. All of the city of Ames, except the part included

Page 12

1 in representative district forty-one as described by
2 subsection forty-one (41) of this section.

3 43. The forty-third representative district shall
4 consist of:

5 a. In Jasper county:

6 (1) Clear Creek, Poweshiek, Sherman, Washington,
7 Mound Prairie, Palo Alto and Fairview townships and
8 that portion of Newton township lying west of state
9 highway 14 and the northern and western corporate limits
10 of the city of Newton.

11 (2) The city of Newton lying south and west of the
12 line drawn as follows:

13 Beginning at the intersection of the northern corpo-
14 rate limit of the city of Newton and West Fourth Street
15 North, south along West Fourth Street North to North
16 Nineteenth Avenue West, east along North Nineteenth
17 Avenue West to First Street North, south along First
18 Street North to North Eighth Avenue East, east along
19 North Eighth Avenue East to East Twelfth Street North,
20 south along East Twelfth Street North to North Fourth
21 Avenue East, east along North Fourth Avenue East to
22 East Thirteenth Street North, south along East Thirteenth
23 Street North to First Avenue East, and east along First
24 Avenue East to its intersection with the eastern corporate
25 limits of the city of Newton.

Page 13

1 44. The forty-fourth representative district shall
2 consist of:

3 a. The following portions of Jasper county:

4 (1) Independence, Malaka, Mariposa, Hickory Grove,
5 Kellogg, Rock Creek, Buena Vista and Richland townships,
6 and that portion of Newton township lying east of state
7 highway 14 and the northern and eastern corporate limits
8 of the city of Newton.

9 (2) The part of the city of Newton not included
10 in representative district forty-three as described
11 in subsection forty-three (43) of this section.

12 b. In Marshall county, Eden, Logan, Jefferson and
13 Greencastle townships.

14 c. All of Poweshiek county except Sugar Creek,
15 Union, Jackson and Deep River townships and that portion
16 of the town of Victor lying in Warren township."

17 14. Page 21, by striking lines 26 through 35, inclu-
18 sive, and page 22, by striking lines 1 through 13,
19 inclusive, and inserting in lieu thereof the following:

20 "46. The forty-sixth representative district shall
21 consist of:

22 a. In Butler county, Washington township and that
23 portion of Monroe township lying outside the corporate
24 limits of the town of Parkersburg.

25 b. All of Grundy county except Black Hawk and Clay

Page 14

1 townships.

2 c. In Hardin county, Etna township.

3 d. In Marshall county, Liberty, Bangor, Liscomb,
4 Vienna, Iowa, Taylor, Minerva and State Center townships,
5 and those portions of Marietta, Marion and Le Grand
6 townships lying outside the corporate limits of the
7 city of Marshalltown.

8 47. The forty-seventh representative district shall
9 consist of:

10 a. In Benton county, Bruce, Monroe, Homer and Kane
11 townships.

12 b. In Black Hawk county, Big Creek township.

13 c. In Grundy county, Black Hawk and Clay townships.

14 d. All of Tama county.

15 48. The forty-eighth representative district shall
16 consist of:

17 a. All of Benton county except Bruce, Monroe, Homer
18 and Kane townships.

19 b. In Black Hawk county, Spring township.

20 c. In Buchanan county, Jefferson and Homer townships.

21 d. In Iowa county, Honey Creek, Marengo, Washington
22 and Lenox townships."

23 15. Page 38, by striking lines 16 through 35, inclu-
24 sive, and page 39, by striking lines 1 through 10,
25 inclusive, and inserting in lieu thereof the following:

Page 15

1 "69. The sixty-ninth representative district shall
2 consist of:

3 a. In Marion county, Pleasant Grove township.

4 b. All of Warren county except Belmont and White
5 Breast townships.

6 70. The seventieth representative district shall
7 consist of:

8 a. In Jasper county, Des Moines and Elk Creek town-
9 ships.

10 b. All of Marion county except Pleasant Grove town-
11 ship.

12 c. In Warren county, Belmont and White Breast town-
13 ships.

- 14 71. The seventy-first representative district shall
15 consist of:
16 a. In Jasper county, Lynn Grove township.
17 b. In Keokuk county, Warren township.
18 c. All of Mahaska county.
19 d. In Poweshiek county, Sugar Creek, Union, Jackson
20 and Deep River townships.
21 72. The seventy-second representative district shall
22 consist of:
23 a. In Cedar county, Springdale township.
24 b. All of Iowa county except Honey Creek, Marengo,
25 Washington and Lenox townships.

Page 16

- 1 c. In Johnson county, Hardin, Union, Washington,
2 Sharon, Liberty, Pleasant Valley, Scott, Lincoln and
3 Fremont townships.
4 d. In Keokuk county, Prairie, Adams, English River,
5 Liberty, Washington, Van Buren, Plank, Lafayette and
6 Clear Creek townships.
7 e. In Poweshiek county, that portion of the town
8 of Victor lying in Warren township.
9 f. In Washington county, Iowa township."
10 16. Page 45, by inserting in line 6 after the word
11 "Hanover," the word "Goodrich,".
12 17. Page 53, by striking lines 16 through 23, inclu-
13 sive, and inserting in lieu thereof the following:
14 "1. The first senatorial district shall consist
15 of the first and third representative districts.
16 2. The second senatorial district shall consist
17 of the second and seventeenth representative districts.
18 3. The third senatorial district shall consist of
19 the fourth and sixth representative districts.
20 4. The fourth senatorial district shall consist
21 of the fifth and seventh representative districts."
22 17. Page 53, by striking lines 32, 33, 34 and 35,
23 and page 54, by striking 1, 2, 3 and 4, and inserting
24 in lieu thereof the following:
25 "9. The ninth senatorial district shall consist

Page 17

- 1 of the eighteenth and nineteenth representative
2 districts.
3 10. The tenth senatorial district shall consist
4 of the twentieth and twenty-first representative
5 districts.
6 11. The eleventh senatorial district shall consist
7 of the twenty-second and twenty-third representative
8 districts.
9 12. The twelfth senatorial district shall consist
10 of the eighth and twenty-fourth representative districts."

Senator Potgeter moved the adoption of the amendment and called for a division.

The amendment lost.

Senator Briles offered the following amendment and moved its adoption:

- 1 Amend House File 732, as amended and passed by the
- 2 House, as follows:
- 3 1. Page 19, by striking lines 31 and 32 and inserting
- 4 in lieu thereof the following:
- 5 "c. All of Cass county except Pleasant township.
- 6 d. In Guthrie county, Bear Grove, Baker, Grant and
- 7 Thompson townships."
- 8 2. Page 19, by striking line 36 and inserting in lieu
- 9 thereof the following:
- 10 "b. In Dallas county, Dallas, Lincoln, Linn and
- 11 Union townships."
- 12 3. Page 20, by striking lines 2, 3 and 4 and insert-
- 13 ing in lieu thereof the following:
- 14 "d. All of Guthrie county except Bear Grove, Baker,
- 15 Grant, Thompson, Beaver, Jackson, Penn and Stuart town-
- 16 ships."
- 17 4. Page 47, by striking lines 33 and 34 and inserting
- 18 in lieu thereof the following:
- 19 "a. In Cass county, Pleasant township."
- 20 5. Page 48, by striking lines 8 through 17, inclusive,
- 21 and inserting in lieu thereof the following:
- 22 "88. The eighty-eighth representative district shall
- 23 consist of:
- 24 a. All of Adair county, except Adair and Summit town-
- 25 ships.

Page 2

- 1 b. All of Adams county.
- 2 c. In Guthrie county, Beaver, Jackson, Penn and
- 3 Stuart townships.
- 4 d. In Madison county, Penn and Jackson townships and
- 5 that portion of the town of Earlham in Madison township.
- 6 e. All of Taylor county."

The amendment was adopted.

Senator Smith offered the following amendment and moved its adoption:

- 1 Amend House File 732, as amended and passed by the
- 2 House, page 16, by inserting in line 19 after the
- 3 word "Waterloo," the words "and that part of the un-
- 4 incorporated area of East Waterloo township consisting
- 5 primarily of George Wyth state park,".

The amendment was adopted.

Senator Lavery offered the following amendment and moved its adoption:

- 1 Amend House File 732, as amended and passed by the
- 2 House, page 38, by striking lines 16 through 25, inclu-
- 3 sive, and inserting in lieu thereof the following:
- 4 "69. The sixty-ninth representative district shall
- 5 consist of:

- 6 a. In Marion county, Pleasant Grove township.
- 7 b. All of Warren county except Liberty and White
- 8 Breast townships.
- 9 70. The seventieth representative district shall
- 10 consist of:
- 11 a. In Mahaska county, Richland, Black Oak, Scott,
- 12 Jefferson and West Des Moines townships.
- 13 b. All of Marion county except Pleasant Grove township.
- 14 c. In Warren county, Liberty and White Breast townships."

The amendment was adopted.

Senator Potgeter offered the following amendment and moved its adoption:

- 1 Amend House File 732, page 2, by striking lines 20 and 21
- 2 and relettering the remaining subsection.

The Chair called for a division.

The amendment lost.

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

The Senate resumed session, President Jepsen presiding.

Senator Smith moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 732) the vote was:

Ayes, 27:

Arbuckle	Curran	Laverty	Rhodes
Balloun	Davis	Messerly	Riley
Bass	DeKoster	Milligan	Shawver
Briles	Erskine	Mowry	Smith
Brownlee	Gilley	Neu	Stephens
Carlson	Graham	Nicholson	Walsh
Conklin	Lamborn	Rabedeaux	

Nays, 19:

Anderson	Hill	Palmer	Shaff
Coleman	Keith	Potgeter	Tapscott
Gaudineer	Kennedy	Potter	Van Drie
Glenn	Miller	Robinson	Van Gilst
Gross	Ollenburg	Schaben	

Absent or not voting, 4:

Doderer	Griffin	Kyhl	Thordsen
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Smith moved that the vote by which **House File 732** passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

EXPLANATION OF VOTE

I voted "no" on the Glenn appeal from the ruling of the Chair found on page 1803 of the Senate Journal. This motion is never made in the Iowa Senate and in my time has never been voted upon in the Senate. It violates all precedence and tradition which has been so carefully guarded and nourished through the years. Republicans and Democrats, though not always agreeing, have always respected all rulings of the Chair whether made by a Democrat or Republican Lieutenant Governor.

This is as it should be because if we do not have respect for our presiding officer, we have nothing. It was possible that the Senator from Wapello was not fully aware of this Senate tradition, however, he was informed of it and urged to withdraw his motion. He did not do so and it was overwhelmingly defeated by a vote which included Senators of both political parties. This was especially gratifying to me and I am hopeful that this nonpartisan vote will help remove somewhat the tarnishment of the image of the Iowa Senate by the placing of this motion.

RICHARD L. STEPHENS

SENATE CONCURRENT RESOLUTION 45

By Keith, Shaff, Potter, Nicholson and Van Gilst

Whereas, the educational standards, which prescribe a minimum curricula for all public, parochial, and private nursery, kindergarten, elementary, junior high, and senior high schools, were enacted in 1965 and have remained relatively unchanged for six years; and

Whereas, a new school aid plan has recently been enacted which places limitations on spending by individual school districts; and

Whereas, compliance with educational standards by individual school districts is mandatory, and providing the minimum curricula requirements by statute may require school districts to increase their budgets, *Now Therefore*,

Be It Resolved by the Senate, the House of Representative Concurring, That the legislative council be authorized to create a study committee consisting of legislative members from both political parties and both houses of the General Assembly for the purpose of studying the statutory educational standards and proposing any changes that appear to be necessary in order to provide for a meaningful minimum curriculum for the students of Iowa; and

Be It Further Resolved, That the study committee make periodic reports to the legislative council and shall submit a final report, including necessary bill drafts to implement its recommendations, to the legislative council. Copies of the report approved by the legislative council shall be submitted to the General Assembly meeting in the year 1972.

SENATE CONCURRENT RESOLUTION 46

By Lamborn and Gaudineer

Whereas, large numbers of resolutions have been introduced in both the Senate and the House of Representatives calling for interim studies of numerous state functions; and

Whereas, in the waning hours of the First Session of the Sixty-fourth General Assembly it is impractical to accurately determine during floor debate the amount of hours of staff time required to complete such studies, within the limitations of funds which will be available, and assign precise priorities;

Now, Therefore, Be It Resolved by the Senate, the House Concurring: That all resolutions calling for interim studies by the Legislative Council and by the Legislative Service Bureau which have not been adopted in both houses be delivered to the President pro tempore, on the part of the Senate, and the Speaker of the House, on the part of the House, for consideration by the Legislative Council, which shall determine priorities and authorize such studies as may be feasible within the limits of the staff, time and funds available.

EXPLANATION OF VOTE

I voted "nay" on the conference committee report on House File 654 on June 11, 1971, for several reasons. First, I believe the General Assembly should have introduced economy in government by implementing the Governor's Economy Committee recommendations before imposing a substantial tax increase on the citizenry; second, some six hundred high income Iowans will pay no state income tax this year because of loopholes (which Senate File 505 would close) while the low and average wage earner will feel the brunt of the income tax increase; third, House File 654 falls far short of providing needed financial aid for cities or meaningful property tax relief for low income elderly. While the members of both conference committees deserve commendation for their conscientious labors to produce a plan, which plan is not without merit, I could not vote for the report for the foregoing reasons.

TOM RILEY

REPORT OF COMMITTEE

Senator Walsh submitted the following report:

MR. PRESIDENT: Your committee on transportation, to which was referred **House File 735**, a bill for an act authorizing the state highway commission to acquire existing interstate bridges, including partially constructed interstate bridges, to complete, improve, repair, remodel, or reconstruct interstate bridges and to issue revenue bonds therefor, begs leave to report it has has the same under consideration and recommends the same **do pass**.

JOHN M. WALSH, Chairman

Ordered passed on file.

AMENDMENT FILED

1 Amend Senate File 563 as follows:

2 1. Page 2, line 11 by inserting the following new sentence
3 before section 2: "Provided, however, that no funds herein
4 may be expended in connection with entertainment of members
5 of the General Assembly."

6 2. By renumbering properly the remaining sections to conform
7 with this amendment.

GENE W. GLENN

On motion of Senator Lamborn, the Senate adjourned until 9:00 a.m., Tuesday, June 15, 1971.

JOURNAL OF THE SENATE

ONE HUNDRED FIFTY-SIXTH DAY

SENATE CHAMBER

DES MOINES, IOWA, TUESDAY, JUNE 15, 1971

The Senate met in regular session, Senator Potgeter presiding.

Prayer was offered by the Reverend C. C. Glenn, pastor of the Christian Church, Woodward and Granger, Iowa.

The Senate pledged allegiance to the flag.

The Journal of Monday, June 14, 1971, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Griffin for the day on request of Senator Lamborn.

COMMUNICATIONS

The following communications were presented:

OFFICE OF THE GOVERNOR

State Capitol

Des Moines, Iowa 50319

June 14, 1971

The Honorable Roger W. Jepsen

Lieutenant Governor of Iowa

State Capitol

Local

Dear Governor Jepsen:

It is my pleasure to submit to the Senate for their consideration the name of John Link of Burlington, Des Moines County, Iowa, for appointment as a member of the State Conservation Commission under the provisions of section 107.1 and section 107.2 of the 1971 Code of Iowa for a regular six-year term beginning July 1, 1971, and ending June 30, 1977.

Sincerely,

ROBERT D. RAY
Governor

Also:

Dear Governor Jepsen:

It is my pleasure to submit to the Senate for their consideration the name of Lee Feil of Riverton, Fremont County, Iowa, for appointment as a member of the Natural Resources Council under the provisions of section

455A.4 of the 1971 Code of Iowa for a regular six-year term beginning July 1, 1971, and ending June 30, 1977.

Sincerely,
ROBERT D. RAY
Governor

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

The Senate resumed session, Senator Brownlee presiding.

MOTION TO RECONSIDER

Senate File 563

Senator Glenn called up the following motion filed by him on June 8, 1971, and moved its adoption:

MR. PRESIDENT: I move to reconsider the vote by which Senate File 563 passed the Senate.

PRESIDENT PRO TEMPORE WELCOMED BACK

The Chair interrupted the proceedings to welcome back the Honorable Vernon H. Kyhl of Butler County, President pro tempore of the Senate, who had been absent since April 30, 1971, as the result of a very serious illness. Senator Kyhl expressed his gratitude for being able to return and thanked the Senators and secretaries for their cards, flowers and gifts.

MOTION TO RECONSIDER LOST

Senate File 563

The Senate resumed consideration of the motion to reconsider.

On the question "Shall the motion to reconsider be adopted?" (S.F. 563) the vote was:

Rule 24 was invoked.

Ayes, 9:

Balloun
Gaudineer
Glenn

Gross
Kennedy

Palmer
Robinson

Schaben
Tapscott

Nays, 37:

Anderson
Arbuckle
Bass
Briles
Brownlee
Carlson
Coleman
Conklin
Curran
Davis

DeKoster
Erskine
Gilley
Graham
Hill
Keith
Kyhl
Lamborn
Laverty

Messerly
Miller
Milligan
Mowry
Nicholson
Ollenburg
Potgeter
Potter
Rabedaux

Rhodes
Riley
Shaff
Shawver
Smith
Stephens
Van Drie
Van Gilst
Walsh

Absent or not voting, 4:

Doderer

Griffin

Neu

Thordsen

The motion lost.

Senator Lamborn asked and received unanimous consent that **Senate File 563** be **immediately messaged** to the House, which request was complied with.

REPORTS OF COMMITTEE

Senator Messerly submitted the following reports:

MR. PRESIDENT: Your committee on appropriations, to which was referred **House File 709**, a bill for an act making an appropriation from the general fund of the State of Iowa to the department of public instruction, begs leave to report it has had the same under consideration and recommends the same **be amended as follows; and when so amended the bill do pass:**

- 1 Amend House File 709, page 3, as follows:
- 2 1. By striking line 4 and inserting in lieu thereof the following:
- 3 "Secondary Schools: \$1,725,000.00 \$1,725,000.00".
- 4 2. By striking line 7 and inserting in lieu thereof the following:
- 5 "tion: \$6,900,000.00 \$6,900,000.00".
- 6 3. By striking line 12 and inserting in lieu thereof the following:
- 7 "laneous purposes: \$1,100,000.00 \$1,100,000.00".

FRANCIS L. MESSERLY, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred **House File 728**, a bill for an act to appropriate from the general fund of the State of Iowa to the department of agriculture and its various divisions, begs leave to report it has had the same under consideration and recommends the same **do pass**.

FRANCIS L. MESSERLY, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred **House File 730**, a bill for an act making an appropriation from the general fund of the state for the state department of health and its divisions, begs leave to report it has had the same under consideration and recommends the same **do pass**.

FRANCIS L. MESSERLY, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred **House File 731**, a bill for an act to appropriate from the general fund of the state to the higher education facilities commission, begs leave to report it has had the same under consideration and recommends the same **do pass**.

FRANCIS L. MESSERLY, Chairman

Ordered passed on file.

ADOPTION OF SENATE CONCURRENT RESOLUTION 46

Senator Lamborn asked and received unanimous consent to take up for consideration **Senate Concurrent Resolution 46** found on pages 1855 and 1856 of the Senate Journal and moved its adoption.

The motion prevailed and the resolution was adopted.

CONSIDERATION OF BILLS

Senator Lamborn asked and received unanimous consent to take up for consideration House File 730.

House File 730

On motion of Senator Anderson, House File 730, a bill for an act making an appropriation from the general fund of the state for the state department of health and its divisions, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator DeKoster offered the following amendment and moved its adoption:

- 1 Amend House File 730, page 2, line 29, by striking the
- 2 word "not".

The amendment was adopted.

Senator Anderson moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 730) the vote was:

Ayes, 40:

Anderson	Gilley	Miller	Riley
Balloun	Glenn	Milligan	Robinson
Briles	Graham	Mowry	Schaben
Brownlee	Gross	Nicholson	Shaff
Carlson	Hill	Ollenburg	Shawver
Coleman	Keith	Palmer	Smith
Conklin	Kennedy	Potgeter	Stephens
Davis	Kyhl	Potter	Tapscott
DeKoster	Lamborn	Rabedeaux	Van Drie
Erskine	Laverty	Rhodes	Walsh

Nays, none.

Voting present, 1:

Arbuckle

Absent or not voting, 9:

Bass	Gaudineer	Messerly	Thordsen
Curran	Griffin	Neu	Van Gilst
Doderer			

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

Senator Anderson asked and received unanimous consent that **House File 730** be **immediately messaged** to the House, which request was complied with.

INTRODUCTION OF BILLS

Senate File 581, by committee on appropriations, a bill for an act to make an appropriation from the general fund of the state to the executive council for a training facility for family practitioners at Broadlawns Polk County Hospital.

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

Senate File 582, by committee on appropriations, a bill for an act to appropriate from the general fund of the state to the department of public instruction for driver's training aid and providing for administrative expenses.

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

Senate File 583, by committee on appropriations, a bill for an act to establish the salary rate for the superintendent of the department of public instruction.

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

CONSIDERATION OF BILLS

Senator Lamborn asked and received unanimous consent to take up for consideration House File 731.

House File 731

On motion of Senator Balloun, House File 731, a bill for an act to appropriate from the general fund of the state to the higher education facilities commission, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Balloun moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 731) the vote was:

Ayes, 38:

Anderson
Arbuckle
Briles
Brownlee

Carlson
Coleman
Conklin
Davis

DeKoster
Erskine
Gaudineer
Gilley

Glenn
Graham
Gross
Hill

Kyhl	Ollenburg	Robinson	Stephens
Lamborn	Palmer	Schaben	Tapscott
Miller	Potgeter	Shaff	Van Drie
Milligan	Potter	Shawver	Van Gilst
Mowry	Rabedaux	Smith	Walsh
Nicholson	Riley		

Nays, none.

Absent or not voting, 12:

Balloun	Doderer	Kennedy	Neu
Bass	Griffin	Laverty	Rhodes
Curran	Keith	Messerly	Thordsen

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

Senator Balloun asked and received unanimous consent that **House File 731** be **immediately messaged** to the House, which request was complied with.

Senator Lamborn asked and received unanimous consent to take up for consideration House File 709.

House File 709

On motion of Senator Balloun, House File 709, a bill for an act making an appropriation from the general fund of the state of Iowa to the department of public instruction, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

HOUSE FILE DEFERRED

Senator Conklin asked and received unanimous consent that further action on **House File 709** be **deferred** and that the bill be placed on the appropriations calendar as unfinished business.

CONSIDERATION OF BILLS

Senator Lamborn asked and received unanimous consent to take up for consideration Senate File 581.

Senate File 581

On motion of Senator Balloun, Senate File 581, a bill for an act to make an appropriation from the general fund of the state to the executive council for a training facility for family practitioners at Broadlawns Polk County Hospital, was taken up and considered.

Senator Balloun moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 581) the vote was:

Rule 24 was invoked.

Ayes, 43:

Anderson	Erschine	Messerly	Robinson
Arbuckle	Gaudineer	Miller	Schaben
Balloun	Gilley	Milligan	Shaff
Bass	Glenn	Nicholson	Shawver
Briles	Graham	Ollenburg	Smith
Brownlee	Gross	Palmer	Stephens
Carlson	Hill	Potgeter	Tapscott
Coleman	Kennedy	Potter	Van Drie
Conklin	Kyhl	Rabedeaux	Van Gilst
Davis	Lamborn	Rhodes	Walsh
DeKoster	Laverty	Riley	

Nays, none.

Absent or not voting, 7:

Curran	Griffin	Mowry	Thordsen
Doderer	Keith	Neu	

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

Senator Balloun asked and received unanimous consent that **Senate File 581** be **immediately messaged** to the House, which request was complied with.

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

The Senate resumed session, Senator Gaudineer presiding.

On motion of Senator Lamborn, the Senate recessed until 1:15 p.m.

AFTERNOON SESSION

The Senate reconvened, President pro tempore Kyhl presiding.

REPORT OF STEERING COMMITTEE

MR. PRESIDENT: Your steering committee begs leave to report that it has had the following bills under consideration and recommends that they be placed on the noncontroversial steering calendar:

S. F. 571	S. F. 342	69 'J' H
H. F. 466	H. F. 716	H. F. 735
H. F. 164	H. F. 565	H. F. 666
H. F. 236		

CLIFTON C. LAMBORN, Chairman

CONSIDERATION OF BILLS

Senator DeKoster asked and received unanimous consent to take up for consideration Senate File 571.

Senate File 571

On motion of Senator Potter, Senate File 571, a bill for an act relating to the effective date of the act regulating motor vehicle odometers, was taken up and considered.

Senator Potter moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 571) the vote was:

Ayes, 39:

Arbuckle	Erskine	Lamborn	Rabedeaux
Balloun	Gaudineer	Lavery	Rhodes
Bass	Gilley	Messerly	Robinson
Brownlee	Glenn	Milligan	Shaff
Carlson	Graham	Neu	Shawver
Coleman	Gross	Nicholson	Stephens
Conklin	Hill	Ollenburg	Tapscott
Curran	Keith	Palmer	Van Drie
Davis	Kennedy	Potgeter	Van Gilt
DeKoster	Kyhl	Potter	

Nays, none.

Absent or not voting, 11:

Anderson	Griffin	Riley	Thordsen
Briles	Miller	Schaben	Walsh
Doderer	Mowry	Smith	

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

Senator Potter asked and received unanimous consent that **Senate File 571** be **immediately messaged** to the House, which request was complied with.

Senate File 549

On motion of Senator DeKoster, Senate File 549, a bill for an act relating to the appointment and election of state judicial nominating commissioners, was taken up and considered.

Senator DeKoster offered the following amendment filed by him on May 28 and moved its adoption:

- 1 Amend Senate File 549 by striking everything after
- 2 the enacting clause and inserting in lieu thereof the
- 3 following:
- 4 Section 1. Section forty-six point one (46.1), Code
- 5 1971, is amended by striking the section and inserting
- 6 in lieu thereof the following:
- 7 46.1 APPOINTMENT OF STATE JUDICIAL NOMINATING
COM-
- 8 MISSIONERS. The governor shall appoint, subject to
- 9 confirmation by the senate, one elector of each

10 congressional district to the state judicial nominating
11 commission, each of whose terms shall commence July
12 first of the year of appointment and terminate June
13 thirtieth of the year of expiration. Initially, two
14 members shall be appointed for two years, two members
15 for four years, and two members for six years. Terms
16 thereafter shall be for six years. Successor members
17 shall be appointed by the governor within thirty days
18 following the organization of each regular session of
19 the general assembly in years in which the terms of
20 members are to expire.

21 Sec. 2. Section forty-six point two (46.2), Code
22 1971, is amended by striking the section and inserting
23 in lieu thereof the following:

24 46.2 ELECTION OF STATE JUDICIAL NOMINATING COM
MIS-
SIONERS. The resident members of the bar of each con-

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1 gressional district shall elect one elector of such
2 district to the state judicial nominating commission.
3 The commencement and expiration date and length of terms
4 of elected members shall be the same as provided in
5 section forty-six point one (46.1) for appointed members.
6 Elections of successor members shall be held in January
7 of the year in which the terms of members are to expire.
8 Sec. 3. The terms of office of all members of the
9 state judicial nominating commission appointed and
10 elected prior to the effective date of this Act shall
11 continue, and be extended where necessary, until June
12 30, 1972, at which time all such terms shall expire
13 and successor members appointed and elected as provided
14 by sections one (1) and two (2) of this Act. This
15 section shall be reprinted only in the session laws
16 and shall not be printed in the Code.

The amendment was adopted.

Senator DeKoster moved that the bill be read the last time now,
which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 549) the vote was:

Ayes, 40:

Anderson	DeKoster	Lamborn	Potter
Arbuckle	Erskine	Laverty	Rabedeaux
Balloun	Gaudineer	Miller	Rhodes
Bass	Gilley	Milligan	Robinson
Brownlee	Glenn	Mowry	Shawver
Carlson	Graham	Neu	Smith
Coleman	Gross	Nicholson	Stephens
Conklin	Hill	Ollenburg	Tapscott
Curran	Kennedy	Palmer	Van Drie
Davis	Kyhl	Potgeter	Van Gilst

Nays, none.

Absent or not voting, 10:

Briles	Keith	Schaben	Thordsen
Doderer	Messerly	Shaff	Walsh
Griffin	Riley		

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

Senator DeKoster asked and received unanimous consent that **Senate File 549** be **immediately messaged** to the House, which request was complied with.

House File 393

On motion of Senator DeKoster, House File 393, a bill for an act relating to waiver of right to jury trial in indictable misdemeanor cases, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator DeKoster moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 393) the vote was:

Ayes, 42:

Anderson	Gaudineer	Miller	Rhodes
Arbuckle	Gilley	Milligan	Riley
Balloun	Glenn	Mowry	Robinson
Bass	Gross	Neu	Shaff
Brownlee	Hill	Nicholson	Shawver
Carlson	Keith	Ollenburg	Smith
Coleman	Kennedy	Palmer	Stephens
Conklin	Kyhl	Potgeter	Tapscott
Curran	Lamborn	Potter	Van Drie
DeKoster	Laverty	Rabedaux	Van Gilst
Erskine	Messerly		

Nays, none.

Absent or not voting, 8:

Briles	Doderer	Griffin	Thordsen
Davis	Graham	Schaben	Walsh

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

Senator DeKoster asked and received unanimous consent that **House File 393** be **immediately messaged** to the House, which request was complied with.

House File 537

On motion of Senator Ollenburg, House File 537, a bill for an act relating to the age requirement for marriage, with report of com-

mittee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Ollenburg moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 537) the vote was:

Ayes, 41:

Anderson	Gaudineer	Miller	Rhodes
Arbuckle	Gilley	Milligan	Riley
Balloun	Glenn	Mowry	Robinson
Bass	Graham	Neu	Shaff
Brownlee	Gross	Nicholson	Shawver
Carlson	Hill	Ollenburg	Smith
Coleman	Kennedy	Palmer	Stephens
Conklin	Kyhl	Potgeter	Tapscott
Davis	Lamborn	Potter	Van Drie
DeKoster	Laverty	Rabedeaux	Van Gilst
Erskine			

Nays, none.

Absent or not voting, 9:

Briles	Griffin	Messerly	Thordsen
Curran	Keith	Schaben	Walsh
Doderer			

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

House File 546

On motion of Senator Glenn, House File 546, a bill for an act relating to contempt actions in paternity cases, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Glenn moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 546) the vote was:

Ayes, 40:

Anderson	Gilley	Miller	Rhodes
Arbuckle	Glenn	Milligan	Riley
Balloun	Graham	Mowry	Robinson
Bass	Gross	Neu	Shaff
Brownlee	Hill	Nicholson	Shawver
Carlson	Keith	Ollenburg	Smith
Coleman	Kennedy	Palmer	Stephens
Curran	Kyhl	Potgeter	Tapscott
DeKoster	Lamborn	Potter	Van Drie
Erskine	Laverty	Rabedeaux	Van Gilst

Nays, none.

Absent or not voting, 10:

Briles	Doderer	Messerly	Thordsen
Conklin	Gaudineer	Schaben	Walsh
Davis	Griffin		

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

Senator DeKoster asked unanimous consent that **House File 546** be **immediately messaged** to the House.

Objection was raised.

House File 625

On motion of Senator Anderson, House File 625, a bill for an act relating to city and town ordinances, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Anderson moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 625) the vote was:

Ayes, 43:

Anderson	Erskine	Miller	Riley
Arbuckle	Gaudineer	Milligan	Robinson
Balloun	Gilley	Mowry	Shaff
Bass	Glenn	Neu	Shawver
Briles	Graham	Nicholson	Smith
Brownlee	Gross	Ollenburg	Stephens
Carlson	Hill	Palmer	Tapscott
Coleman	Kennedy	Potgeter	Van Drie
Conklin	Kyhl	Potter	Van Gilst
Curran	Lamborn	Rabedeaux	Walsh
DeKoster	Laverty	Rhodes	

Nays, none.

Absent or not voting, 7:

Davis	Griffin	Messerly	Thordsen
Doderer	Keith	Schaben	

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

Senator DeKoster moved that the vote by which **House File 625** passed the Senate be reconsidered and the motion to reconsider be laid on the table.

Roll call was requested.

On the question "Shall the motion to reconsider be laid on the table?" (H.F. 625) the vote was:

Ayes, 32:

Anderson	Curran	Keith	Ollenburg
Arbuckle	Davis	Kennedy	Potter
Balloun	DeKoster	Kyhl	Rabedeaux
Bass	Erskine	Lamborn	Rhodes
Brownlee	Gilley	Laverty	Riley
Carlson	Glenn	Milligan	Shawver
Coleman	Graham	Mowry	Stephens
Conklin	Gross	Neu	Van Drie

Nays, 12:

Gaudineer	Nicholson	Robinson	Tapscott
Hill	Palmer	Shaff	Van Gilst
Miller	Potgeter	Smith	Walsh

Absent or not voting, 6:

Briles	Griffin	Schaben	Thordsen
Doderer	Messery		

The motion prevailed.

President Jepsen took the chair at 2:40 p.m.

Senator Lamborn asked and received unanimous consent to take up out of order House File 466.

House File 466

On motion of Senator Neu, House File 466, a bill for an act to authorize counties operating county public hospitals to issue revenue bonds, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Action on the bill was temporarily deferred for the preparation of an amendment.

Senator Lamborn asked and received unanimous consent to take up for consideration House File 164.

House File 164

On motion of Senator Tapscott, House File 164, a bill for an act relating to the adoption of children, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Tapscott moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 164) the vote was:

Ayes, 37:

Anderson	Coleman	Erskine	Hill
Arbuckle	Curran	Gaudineer	Keith
Brownlee	Davis	Glenn	Kennedy
Carlson	DeKoster	Gross	Kyhl

Lamborn	Palmer	Riley	Stephens
Miller	Potgeter	Robinson	Tapscott
Milligan	Potter	Shaff	Van Drie
Neu	Rabedaux	Shawver	Van Gilst
Nicholson	Rhodes	Smith	Walsh
Ollenburg			

Nays: 6:

Balloun	Conklin	Messerly	Mowry
Bass	Gilley		

Voting present, 1:

Graham

Absent or not voting, 6:

Briles	Griffin	Schaben	Thordsen
Doderer	Laverty		

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

Senator Tapscott moved that the vote by which **House File 164** passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House File 466

The Senate resumed consideration of House File 466.

Senator Potgeter offered the following amendment and moved its adoption:

- 1 Amend House File 466 as amended and passed by the House,
- 2 page 5, by striking all of section 4.

Division was called for.

The amendment lost.

Senator Neu moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 466) the vote was:

Ayes, 42:

Anderson	Gaudineer	Milligan	Riley
Arbuckle	Gilley	Mowry	Robinson
Balloun	Glenn	Neu	Shaff
Briles	Graham	Nicholson	Shawver
Brownlee	Gross	Ollenburg	Smith
Carlson	Keith	Palmer	Stephens
Coleman	Kennedy	Potgeter	Tapscott
Conklin	Kyhl	Potter	Van Drie
Curran	Lamborn	Rabedaux	Van Gilst
Davis	Messerly	Rhodes	Walsh
Erskine	Miller		

Nays, 1:

Hill

Absent or not voting, 7:

Bass	Doderer	Laverty	Thordsen
DeKoster	Griffin	Schaben	

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

Senator Neu moved that the vote by which **House File 466** passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Lamborn asked and received unanimous consent to take up for consideration House File 728.

House File 728

On the motion of Senator Curran, House File 728, a bill for an act to appropriate from the general fund of the State of Iowa to the department of agriculture and its various divisions, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Tapscott offered the following amendment:

- 1 Amend House File 728, page 4, line 12, by striking
- 2 the numbers "105,204.00" and inserting in lieu thereof the
- 3 numbers "85,000"; and by striking the numbers "108,796.00" and
- 4 inserting in lieu thereof the numbers "85,000".

Senator Tapscott moved the adoption of his amendment and called for a division.

The amendment lost.

Senator Curran moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 728) the vote was:

Ayes, 43:

Anderson	Erskine	Messerly	Rhodes
Arbuckle	Gilley	Miller	Riley
Balloun	Glenn	Milligan	Robinson
Bass	Graham	Mowry	Shaff
Briles	Gross	Neu	Shawver
Brownlee	Hill	Nicholson	Smith
Carlson	Keith	Ollenburg	Stephens
Conklin	Kennedy	Palmer	Tapscott
Curran	Kyhl	Potgeter	Van Gilst
Davis	Lamborn	Potter	Walsh
DeKoster	Laverty	Rabedaux	

Nays, none.

Absent or not voting, 7:

Coleman	Gaudineer	Schaben	Van Drie
Doderer	Griffin	Thordsen	

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

Senator Lamborn asked and received unanimous consent that **House File 728** be **immediately messaged** to the House, which request was complied with.

CONSIDERATION OF BILLS

Senator Lamborn asked and received unanimous consent to take up for consideration Senate File 582.

Senate File 582

On motion of Senator Balloun, Senate File 582, a bill for an act to appropriate from the general fund of the state to the department of public instruction for driver's training aid and providing for administrative expenses, was taken up and considered.

Senator Balloun offered the following amendment and moved its adoption:

- 1 Amend Senate File 582, page 2, by inserting after line 17 the
- 2 following new section and renumbering the remaining sections to con-
- 3 form with this amendment:
- 4 "Sec. No money appropriated under this act shall be
- 5 used to pay claims for driver education prior to July 1, 1970."

The amendment was adopted.

Senator Lamborn offered the following amendment:

- 1 Amend Senate File 582, page 2, by striking lines 21
- 2 through 35, inclusive, and page 3, lines 1 through 5,
- 3 inclusive, and inserting in lieu thereof the following:
- 4 "Commencing with the September, 1965, school term, the
- 5 state shall reimburse each public school district in [an]
- 6 the amount [not to exceed] of thirty dollars per student for
- 7 each student [completing] *enrolled* in an approved driver
- 8 education course offered or made available by the school
- 9 district. Every public school district in Iowa shall
- 10 offer or make available to all students residing in the
- 11 school district an approved course in driver education.
- 12 An approved course offered during the summer months, on
- 13 Saturdays, after regular school hours during the regular
- 14 terms or partly in one term or summer vacation period and
- 15 partly in the succeeding term or summer vacation period,
- 16 as the case may be, shall satisfy the requirements of this
- 17 section to the same extent as an approved course offered
- 18 during the regular school hours of the school term. A
- 19 *student who successfully completes and obtains certifica-*
- 20 *tion in an approved course in driver education may, upon*
- 21 *proof of such fact, be excused from any field test which*
- 22 *he would otherwise be required to take in demonstrating his*
- 23 *ability to operate a motor vehicle.* Funds for such reim-

24 bursement shall be appropriated by the legislature to a
25 special driver education fund to be administered by the

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1 department of public instruction. [Two] *Four* percent of
2 the annual amount allocated to the special driver educa-
3 tion fund, shall be available to the department of public
4 instruction for use in discharging the cost of adminis-
5 tration of this section."

Senator Brownlee took the chair at 3:45 p.m.

Senator Kennedy offered the following amendment to the amend-
ment by Senators Kennedy, Miller, et al.:

1 Amend the Lamborn amendment to Senate File 582, filed
2 June 15, 1971, page 1, by striking the period in line 11 and adding
3 the following: "*at the place of their attendance.*"

President Jepsen took the chair at 3:55 p.m.

Senator Kennedy moved the adoption of the amendment to the
amendment.

Roll call was requested.

On the question "Shall the Kennedy amendment to the amend-
ment be adopted?" (S.F. 582) the vote was:

Rule 24 was invoked.

Ayes, 20:

Balloun	Gross	Milligan	Riley
Briles	Kennedy	Mowry	Shawver
Coleman	Lamborn	Neu	Tapscott
Davis	Laverty	Palmer	Van Gilst
Gaudineer	Miller	Rhodes	Walsh

Nays, 25:

Anderson	DeKoster	Keith	Potter
Arbuckle	Erskine	Kyhl	Rabedaux
Bass	Gilley	Messerly	Shaff
Brownlee	Glenn	Nicholson	Smith
Carlson	Graham	Ollenburg	Stephens
Conklin	Hill	Potgeter	Van Drie
Curran			

Absent or not voting, 5:

Doderer	Robinson	Schaben	Thordsen
Griffin			

The amendment to the amendment lost.

Senator Hill offered the following amendment to the amendment:

1 Amend the Lamborn amendment, filed June 15, 1971,
2 to Senate File 582, by striking on page 2, line 1,
3 the words "[Two] *Four*" and inserting in lieu thereof the
4 the word "Two".

Senator Rabedeaux took the chair at 4:35 p.m.

On motion of Senator Hill, the amendment to the amendment was adopted.

Action on Senate File 582 and the Lamborn amendment was temporarily deferred for the preparation of a new amendment.

MOTION TO SUSPEND RULES LOST

House File 307

Senator Glenn moved that the rules be suspended and that House File 307 be taken up for consideration.

President Jepsen took the chair at 4:53 p.m.

On the question "Shall the motion to suspend the rules and take up House File 307 be adopted?" the vote was:

Rule was 24 invoked.

Ayes, 9:

Gaudineer
Glenn
Hill

Kennedy
Lavery

Nicholson
Palmer

Robinson
Tapscott

Nays, 32:

Anderson
Arbuckle
Balloun
Bass
Brownlee
Carlson
Conklin
Curran

Davis
DeKoster
Erskine
Gilley
Graham
Gross
Keith
Lamborn

Messerly
Miller
Mowry
Neu
Ollenburg
Potgeter
Potter
Rabedeaux

Rhodes
Riley
Shaff
Shawver
Smith
Stephens
Van Drie
Walsh

Voting present, 2:

Coleman (under Rule 24)

Milligan (under Rule 24)

Absent or not voting, 7:

Briles
Doderer

Griffin
Kyhl

Schaben
Thordsen

Van Gilst

The motion, having failed to receive a two-thirds majority, lost.

CONSIDERATION OF BILLS

Senator Lamborn asked and received unanimous consent to take up for consideration Senate File 583.

Senate File 583

On motion of Senator Balloun, Senate File 583, a bill for an act to establish the salary rate for the superintendent of the department of public instruction, was taken up and considered.

Senator Messerly offered the following amendment by the committee on appropriations:

- 1 Amend Senate File 583, page 1, line 8, by striking the
- 2 words "twenty-five thousand (25,000)" and inserting in lieu
- 3 thereof the words "twenty-six thousand (26,000)". Further
- 4 amend by striking in line 9 the words "twenty-five thousand
- 5 (25,000)" and inserting in lieu thereof the words "twenty-
- 6 six thousand (26,000)".

Senator Gaudineer offered the following amendment to the amendment and moved its adoption:

- 1 Amend the appropriations committee amendment to Senate
- 2 File 583, filed June 15, 1971, as follows:
- 3 1. Line 3, by striking the words and figures "twenty-
- 4 six thousand (26,000)", and insert in lieu thereof the words
- 5 and figures "twenty-eight thousand (28,000)".
- 6 2. Lines 5 and 6, by striking the words and figures
- 7 "twenty-six thousand (26,000)", and insert in lieu thereof
- 8 the words and figures "twenty-eight thousand (28,000)".

Roll call was requested.

On the question "Shall the Gaudineer amendment to the amendment be adopted?" (S.F. 583) the vote was:

Rule 24 was invoked.

Ayes, 22:

Balloun	Gaudineer	Miller	Riley
Carlson	Glenn	Milligan	Robinson
Conklin	Gross	Neu	Tapscott
Curran	Hill	Palmer	Van Drie
Davis	Kennedy	Rabedeaux	Walsh
DeKoster	Laverty		

Nays, 21:

Anderson	Gilley	Mowry	Rhodes
Arbuckle	Graham	Nicholson	Shaff
Bass	Keith	Ollenburg	Smith
Brownlee	Lamborn	Potgeter	Stephens
Coleman	Messerly	Potter	Van Gilst
Erskine			

Absent or not voting, 7:

Briles	Griffin	Schaben	Thordsen
Doderer	Kyhl	Shawver	

The amendment to the amendment was adopted.

Senator Messerly moved the adoption of the committee amendment as amended.

Division was called for.

The amendment as amended was adopted.

Senator Balloun moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 583) the vote was:

Rule 24 was invoked.

Ayes, 25:

Balloun	Gaudineer	Miller	Robinson
Brownlee	Glenn	Milligan	Shaff
Carlson	Gross	Neu	Shawver
Conklin	Hill	Palmer	Tapscott
Curran	Kennedy	Rabedaux	Van Drie
Davis	Laverty	Riley	Walsh
DeKoster			

Nays, 19:

Anderson	Gilley	Mowry	Rhodes
Arbuckle	Graham	Nicholson	Smith
Bass	Keith	Ollenburg	Stephens
Coleman	Lamborn	Potgeter	Van Gilst
Erskine	Messerly	Potter	

Absent or not voting, 6:

Briles	Griffin	Schaben	Thordsen
Doderer	Kyhl		

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

Senate File 582

The Senate resumed consideration of Senate File 582 and the Lamborn amendment as amended.

Senator Lamborn asked and received unanimous consent to withdraw the amendment as amended.

Senator Lamborn offered the following amendment and moved its adoption:

- 1 Amend Senate File 582, page 2, by striking lines 21
- 2 through 35, inclusive, and page 3, lines 1 through 5,
- 3 inclusive, and inserting in lieu thereof the following:
- 4 "Commencing with the September, 1965, school term, the
- 5 state shall reimburse each public school district in an
- 6 amount not to exceed thirty dollars per student for each
- 7 student [completing] *enrolled in and regularly attending an*
- 8 approved driver education course offered or made available
- 9 by the school district. Every public school district in
- 10 Iowa shall offer or make available to all students residing
- 11 in the school district an approved course in driver education.
- 12 An approved course offered during the summer months, on
- 13 Saturdays, after regular school hours during the regular
- 14 terms or partly in one term or summer vacation period and
- 15 partly in the succeeding term or summer vacation period,
- 16 as the case may be, shall satisfy the requirements of this

17 section to the same extent as an approved course offered
 18 during the regular school hours of the school term. A
 19 student who successfully completes and obtains certifica-
 20 tion in an approved course in driver education may, upon
 21 proof of such fact, be excused from any field test which
 22 he would otherwise be required to take in demonstrating his
 23 ability to operate a motor vehicle. Funds for such reim-
 24 bursement shall be appropriated by the legislature to a
 25 special driver education fund to be administered by the

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1 department of public instruction. Two percent of
 2 the annual amount allocated to the special driver educa-
 3 tion fund, shall be available to the department of public
 4 instruction for use in discharging the cost of adminis-
 5 tration of this section."

The amendment was adopted.

Senator Balloun moved that the bill was read the last time now,
 which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 582) the vote was:

Ayes, 42:

Anderson	Gaudineer	Miller	Riley
Arbuckle	Gilley	Milligan	Robinson
Balloun	Glenn	Mowry	Shaff
Brownlee	Graham	Neu	Shawver
Carlson	Gross	Nicholson	Smith
Coleman	Hill	Ollenburg	Stephens
Conklin	Keith	Potgeter	Tapscott
Curran	Kennedy	Potter	Van Drie
Davis	Lamborn	Rabedeaux	Van Gilst
DeKoster	Laverty	Rhodes	Walsh
Erskine	Messery		

Nays, none.

Absent or not voting, 8:

Bass	Doderer	Kyhl	Schaben
Briles	Griffin	Palmer	Thordsen

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

Senator Hill moved that the vote by which **Senate File 582** passed
 the Senate be reconsidered and the motion to reconsider be laid on
 the table, which motion prevailed.

REPORTS OF INVESTIGATING COMMITTEES

Senator Rhodes submitted the following report and moved its
 adoption:

MR. PRESIDENT: Your committee appointed to investigate the character
 and qualifications of John Baldridge of Chariton, Lucas County, Iowa, for
 appointment as a member of the Iowa State Board of Regents for the State

of Iowa under the provisions of section 262.3 of the 1971 Code of Iowa for the regular six-year term beginning July 1, 1971, and ending June 30, 1977, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

JOHN C. RHODES, Chairman
 QUENTIN V. ANDERSON
 GENE W. GLENN
 WILSON L. DAVIS
 CHARLES O. LAVERTY

The motion prevailed and the report was adopted.

Senator Rhodes moved that the appointment of John Baldridge be confirmed.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 42:

Anderson	Gaudineer	Miller	Riley
Arbuckle	Gilley	Milligan	Robinson
Balloun	Glenn	Mowry	Shaff
Brownlee	Graham	Neu	Shawver
Carlson	Gross	Nicholson	Smith
Coleman	Hill	Ollenburg	Stephens
Conklin	Keith	Potgeter	Tapscott
Curran	Kennedy	Potter	Van Drie
Davis	Lamborn	Rabedeaux	Van Gilst
DeKoster	Laverty	Rhodes	Walsh
Erskine	Messerly		

Nays, none.

Absent or not voting, 8:

Bass	Doderer	Kyh	Schaben
Briles	Griffin	Palmer	Thordsen

President Jepsen declared the appointment of John Baldridge as a member of the Iowa State Board of Regents confirmed for the regular six-year term ending June 30, 1977.

Senator Nicholson submitted the following report and moved its adoption:

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of C. H. Wildman of Davenport, Scott County, Iowa, for appointment as a member of the State Judicial Nominating Commission for the State of Iowa under the provisions of section 46.1 of the 1971 Code of Iowa for a regular six-year term commencing July 1, 1971, and ending June 30, 1977, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

HAROLD A. THORSEN, Chairman
 CHARLES P. MILLER
 EDWARD E. NICHOLSON
 ROGER J. SHAFF
 JOHN M. WALSH

The motion prevailed and the report was adopted.

Senator Nicholson moved that the appointment of C. H. Wildman be confirmed.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 41:

Anderson	Gaudineer	Messerly	Riley
Arbuckle	Gilley	Miller	Robinson
Balloun	Glenn	Milligan	Shaff
Bass	Graham	Mowry	Shawver
Brownlee	Gross	Neu	Smith
Carlson	Hill	Nicholson	Stephens
Coleman	Keith	Potgeter	Tapscott
Conklin	Kennedy	Potter	Van Drie
Curran	Lamborn	Rabedaux	Van Gilst
DeKoster	Laverty	Rhodes	Walsh
Erskine			

Nays, none.

Absent or not voting, 9:

Briles	Griffin	Ollenburg	Schaben
Davis	Kyhl	Palmer	Thordsen
Doderer			

President Jepsen declared the appointment of C. H. Wildman as a member of the State Judicial Nominating Commission confirmed for the regular six-year term ending June 30, 1977.

Senator Arbuckle submitted the following report and moved its adoption:

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of William Sorenson of Jefferson, Greene County, Iowa, for appointment as a member of the State Judicial Nominating Commission for the State of Iowa under the provisions of section 46.1 of the 1971 Code of Iowa for the unexpired portion of a term ending June 30, 1975, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

R. DEAN ARBUCKLE, Chairman
C. JOSEPH COLEMAN
J. WESLEY GRAHAM
ARTHUR A. NEU
RUDY VAN DRIE

The motion prevailed and the report was adopted.

Senator Arbuckle moved that the appointment of William Sorenson be confirmed.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 41:

Anderson	Davis	DeKoster	Graham
Arbuckle	Coleman	Erskine	Gross
Balloun	Conklin	Gaudineer	Hill
Bass	Curran	Gilley	Keith
Brownlee	Carlson	Glenn	Lamborn

Laverty	Nicholson	Riley	Stephens
Messerly	Potgeter	Robinson	Tapscott
Miller	Potter	Shaff	Van Drie
Milligan	Rabedeaux	Shawver	Van Gilst
Mowry	Rhodes	Smith	Walsh
Neu			

Nays, none.

Absent or not voting, 9:

Briles	Kennedy	Ollenburg	Schaben
Doderer	Kyhl	Palmer	Thordsen
Griffin			

President Jepsen declared the appointment of William Sorenson as a member of the State Judicial Nominating Commission confirmed for the unexpired portion of the term ending June 30, 1975.

Senator Stephens submitted the following report and moved its adoption:

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Donald L. Johnson of Fairfield, Jefferson County, Iowa, for appointment as a member of the State Soil Conservation Committee for the State of Iowa under provisions of chapter 467A of the 1971 Code of Iowa, for a regular six-year term beginning July 1, 1971, and ending June 30, 1977, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

RICHARD L. STEPHENS, Chairman
WILSON L. DAVIS
EDWARD E. NICHOLSON
CHARLES P. MILLER
W. R. RABEDEAUX

The motion prevailed and the report was adopted.

Senator Stephens moved that the appointment of Donald L. Johnson be confirmed.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 42:

Anderson	Erskine	Messerly	Riley
Arbuckle	Gaudineer	Miller	Robinson
Balloun	Gilley	Milligan	Shaff
Bass	Glenn	Mowry	Shawver
Brownlee	Graham	Neu	Smith
Carlson	Gross	Nicholson	Stephens
Coleman	Hill	Potgeter	Tapscott
Conklin	Keith	Potter	Van Drie
Curran	Kennedy	Rabedeaux	Van Gilst
Davis	Lamborn	Rhodes	Walsh
DeKoster	Laverty		

Nays, none.

Absent or not voting, 8:

Briles	Griffin	Ollenburg	Schaben
Doderer	Kyhl	Palmer	Thordsen

President Jepsen declared the appointment of Donald L. Johnson as a member of the State Soil Conservation Committee confirmed for the regular six-year term ending June 30, 1977.

MOTION TO RECONSIDER ADOPTED

Senate File 583

Senator Messerly moved to reconsider the vote by which Senate File 583 failed to pass the Senate.

On the question "Shall the motion to reconsider be adopted?" (S.F. 583) the vote was:

Ayes, 33:

Anderson	Erskine	Messerly	Riley
Arbuckle	Gilley	Milligan	Robinson
Balloun	Glenn	Mowry	Shaff
Bass	Graham	Neu	Shawver
Brownlee	Hill	Nicholson	Smith
Carlson	Keith	Potgeter	Stephens
Coleman	Lamborn	Potter	Van Drie
Curran	Laverty	Rhodes	Van Gilst
Davis			

Nays, 8:

Conklin	Gross	Miller	Tapscott
Gaudineer	Kennedy	Rabedeaux	Walsh

Absent or not voting, 9:

Briles	Griffin	Ollenburg	Schaben
DeKoster	Kyhl	Palmer	Thordsen
Doderer			

The motion prevailed.

Senator Messerly moved to reconsider the vote by which Senate File 583 went to its last reading and called for a division.

The motion prevailed and Senate File 583, a bill for an act to establish the salary rate for the superintendent of the department of public instruction, was taken up for reconsideration.

Senator VanDrie moved to reconsider the vote by which the appropriations committee amendment filed June 15, 1971, to Senate File 583 as amended was adopted by the Senate, which motion prevailed.

Senator Gaudineer moved that further action on Senate File 583 be deferred and called for a division.

The motion lost.

On motion of Senator Van Drie, the appropriations committee amendment was taken up for reconsideration.

Senator Van Drie moved to reconsider the vote by which the Gaudineer amendment filed June 15 to the appropriations committee amendment was adopted.

The motion prevailed and the Gaudineer amendment to the amendment was taken up for reconsideration.

Senator Gaudineer moved the adoption of the amendment to the amendment and requested a roll call.

On the question "Shall the Gaudineer amendment to the amendment be adopted?" (S.F. 583) the vote was:

Rule 24 was invoked.

Ayes, 19:

Balloun	Gaudineer	Miller	Robinson
Brownlee	Glenn	Milligan	Shawver
Carlson	Gross	Neu	Tapscott
Conklin	Hill	Rabedeaux	Walsh
Davis	Kennedy	Riley	

Nays, 22:

Anderson	Gilley	Mowry	Shaff
Arbuckle	Graham	Nicholson	Smith
Bass	Keith	Potgeter	Stephens
Coleman	Lamborn	Potter	Van Drie
Curran	Laverty	Rhodes	Van Gilst
Erskine	Messerly		

Absent or not voting, 9:

Briles	Griffin	Ollenburg	Schaben
DeKoster	Kyhl	Palmer	Thordsen
Doderer			

The amendment to the amendment lost.

On motion of Senator Messerly, the committee amendment was adopted.

Senator Balloun moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 583) the vote was:

Ayes, 30:

Arbuckle	Gilley	Messerly	Riley
Balloun	Glenn	Mowry	Shaff
Bass	Graham	Neu	Smith
Brownlee	Gross	Nicholson	Stephens
Carlson	Keith	Potgeter	Tapscott
Coleman	Kennedy	Potter	Van Drie
Erskine	Lamborn	Rhodes	Van Gilst
Gaudineer	Laverty		

Nays, 10:

Anderson
Conklin
Curran

Davis
Hill
Miller

Rabedeaux
Robinson

Shawver
Walsh

Absent or not voting, 10:

Briles
DeKoster
Doderer

Griffin
Kyhle
Milligan

Ollenburger
Palmer

Schaben
Thordesen

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

Senator Balloun asked and received unanimous consent that **Senate File 583** be **immediately messaged** to the House, which request was complied with.

MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 510, a bill for an act relating to the transfer and use of state funds and use tax imposed upon vehicles subject to registration.

WILLIAM R. KENDRICK, Chief Clerk

HOUSE AMENDMENT TO SENATE FILE 510

- 1 Amend Senate File 510 as amended, passed and reprinted
- 2 by the Senate as follows:
- 3 1. Page 2, by striking lines 1 through 10, inclusive,
- 4 and inserting in lieu thereof the following:
- 5 "Section 1. Notwithstanding the provisions of sub-
- 6 section three (3) of section four hundred twenty-two point
- 7 sixty-nine (422.69) of the Code, there is appropriated from
- 8 the general fund of the state for the fiscal year beginning
- 9 July 1, 1971 and ending June 30, 1972 the sum of one million
- 10 five hundred forty-five thousand (1,545,000) dollars and
- 11 for the fiscal year beginning July 1, 1972 and ending
- 12 June 30, 1973 the sum of four hundred fifty thousand
- 13 (450,000) dollars to the department of public safety,
- 14 division of motor vehicle registration, for the purpose of
- 15 purchasing supplies and materials, and for the cost of
- 16 manufacture of motor vehicle registration plates and
- 17 validation emblems at prison industries. The appropriation
- 18 provided in this section shall be in lieu of the transfer of
- 19 funds provided for in subsection three (3) of section four
- 20 hundred twenty-two point sixty-nine (422.69) of the Code
- 21 for the fiscal years for which this appropriation is provided.
- 22 Sec. 2. Notwithstanding the provisions of subsection
- 23 five (5) of section four hundred twenty-two point sixty-nine
- 24 (422.69) of the Code, during the last quarter of the fiscal
- 25 years ending June 30, 1972, and June 30, 1973, the net receipts

Page 2

1 of all the sales tax collected under division four (IV)
2 of chapter four hundred twenty-two (422) of the Code,
3 shall be credited to the general fund of the state. The
4 transfer of funds provided in this section shall supersede
5 the transfer of funds provided for in subsection five (5)
6 of section four hundred twenty-two point sixty-nine
7 (422.69) of the Code for the fiscal years ending June 30,
8 1972 and June 30, 1973.

9 Sec. 3. Notwithstanding the provisions of section
10 eight point thirty-three (8.33) of the Code, all unencum-
11 bered or unobligated balances of appropriations made by
12 this Act for the first fiscal year of the biennium commenc-
13 ing July 1, 1971 shall, on September 30, 1972, revert to
14 the state treasury and to the credit of the fund from which
15 appropriated. In all other respects the provisions of
16 section eight point thirty-three (8.33) of the Code shall
17 apply to appropriations made for the first fiscal year of
18 such biennium. Unencumbered or unobligated balances of
19 appropriations made for the second fiscal year of such
20 biennium shall be subject to section eight point thirty-
21 three (8.33) of the Code."

22 2. Page 5, by striking lines 7 through 12, inclusive,
23 and inserting in lieu thereof the following:

24 "month, [together with an itemized statement on forms
25 furnished by the department showing the name of each

Page 3

1 taxpayer, the make and purchase price of each motor
2 vehicle or trailer, the amount of tax paid in each case,
3 and such other information as the director may require]
4 *accompanied by a copy of each registration receipt issued*
5 *in conjunction with the certificate of title issued for*
6 *each vehicle subject to registration."*

7 3. Page 6, by adding after line 3 the following new
8 sections:

9 (1) Section three hundred twenty-one point twenty
10 (321.20), Code 1971, is amended by adding the following
11 new subsection:

12 "The amount of tax to be paid under section four
13 hundred twenty-three point seven (423.7) of the Code."

14 (2) Section three hundred twenty-one point twenty-
15 four (321.24), Code 1971, is amended as follows:

16 321.24 ISSUANCE OF REGISTRATION AND CERTIFICATE
OF

17 TITLE. Upon receipt of the application for title and
18 payment of the required fees for motor vehicle, trailer,
19 or semitrailer, the county treasurer shall, when satisfied
20 as to the genuineness and regularity thereof, issue a
21 registration receipt and certificate of title and shall file
22 the application, the manufacturer's or importer's
23 certificate, certificate of title, or other evidence of
24 ownership, as prescribed by the department. The registration
25 receipt shall be delivered to the owner and shall contain

Page 4

1 upon the face thereof the date issued, the name and
2 address of the owner, the registration number assigned
3 to the vehicle, the title number assigned to the owner
4 of the vehicle, the amount of the fee paid, *the amount*
5 *of tax paid pursuant to section four hundred twenty-three*
6 *point seven (423.7)*, type of fuel used and such
7 description of the vehicle as determined by the depart-
8 ment and upon the reverse side a form for notice of
9 transfer of the vehicle. One copy of the registration
10 receipt shall be retained by the county treasurer in
11 a registration number file and said file shall be open
12 for public inspection during reasonable business hours.
13 Two copies shall be mailed to the department on date
14 of issuance. The certificate of title shall contain
15 upon the face thereof the identical information required
16 upon the face of the registration receipt and such
17 information shall be so placed on the title form as to
18 permit the county treasurer to prepare the certificate
19 of title simultaneously with the registration receipt.
20 In addition thereto, the certificate of title shall contain
21 a statement of the owner's title, *the amount of tax paid*
22 *pursuant to section 423.7*, name and address of previous
23 owner, and a statement of all liens and encumbrances as
24 shown in the application, upon the vehicle therein
25 described including the nature of the lien or liens,

Page 5

1 amount, date of notation and name and address of lien-
2 holder or lienholders. Said certificate shall bear
3 thereon the seal of the county treasurer, his signature
4 or that of his deputy, and shall provide space for the
5 signature of the owner. Upon receipt of certificate of
6 title the owner shall write his name with pen and ink
7 in the space provided. The certificate of title shall
8 contain upon the reverse side a form for assignment of
9 title or interest and warranty thereof by the owner, for
10 reassignments by a licensed dealer and for application
11 for a new certificate of title by the transferee as
12 provided in this chapter. All certificates of title
13 shall be typewritten and shall be issued in triplicate.
14 The original certificate of title shall be delivered
15 to the owner in the event no lien or encumbrance
16 appears thereon. Otherwise the certificate of title shall
17 be delivered by the county treasurer to the person holding
18 the first lien or encumbrance as shown in the certificate.
19 One copy of the certificate shall be retained by the
20 county treasurer in a title number file in the manner
21 prescribed by the department and shall remain in the file
22 of the county issuing the title for a period of three years
23 from the date of notification of cancellation or that a
24 new title has been issued as provided in this chapter after
25 which it may be destroyed. One copy shall be mailed to the

Page 6

1 department on the date of issuance. The department
2 shall designate a uniform system of title numbers so
3 as to indicate the county of issuance.
4 (3) Chapter four hundred twenty-three (423),
5 Code 1971, is amended by adding the following new
6 section:
7 "Any person who willfully makes any false statement
8 in regard to the purchase price of a vehicle subject to
9 taxation under section four hundred twenty-three point
10 seven (423.7) of the Code is guilty of a misdemeanor."
11 (4) Section three hundred twenty-one point thirty-
12 five (321.35), Code 1971, is amended by adding the
13 following new paragraph:
14 "All motor vehicle registration plates shall be
15 treated with a reflective material according to
16 specifications prescribed by the commissioner of public
17 safety."
18 4. Amend the title by striking all after the word
19 "Act" in line 1 and inserting in lieu thereof the
20 following: "relating to sales and use tax, the distribu-
21 tion of revenue therefrom, and providing penalties."
22 5. Correct internal references and renumber sections
23 in accordance with this amendment.

**ANNOUNCEMENT OF INVESTIGATING COMMITTEES
ON GOVERNOR'S APPOINTMENTS**

President Jepsen, in accordance with section 2.32, Code 1971, announced the appointment of the following Senators to investigating committees:

As a member of the Natural Resources Council:

Lee Feil of Riverton, Fremont County, Iowa, for a regular six-year term ending June 30, 1977.

Senator Bass, Chairman
Senator Anderson
Senator Briles
Senator Griffin
Senator Schaben

As a member of the State Conservation Commission:

John Link of Burlington, Des Moines County, Iowa, for a regular six-year term ending June 30, 1977.

Senator Davis, Chairman
Senator Miller
Senator Nicholson
Senator Rabedaux
Senator Stephens

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on June 14, 1971, the Governor approved and transmitted to the Secretary of State the following bills:

- S. F. 509—Relating to vocational training and apprenticeship programs.
- S. F. 552—To appropriate from moneys received by certain commissions, boards, and departments.
- S. F. 553—Making appropriations to certain state agencies and divisions thereof.
- S. F. 562—To appropriate from the General Fund of the State Historical Society for development of designated historical sites.
- S. F. 564—To make appropriations to members of the Advisory Investment Board of the Iowa Public Employees' Retirement System.
- H. F. 63—To provide compensation for the public representatives serving on the Committee on Child Labor.
- H. F. 66—Relating to the sale of real property owned by a school district.
- H. F. 211—Relating to the term of office of county attorneys.
- H. F. 268—Relating to the issuance and use of distress flags by handicapped persons and providing penalties for violations thereof.
- H. F. 446—Relating to public recreation on private lands.
- H. F. 463—Relating to emergency succession and emergency location of state and local governments.
- H. F. 514—Relating to County Conservation Boards.
- H. F. 567—Relating to commission form cities.
- H. F. 600—Relating to the minimum age for appointment of commissioned and warrant officers in the National Guard.
- H. F. 606—Relating to war orphans' educational aid fund and making an appropriation to the Bonus Board.
- H. F. 658—Relating to flashing emergency lights on motor vehicles.
- H. F. 688—Making an appropriation to the Department of Public Instruction to provide school lunch assistance.
- H. F. 699—To make appropriations to certain named persons in settlement of claims made against the State of Iowa.
- H. F. 702—To appropriate from moneys received by certain commissions, boards and departments.

H. F. 707—To permit cities of not less than thirteen nor more than seven-thousand population, located on a navigable river, to enter into a single responsibility contract for construction of a waste treatment facility.

H. F. 715—To appropriate from moneys received by the Department of Public Safety Motor Vehicle Dealers License Fee Fund.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which House File 537 passed the Senate.

JAMES A. POTGETER

EXPLANATION OF VOTE

I voted "yes" on the appeal from the ruling of the Chair found on page 1803 of the Senate Journal.

Mason's Manual of Legislative Procedure, Sec. 230, Paragraph 1, provides that the proper method of taking exception to a ruling of a presiding officer is by appeal. It is a motion of right available to all members, as inherent authority to interpret and apply its rules must lie with the entire parliamentary body. An individual Senator's respect for the presiding officer is in no way diminished by an exception to his ruling; reasonable men may disagree within the framework of democratic government. An apparent tradition of many-years standing should not be urged to intimidate members from exercising the full panoply of prerogatives vested in the body.

The Conference Committee on the school aid and tax measure failed to limit its recommendations to the differences between the two houses. Arbitrarily, it eliminated the "census child" provision—concurred in by both the House and Senate—from its report. Rule 12, Joint Rules of the House and Senate, provides that the authority of the committee shall be *limited to* recommendations regarding the subject matter of the amendment or amendments which were insisted upon by the house requesting the conference committee. By way of further interpretation Mason's provides that a report of a conference committee is objectionable in form if the committee has not confined itself to differences of opinion between the two houses. The word "objectionable", in the context of Mason's, would appear to constitute a bar to further proceeding unless overcome by appropriate motion and vote to suspend the rules.

The timeliness of the objection was also placed in issue, as Mason's provides such objection must be made at the time the report is introduced. The Senate Journal of June 11 indicates that Senator Walsh had previously raised a similar point of order, with the presiding officer holding the point not well taken because "it did limit itself to the same subject matter."

My further research supported a contrary conclusion, so the point of order was renewed at the earliest opportunity with the additional reliance upon Mason's Manual of Legislative Procedure.

The appeal was made in the interests of principle, not partisanship, and should be considered as adding a new dimension to the finest traditions of the Iowa Senate.

GENE W. GLENN

REPORTS OF COMMITTEES

Senator Erskine submitted the following report:

MR. PRESIDENT: Your committee on conservation and recreation, to which was referred **House File 330**, a bill for an act relating to the adoption and enforcement of departmental rules by the state conservation commission, begs leave to report it has had the same under consideration and recommends the same **be amended as follows; and when so amended the bill do pass:**

- 1 Amend House File 330 as follows:
- 2 1. By striking lines 4 through 10 and inserting in lieu
- 3 thereof the following:
- 4 Section 1. Section one hundred six point twenty-six (106.26),
- 5 Code 1971, is amended by adding the following new subsection:
- 6 8. Except as provided in special rules promulgated under the
- 7 authority of this chapter, the following speed and distance
- 8 regulations shall apply:
- 9 a. On all waters under the jurisdiction of the state conservation
- 10 commission:
- 11 (1) No motorboat shall be operated at speeds greater than five
- 12 miles per hour when within two hundred fifty feet of another
- 13 craft traveling at five miles per hour or less or any sailboat
- 14 at any time.
- 15 (2) Motorboats shall maintain a minimum passing or meeting
- 16 distance of fifty feet when both boats are traveling at speeds
- 17 greater than five miles per hour.
- 18 b. On all lakes and federal impoundments under the jurisdiction of the
- 19 state conservation commission:
- 20 (1) No motorboat shall be operated at a speed exceeding five
- 21 miles per hour unless vision is unobstructed at three hundred
- 22 feet ahead.
- 23 (2) No motorboat shall be operated within three hundred feet of
- 24 shore at a speed greater than ten miles per hour.
- 25 2. Amend the title by striking from line 1 the words "adoption

Page 2

- 1 and enforcement of depart-" and by striking line 2 and inserting
- 2 in lieu thereof: "right-of-way rules of vessel traffic."

ALDEN J. ERSKINE, Chairman

Ordered passed on file.

Senator Conklin submitted the following report:

MR. PRESIDENT: Your committee on schools, to which was referred **House File 144**, a bill for an act relating to the board of educational examiners, begs leave to report it has had the same under consideration and recommends the same **do pass.**

W. CHARLENE CONKLIN, Chairman

Ordered passed on file.

Senator Potgeter submitted the following report:

MR. PRESIDENT: Your committee on state government, to which was referred **Senate Concurrent Resolution 28**, a resolution establishing an interim study committee to study need for legislation in regulating operations and acquisitions of bank holding companies, begs leave to report it has had the same under consideration and recommends the same **be amended as follows; and when so amended the bill do pass:**

- 1 Amend Senate Concurrent Resolution 28 as follows:
- 2 Page 1, line 11, by striking the word "shall" and
- 3 inserting in lieu thereof the word "may".

JAMES A. POTGETER, Chairman

Ordered passed on file.

AMENDMENTS FILED

- 1 Amend House File 69 as follows:
- 2 Page 1, by striking lines 4 and 5 and inserting in lieu
- 3 thereof the following:
- 4 "Section 1. Section three hundred thirty-two point
- 5 thirty-five (332.35), Code 1971, is amended as follows:
- 6 332.35 ERRORS AND OMISSION INSURANCE ON COUNTY OFFICERS.
- 7 The board of supervisors [shall] *may* purchase and pay premi-
- 8 ums on insurance covering and insuring county officers,
- 9 including sheriffs and their employees, which insurance
- 10 shall insure against personal liability as a result of
- 11 errors and omissions in the performance of official duties.
- 12 The premiums shall be paid from the county general fund.
- 13 Minimum liability limits for such insurance shall be fixed
- 14 by the attorney general. In the event that the liability
- 15 of any county officer for any error or omission is not
- 16 fully indemnified by insurance, the board of supervisors
- 17 [may elect to] *shall* pay any loss, for which any county
- 18 officer may be found liable, from the general fund of
- 19 the county."

LEE H. GAUDINEER

- 1 Amend House File 709 as follows:
- 2 1. Page 3, by adding the following new section
- 3 after line 12:
- 4 "Sec. 2. There is appropriated to the department of
- 5 public instruction from the general fund of the state
- 6 for the biennium beginning July 1, 1971, and ending June
- 7 30, 1973, the sum of thirty thousand (30,000) dollars,
- 8 or so much thereof as may be necessary for the use of the
- 9 professional teaching practices commission to carry out
- 10 the provisions of chapter two hundred seventy-two A
- 11 (272A) of the Code."
- 12 2. By renumbering the bill sections.

W. CHARLENE CONKLIN

On motion of Senator Lamborn, the Senate adjourned until 9:00 a.m., Wednesday, June 16, 1971.

JOURNAL OF THE SENATE

ONE HUNDRED FIFTY-SEVENTH DAY

SENATE CHAMBER
DES MOINES, IOWA, WEDNESDAY, JUNE 16, 1971

The Senate met in regular session, President Jepsen presiding.

Prayer was offered by the Reverend David Raymond, pastor of the First Congregational United Church of Christ, Oskaloosa, Iowa.

The Senate pledged allegiance to the flag.

The Journal of Tuesday, June 15, 1971, was approved.

PRESENTATION OF VISITORS

The Chair announced that the following visitors were present in the Senate gallery:

Seventeen students from Blakesburg Elementary School, Blakesburg, Iowa, accompanied by Mrs. Arthur Townsend.

CONSIDERATION OF BILLS

House File 236

On motion of Senator Rhodes, House File 236, a bill for an act relating to the establishment of rest areas or rest area buildings on interstate highways, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Rhodes offered the following amendment filed by Senators Bass and Rhodes and moved its adoption:

- 1 Amend House File 236, line 22, by inserting after the word
- 2 "*seventy*" the words "*and a rest area and rest area buildings*
- 3 *on interstate highway eighty north in Pottawattamie county*
- 4 *near Loveland*".

The amendment was adopted.

Senator Rhodes moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 236) the vote was:

Ayes, 34:

Anderson	Gaudineer	Lamborn	Rhodes
Arbuckle	Gilley	Messerly	Schaben
Bass	Glenn	Miller	Shaff
Brownlee	Graham	Mowry	Shawver
Carlson	Gross	Nicholson	Smith
Conklin	Hill	Potgeter	Stephens
Curran	Keith	Potter	Van Drie
DeKoster	Kennedy	Rabedeaux	Walsh
Erskine	Kyhl		

Nays, 5:

Coleman	Riley	Robinson	Tapscott
Milligan			

Absent or not voting, 11:

Balloun	Doderer	Neu	Thordsen
Briles	Griffin	Ollenburg	Van Gilst
Davis	Laverty	Palmer	

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

Senator Rhodes asked and received unanimous consent that **House File 236** be **immediately messaged** to the House, which request was complied with.

House File 716

On motion of Senator Hill, House File 716, a bill for an act to legalize and validate the procedures followed by the Poweshiek County Board of Supervisors in contracting with the Frank Wheeler Construction Company of Montezuma, Iowa, for the repair and remodeling of the Poweshiek County jail located at Montezuma, Iowa, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Hill moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 716) the vote was:

Ayes, 37:

Anderson	Erskine	Lamborn	Robinson
Arbuckle	Gilley	Messerly	Schaben
Bass	Glenn	Milligan	Shaff
Briles	Graham	Nicholson	Shawver
Brownlee	Gross	Potgeter	Smith
Carlson	Hill	Potter	Stephens
Coleman	Keith	Rabedeaux	Tapscott
Conklin	Kennedy	Rhodes	Van Drie
Curran	Kyhl	Riley	Walsh
DeKoster			

Nays, 1:

Gaudineer

Absent or not voting, 12:

Balloun	Griffin	Mowry	Palmer
Davis	Laverty	Neu	Thordsen
Doderer	Miller	Ollenburg	Van Gilst

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

Senator Hill asked and received unanimous consent that **House File 716** be **immediately messaged** to the House, which request was complied with.

House File 565

On motion of Senator Milligan, House File 565, a bill for an act to legalize and validate the proceedings of the City Council of the City of Windsor Heights and the City Council of the City of Clive, in the County of Polk, State of Iowa, in adopting an Intergovernmental Corporation Boundary Agreement and establishing a portion of their common corporation boundary line and in taking action in reliance thereon, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Milligan moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 565) the vote was:

Ayes, 43:

Anderson	Doderer	Lamborn	Riley
Arbuckle	Erskine	Messerly	Robinson
Bass	Gaudineer	Miller	Schaben
Briles	Gilley	Milligan	Shaff
Brownlee	Glenn	Mowry	Shawver
Carlson	Graham	Neu	Smith
Coleman	Gross	Nicholson	Stephens
Conklin	Hill	Potgeter	Tapscott
Curran	Keith	Potter	Van Drie
Davis	Kennedy	Rabedeaux	Walsh
DeKoster	Kyhl	Rhodes	

Nays, none.

Absent or not voting, 7:

Balloun	Laverty	Palmer	Van Gilst
Griffin	Ollenburg	Thordsen	

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

Senator Milligan asked and received unanimous consent that **House File 565** be **immediately messaged** to the House, which request was complied with.

House File 69

On motion of Senator Gaudineer, House File 69, a bill for an act relating to errors and omissions insurance for county officers and employees, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Gaudineer offered the following amendment filed by him and moved its adoption:

- 1 Amend House File 69 as follows:
- 2 Page 1, by striking lines 4 and 5 and inserting in lieu
- 3 thereof the following:
- 4 "Section 1. Section three hundred thirty-two point
- 5 thirty-five (332.35), Code 1971, is amended as follows:
- 6 332.35 ERRORS AND OMISSION INSURANCE ON COUNTY OFFICERS.
- 7 The board of supervisors [shall] *may* purchase and pay premi-
- 8 ums on insurance covering and insuring county officers,
- 9 including sheriffs and their employees, which insurance
- 10 shall insure against personal liability as a result of
- 11 errors and omissions in the performance of official duties.
- 12 The premiums shall be paid from the county general fund.
- 13 Minimum liability limits for such insurance shall be fixed
- 14 by the attorney general. In the event that the liability
- 15 of any county officer for any error or omission is not
- 16 fully indemnified by insurance, the board of supervisors
- 17 [may elect to] *shall* pay any loss, for which any county
- 18 officer may be found liable, from the general fund of
- 19 the county."

The amendment was adopted.

Senator Gaudineer moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 69) the vote was:

Ayes, 41:

Anderson	Doderer	Lamborn	Riley
Arbuckle	Erschine	Messerly	Robinson
Bass	Gaudineer	Milligan	Schaben
Briles	Gilley	Mowry	Shaff
Brownlee	Glenn	Nicholson	Shawver
Carlson	Graham	Palmer	Smith
Coleman	Gross	Potgeter	Stephens
Conklin	Keith	Potter	Tapscott
Curran	Kennedy	Rabedaux	Van Drie
Davis	Kyhl	Rhodes	Walsh
DeKoster			

Nays, none.

Absent or not voting, 9:

Balloun	Laverty	Neu	Thordsen
Griffin	Miller	Ollenburg	Van Gilst
Hill			

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

Senator Briles asked and received unanimous consent that **House File 69** be **immediately messaged** to the House, which request was complied with.

House File 666

On motion of Senator Bass, House File 666, a bill for an act relating to salaries, vacation and sick leave for state employees, with report of committee without recommendation, was taken up, considered, and the report of the committee adopted.

Senator Bass moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 666) the vote was:

Ayes, 40:

Anderson	Erskine	Messerly	Riley
Arbuckle	Gaudineer	Miller	Robinson
Balloun	Gilley	Milligan	Schaben
Briles	Glenn	Mowry	Shaff
Carlson	Graham	Neu	Shawver
Coleman	Gross	Nicholson	Smith
Curran	Hill	Potgeter	Tapscott
Davis	Keith	Potter	Van Drie
DeKoster	Kennedy	Rabedeaux	Van Gilst
Doderer	Lamborn	Rhodes	Walsh

Nays, 3:

Bass	Kyhl	Stephens
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Absent or not voting, 7:

Brownlee	Griffin	Ollenburg	Thordsen
Conklin	Laverty	Palmer	

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

Senator Van Drie moved that the vote by which House File 666 passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Van Drie asked and received unanimous consent that **House File 666** be **immediately messaged** to the House, which request was complied with.

MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has refused to concur in the Senate amendment to the House amend-

ment to the following bill in which the concurrence of the House was asked:
Senate File 557, a bill for an act to appropriate to the department of public safety.

WILLIAM R. KENDRICK, Chief Clerk

CONSIDERATION OF BILLS

Senator Brownlee asked and received unanimous consent to take up for consideration House File 330.

House File 330

On motion of Senator Brownlee, House File 330, a bill for an act relating to adoption and enforcement of departmental rules by the state conservation commission, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Brownlee offered the following amendment by the committee on conservation and recreation and moved its adoption:

- 1 Amend House File 330 as follows:
- 2 1. By striking lines 4 through 10 and inserting in lieu
- 3 thereof the following:
- 4 Section 1. Section one hundred six point twenty-six (106.26),
- 5 Code 1971, is amended by adding the following new subsection:
- 6 8. Except as provided in special rules promulgated under the
- 7 authority of this chapter, the following speed and distance
- 8 regulations shall apply:
- 9 a. On all waters under the jurisdiction of the state conservation
- 10 commission:
- 11 (1) No motorboat shall be operated at speeds greater than five
- 12 miles per hour when within two hundred fifty feet of another
- 13 craft traveling at five miles per hour or less or any sailboat
- 14 at any time.
- 15 (2) Motorboats shall maintain a minimum passing or meeting
- 16 distance of fifty feet when both boats are traveling at speeds
- 17 greater than five miles per hour.
- 18 b. On all lakes and federal impoundments under the jurisdiction of the
- 19 state conservation commission:
- 20 (1) No motorboat shall be operated at a speed exceeding five
- 21 miles per hour unless vision is unobstructed at three hundred
- 22 feet ahead.
- 23 (2) No motorboat shall be operated within three hundred feet of
- 24 shore at a speed greater than ten miles per hour.
- 25 2. Amend the title by striking from line 1 the words "adoption

Page 2

- 1 and enforcement of depart-" and by striking line 2 and inserting
- 2 in lieu thereof: "right-of-way rules of vessel traffic."

The amendment was adopted.

Senator Erskine asked and received unanimous consent to withdraw the amendment filed by him on June 8 and found on page 1727 of the Senate Journal.

Senator Brownlee moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 330) the vote was:

Ayes, 45:

Anderson	Doderer	Laverty	Rhodes
Arbuckle	Erskine	Messerly	Riley
Balloun	Gaudineer	Miller	Robinson
Bass	Gilley	Milligan	Schaben
Briles	Glenn	Mowry	Shawver
Brownlee	Graham	Neu	Smith
Carlson	Gross	Nicholson	Stephens
Coleman	Keith	Palmer	Tapscott
Conklin	Kennedy	Potgeter	Van Drie
Curran	Kyhl	Potter	Van Gilst
Davis	Lamborn	Rabedeaux	Walsh
DeKoster			

Nays, none.

Absent or not voting, 5:

Griffin	Ollenburg	Shaff	Thordsen
Hill			

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

Senator Brownlee asked and received unanimous consent that **House File 330** be immediately messaged to the House, which request was complied with.

SENATE INSISTS

Senate File 557

Senator Keith called up Senate File 557, a bill for an act to appropriate from the general fund of the state to the department of public safety and various divisions thereof, and moved that the Senate insist on its amendment to the House amendment.

Senator Glenn moved that the Senate recede from its amendment to the House amendment.

On the question "Shall the Senate recede from its amendment to the House amendment?" (S.F. 557) the vote was:

Ayes, 12:

Doderer	Hill	Palmer	Tapscott
Glenn	Kennedy	Robinson	Van Gilst
Gross	Miller	Schaben	Walsh

Nays, 33:

Anderson	Bass	Conklin	DeKoster
Arbuckle	Briles	Curran	Erskine
Balloun	Carlson	Davis	Gaudineer

Gilley
Graham
Keith
Kyhl
Lamborn
Laverty

Messerly
Milligan
Mowry
Neu
Nicholson

Potgeter
Potter
Rabedaux
Rhodes
Riley

Shaff
Shawver
Smith
Stephens
Van Drie

Absent or not voting, 5:

Brownlee
Coleman

Griffin

Ollenburg

Thordsen

The motion lost and the Senate insisted on its amendment to the House amendment.

APPOINTMENT OF CONFERENCE COMMITTEE

President Jepsen announced the appointment of the following conference committee on Senate File 557, on the part of the Senate: Senators DeKoster, chairman; Keith, Arbuckle and Gaudineer.

MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House insists on its amendments to Senate File 544, a bill for an act to appropriate to the commission on alcoholism, and requests a conference committee.

Conferees on the part of the House are: the Representative from Linn, Mrs. Lipsky, chairman; the Representative from Sioux, Mr. Den Herder; the Representative from Scott, Mrs. Shaw, and the Representative from Polk, Mr. Skinner.

WILLIAM R. KENDRICK, Chief Clerk

APPOINTMENT OF CONFERENCE COMMITTEE

President Jepsen announced the appointment of the following conference committee on Senate File 544, on the part of the Senate: Senators Anderson, chairman; Riley, Coleman and Milligan.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Rhodes, from the joint committee on enrolled bills, submitted the following report and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate Files 297, 528, 545, 551, 554, 558, 559, 560, 561, 568, 569 and 570.

JOHN C. RHODES
Chairman, Senate Committee
ELIZABETH R. MILLER
Chairman, House Committee

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate the following bills: Senate Files 297, 528, 545, 551, 554, 558, 559, 560, 561, 568, 569 and 570.

BILLS SENT TO THE GOVERNOR

Senator Rhodes, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 16th day of June, 1971, sent to the Governor for his approval: Senate Files 297, 528, 545, 551, 554, 558, 559, 560, 561, 568, 569 and 570.

JOHN C. RHODES, Chairman

Passed on file.

ADOPTION OF CONFERENCE COMMITTEE REPORT

House File 129

Senator Milligan called up for consideration the following report and moved its adoption:

CONFERENCE COMMITTEE REPORT
ON HOUSE FILE 129

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to consider the difference between the Senate and the House of Representatives on House File 129, a bill for an act to create a department of general services, transferring services presently performed by designated state agencies to the department of general services, eliminating the performance of certain duties, and providing penalties, respectfully submit the following recommendations:

1. That the Senate concur in divisions 1, 3, 4, 5, 6 and 7 of the House amendment to the Senate amendment to House File 129.
2. That the House recede from division 2 of its amendment to the Senate amendment to House File 129 and insert in lieu thereof the following:

"Line 48, by inserting after the word 'agencies' the words 'shall notify the director before contracting for additional data processing equipment, operating systems, or programming systems and'."

3. Amend the Senate amendment to House File 129, line 49, by striking the words "where possible".

On the part of the Senate:

JAMES A. POTGETER, Chairman
GEORGE F. MILLIGAN
JOHN C. RHODES
C. JOSEPH COLEMAN

On the part of the House:

RICHARD W. WELDEN, Chairman
MURRAY C. LAWSON
WILLARD HANSEN
D. VINCENT MAYBERRY

The motion prevailed and the conference committee report and the recommendations and amendments contained therein were adopted.

Senator Milligan moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 129) the vote was:

Ayes, 40:

Anderson	DeKoster	Miller	Riley
Arbuckle	Doderer	Milligan	Robinson
Balloun	Erskine	Mowry	Schaben
Bass	Gaudineer	Neu	Shaff
Briles	Glenn	Nicholson	Shawver
Carlson	Graham	Palmer	Smith
Coleman	Hill	Potgeter	Tapscott
Conklin	Keith	Potter	Van Drie
Curran	Kyhl	Rabedaux	Van Gilst
Davis	Lamborn	Rhodes	Walsh

Nays, 3:

Gilley	Gross	Stephens
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Absent or not voting, 7:

Brownlee	Kennedy	Messerly	Thordsen
Griffin	Laverty	Ollenburg	

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

HOUSE AMENDMENTS CONSIDERED

Senate File 510

Senator Shaff called up for consideration Senate File 510, a bill for an act relating to the transfer and use of state funds, amended by the House, and moved that the Senate concur in the House amendments found on pages 1883-1886, inclusive, of the Senate Journal.

President pro tempore Kyhl took the chair at 11:00 a.m.

Roll call was requested.

On the question "Shall the motion to concur in the House amendment be adopted?" (S.F. 510) the vote was:

Ayes, 28:

Anderson	DeKoster	Milligan	Rhodes
Arbuckle	Erskine	Mowry	Riley
Balloun	Gilley	Neu	Shaff
Brownlee	Kyhl	Nicholson	Smith
Carlson	Lamborn	Potgeter	Stephens
Curran	Laverty	Potter	Van Drie
Davis	Messerly	Rabedaux	Walsh

Nays, 18:

Bass	Gaudineer	Kennedy	Schaben
Briles	Glenn	Miller	Shawver
Coleman	Graham	Palmer	Tapscott
Conklin	Gross	Robinson	Van Gilst
Doderer	Hill		

Absent or not voting, 4:

Griffin	Keith	Ollenburg	Thordsen
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The motion prevailed and the Senate concurred in the House amendment.

Senator Shaff moved that the bill as amended by the House and concurred in by the Senate be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 510) the vote was:

Ayes, 27:

Anderson	DeKoster	Laverty	Rhodes
Balloun	Erskine	Messerly	Riley
Briles	Gilley	Mowry	Shaff
Brownlee	Graham	Neu	Smith
Carlson	Keith	Nicholson	Stephens
Curran	Kyhl	Potter	Van Drie
Davis	Lamborn	Rabedeaux	

Nays, 20:

Arbuckle	Gaudineer	Miller	Schaben
Bass	Glenn	Milligan	Shawver
Coleman	Gross	Palmer	Tapscott
Conklin	Hill	Potgeter	Van Gilst
Doderer	Kennedy	Robinson	Walsh

Absent or not voting, 3:

Griffin	Ollenburg	Thordsen
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Shaff moved that the vote by which **Senate File 510** passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

UNFINISHED BUSINESS

House File 182

On motion of Senator Walsh, House File 182, a bill for an act providing a relocation advisory assistance program and relocation payments to persons displaced by highway projects, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Walsh offered the following amendment:

- 1 Amend House File 182, as amended and passed by the
- 2 House of Representatives, page 14, by inserting after line
- 3 16 the following new section:
- 4 "Section three hundred thirteen point twenty-one
- 5 (313.21), Code 1971, is amended by adding the following
- 6 new paragraph:
- 7 'When the state highway commission has determined the
- 8 location of a proposed primary road extension of a freeway
- 9 or expressway through a city or town, the location of the
- 10 proposed primary road extension shall be submitted by the
- 11 city or town council to the voters of the city or town for
- 12 approval at the next regular municipal election or at a
- 13 special election held for that purpose. If a majority of the
- 14 votes cast are in favor of the location of the proposed
- 15 primary road extension, the state highway commission may
- 16 proceed with the planning, design, and construction of
- 17 the proposed primary road extension. If a majority of the
- 18 votes cast are not in favor of the location of the pro-
- 19 posed primary road extension, the proposed location shall
- 20 not be used.'

Senator Tapscott raised a point of order on the amendment for the reason that it was not germane to the bill.

The Chair ruled the point well taken and the amendment out of order.

Action on House File 182 was temporarily deferred.

Senate File 478

On motion of Senator Balloun, Senate File 478, a bill for an act relating to fish and game licenses and fees, was taken up for further consideration.

SUBSTITUTION

Senator Balloun asked and received unanimous consent that **House File 573** be substituted for **Senate File 478**.

House File 573

On motion of Senator Shawver, House File 573, a bill for an act relating to fish and game licenses and fees, was taken up and considered.

Senator Potgeter offered the following amendment filed by him on June 2:

Division 1

- 1 Amend House File 573 as follows:
- 2 1. Page 2, line 24, by striking the figure "5.00" and inserting
- 3 the figure "4.00".

Division 2

- 4 2. Page 3, line 3, by striking the figure "5.00" and inserting
5 the figure "4.00".
6 3. Page 3, line 9, by striking the figure "8.00" and inserting
7 the figure "7.00".
8 4. Page 3, line 27, by striking the figure "5.00" and inserting
9 the figure "4.00".

President Jepsen took the chair at 11:45 a.m.

Senator Erskine called for a division of the amendment, section 1 to be considered as division 1, and sections 2, 3 and 4, as division 2.

Senator Potgeter moved the adoption of division 1 of the amendment.

Division was called for.

Division 1 of the amendment was adopted.

Senator Mowry took the chair at 11:55 a.m.

On motion of Senator Lamborn, the Senate recessed until 1:15 p.m.

AFTERNOON SESSION

The Senate reconvened, President pro tempore Kyhl presiding.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File 738, a bill for an act to appropriate from general fund to educational radio and television facility board.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 578, a bill for an act to appropriate to the Iowa development commission.

Also: That the House has adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 41, relating to policies incident to the details of closing the 1971 first regular session of the Sixty-fourth General Assembly.

Also: That the House has adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 42, authorizing attendance to the 1971 and 1972 National Legislative Conference and meetings of committees.

Also: That the House has adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 43, pertaining to expenses of representatives attending certain legislative meetings between sessions.

Also: That the House has adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 46, concerning possible interim studies.

Also: That the House has adopted the following concurrent resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 43, urging the commissioner of public safety to rescind rules and regulations requiring operators of motorcycles to wear protective headgear.

HOUSE CONCURRENT RESOLUTION 43

By Ewell and Christensen

Whereas, the Commissioner of Public Safety has recently promulgated rules and regulations requiring that the operators of motorcycles wear protective headgear and shatter-resistant safety glasses, goggles or face masks; and

Whereas, the action of the commissioner in issuing these restrictions is highly commendable and was taken with the best of intentions; and

Whereas, despite the fine intentions of the commissioner the wearing of such safety equipment ought to be a matter of individual decision, *Now Therefore*,

Be It Resolved by the House of Representatives, the Senate Concurring, That the Commissioner of Public Safety immediately rescind the rules and regulations requiring that operators of motorcycles wear protective headgear and shatter-resistant safety glasses, goggles or face masks.

Be It Further Resolved, that copies of this resolution be forwarded by the Secretary of State to the Governor and the Commissioner of Public Safety.

HOUSE MESSAGE CONSIDERED

House File 738, a bill for an act to appropriate from the general fund of the state to the educational radio and television facility board.

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

UNFINISHED BUSINESS

House File 573

The Senate resumed consideration of House File 573 and division 2 of the Potgeter amendment.

Senator Potgeter moved the adoption of division 2 of the amendment and called for a division.

Division 2 of the amendment was adopted.

Senator Potgeter offered the following amendment filed by him on June 2 and moved its adoption:

- 1 Amend House File 573, page 3, by striking lines 37 through
- 2 39, inclusive, and insert in lieu thereof the following:
- 3 "1. The owner of a farm unit; or
- 4 2. One member of the family of the farm owner; or".

The amendment was adopted.

Senator Neu moved to reconsider the vote by which division 2 of the Potgeter amendment filed June 2 to page 3, lines 3, 9 and 27, was adopted by the Senate.

Roll call was requested.

On the question "Shall the motion to reconsider division 2 of the Potgeter amendment be adopted?" (H.F. 573) the vote was:

Ayes, 25:

Arbuckle	Davis	Laverty	Rhodes
Balloun	DeKoster	Messerly	Riley
Briles	Erskine	Mowry	Shaff
Brownlee	Keith	Neu	Shawver
Carlson	Kyhl	Nicholson	Smith
Conklin	Lamborn	Rabedaux	Stephens
Curran			

Nays, 20:

Anderson	Gilley	Kennedy	Schaben
Bass	Glenn	Palmer	Tapscott
Coleman	Graham	Potgeter	Van Drie
Doderer	Gross	Potter	Van Gilst
Gaudineer	Hill	Robinson	Walsh

Absent or not voting, 5:

Griffin	Milligan	Ollenburg	Thordsen
Miller			

The motion prevailed, and division 2 of the Potgeter amendment was taken up for reconsideration.

Senator Potgeter moved the adoption of division 2 of the amendment.

Roll call was requested.

On the question "Shall the division 2 of the amendment be adopted?" (H.F. 573) the vote was:

Ayes, 20:

Anderson	Gilley	Kennedy	Schaben
Bass	Glenn	Palmer	Tapscott
Coleman	Graham	Potgeter	Van Drie
Doderer	Gross	Potter	Van Gilst
Gaudineer	Hill	Robinson	Walsh

Nays, 24:

Arbuckle	Davis	Lavery	Rhodes
Balloun	DeKoster	Milligan	Riley
Brownlee	Erskine	Mowry	Shaff
Carlson	Keith	Neu	Shawver
Conklin	Kyhl	Nicholson	Smith
Curran	Lamborn	Rabedeaux	Stephens

Absent or not voting, 6:

Briles	Messerly	Ollenburg	Thordsen
Griffin	Miller		

Division 2 of the amendment lost.

President Jepsen took the chair at 2:38 p.m.

Senator Walsh offered the following amendment filed by him on June 8:

1 Amend House File 573 as follows:

2 1. Page 2, line 27, by striking the figure *3.00* and inserting
3 in lieu thereof the figure *1.00*.

4 2. Page 3, line 12, by striking the figure *5.00* and inserting
5 in lieu thereof the figure *3.00*.

Senator Walsh moved the adoption of his amendment and requested a roll call.

On the question "Shall the Walsh amendment be adopted?" (H.F. 573) the vote was:

Rule 24 was invoked.

Ayes, 23:

Briles	Graham	Neu	Robinson
Coleman	Gross	Nicholson	Schaben
Curran	Hill	Palmer	Tapscott
Doderer	Kennedy	Potgeter	Van Drie
Gaudineer	Kyhl	Potter	Walsh
Glenn	Mowry	Riley	

Nays, 23:

Anderson	Conklin	Lamborn	Rhodes
Arbuckle	Davis	Lavery	Shaff
Balloun	DeKoster	Messerly	Shawver
Bass	Erskine	Miller	Smith
Brownlee	Gilley	Milligan	Stephens
Carlson	Keith	Rabedeaux	

Absent or not voting, 4:

Griffin	Ollenburg	Thordsen	Van Gilst
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The Chair announced the result of the roll call, cast an "aye" vote to break the tie and declared the amendment adopted.

Senator Graham withdrew the amendment filed by him on June 8, 1971, and found on page 1727 of the Senate Journal.

Senator Shawver moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 573) the vote was:

Rule 24 was invoked.

Ayes, 23:

Arbuckle	Conklin	Graham	Riley
Balloun	Curran	Keith	Shaff
Bass	Davis	Lamborn	Shawver
Brownlee	DeKoster	Neu	Smith
Carlson	Erskine	Nicholson	Stephens
Coleman	Gilley	Rhodes	

Nays, 21:

Anderson	Hill	Palmer	Schaben
Briles	Kennedy	Potgeter	Tapscott
Doderer	Miller	Potter	Van Drie
Gaudineer	Milligan	Rabedaux	Van Gilst
Glenn	Mowry	Robinson	Walsh
Gross			

Absent or not voting, 6:

Griffin	Lavery	Ollenburg	Thordsen
Kyhl	Messerly		

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

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

The Senate resumed session, President Jepsen presiding.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Rhodes, from the joint committee on enrolled bills, submitted the following report and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: House File 172.

JOHN C. RHODES
Chairman, Senate Committee
ELIZABETH R. MILLER
Chairman, House Committee

Report adopted.

BILL SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate the following bill: House File 172.

MOTION TO RECONSIDER ADOPTED

House File 573

Senator Potgeter moved to reconsider the vote by which House File 573 failed to pass the Senate.

On the question "Shall the motion to reconsider be adopted?" (H.F. 573) the vote was:

Ayes, 31:

Arbuckle	DeKoster	Messerly	Rhodes
Balloun	Erskine	Milligan	Riley
Bass	Gilley	Mowry	Shaff
Brownlee	Graham	Neu	Shawver
Carlson	Keith	Nicholson	Smith
Conklin	Kyhl	Potgeter	Stephens
Curran	Lamborn	Potter	Van Drie
Davis	Laverty	Rabedeaux	

Nays, 13:

Coleman	Gross	Palmer	Tapscott
Doderer	Hill	Robinson	Van Gilst
Gaudineer	Kennedy	Schaben	Walsh
Glenn			

Absent or not voting, 6:

Anderson	Griffin	Ollenburg	Thordsen
Briles	Miller		

The motion prevailed.

Senator Potgeter moved to reconsider the vote by which House File 573 went to its last reading, which motion prevailed.

On motion of Senator Shawver, House File 573, a bill for an act relating to fish and game licenses and fees, was taken up for reconsideration.

Senator Curran moved to reconsider the vote by which the Walsh amendment filed June 8 was adopted by the Senate.

Roll call was requested.

On the question "Shall the motion to reconsider the Walsh amendment be adopted?" (H.F. 573) the vote was:

Ayes, 29:

Arbuckle	DeKoster	Laverty	Rhodes
Balloun	Erskine	Messerly	Riley
Bass	Gilley	Milligan	Shaff
Brownlee	Graham	Mowry	Shawver
Carlson	Keith	Nicholson	Smith
Conklin	Kyhl	Potgeter	Stephens
Curran	Lamborn	Rabedeaux	Van Drie
Davis			

Nays, 16:

Briles	Glenn	Miller	Robinson
Coleman	Gross	Neu	Tapscott
Doderer	Hill	Palmer	Van Gilst
Gaudineer	Kennedy	Potter	Walsh

Absent or not voting, 5:

Anderson	Ollenburg	Schaben	Thordsen
Griffin			

The motion prevailed and the Walsh amendment was taken up for reconsideration.

Senator Walsh moved the adoption of his amendment and requested a roll call.

On the question "Shall the Walsh amendment be adopted?" (H.F. 573) the vote was:

Ayes, 17:

Briles	Gross	Mowry	Robinson
Coleman	Hill	Neu	Tapscott
Doderer	Kennedy	Palmer	Van Gilst
Gaudineer	Miller	Riley	Walsh
Glenn			

Nays, 29:

Anderson	Davis	Lamborn	Rabedeaux
Arbuckle	DeKoster	Lavery	Rhodes
Balloun	Erskine	Messerly	Shaff
Bass	Gilley	Milligan	Shawver
Brownlee	Graham	Nicholson	Smith
Carlson	Keith	Potgeter	Stephens
Conklin	Kyhl	Potter	Van Drie
Curran			

Absent or not voting, 4:

Griffin	Ollenburg	Schaben	Thordsen
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The amendment lost.

Senator Shawver moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 573) the vote was:

Rule 24 was invoked.

Ayes, 27:

Arbuckle	Davis	Lamborn	Rabedeaux
Balloun	DeKoster	Lavery	Rhodes
Bass	Erskine	Messerly	Riley
Brownlee	Gilley	Milligan	Shaff
Carlson	Graham	Mowry	Shawver
Conklin	Keith	Neu	Stephens
Curran	Kyhl	Nicholson	

Nays, 18:

Anderson	Glenn	Palmer	Tapscott
Briles	Gross	Potgeter	Van Drie
Coleman	Hill	Potter	Van Gilst
Doderer	Kennedy	Robinson	Walsh
Gaudineer	Miller		

Absent or not voting, 5:

Griffin	Schaben	Smith	Thordsen
Ollenburger			

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

Senator Shawver moved that the vote by which **House File 573** passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

SENATE FILE WITHDRAWN

Senator Shawver asked and received unanimous consent that **Senate File 478** be **withdrawn** from further consideration of the Senate.

REPORTS OF INVESTIGATING COMMITTEES

Senator Potgeter submitted the following report and moved its adoption:

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Carroll J. Hobson of Eldora, Hardin County, Iowa, for appointment as a member of the State Soil Conservation Committee for the State of Iowa under the provisions of section 467A.4 of the 1971 Code of Iowa for the unexpired portion of a term ending June 30, 1975, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

JAMES A. POTGETER, Chairman
EUGENE M. HILL
JOHN L. MOWRY
RICHARD L. STEPHENS
RUDY VAN DRIE

The motion prevailed and the report was adopted.

Senator Potgeter moved that the appointment of Carroll J. Hobson be confirmed.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 46:

Anderson	Carlson	Doderer	Gross
Arbuckle	Coleman	Erskine	Hill
Balloun	Conklin	Gaudineer	Keith
Bass	Curran	Gilley	Kennedy
Briles	Davis	Glenn	Kyhl
Brownlee	DeKoster	Graham	Lamborn

Lavery	Nicholson	Riley	Stephens
Messerly	Palmer	Robinson	Tapscott
Miller	Potgeter	Schaben	Van Drie
Milligan	Potter	Shaff	Van Gilst
Mowry	Rabedeaux	Shawver	Walsh
Neu	Rhodes		

Nays, none.

Absent or not voting, 4:

Griffin	Ollenburg	Smith	Thordsen
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President Jepsen declared the appointment of Carroll J. Hobson as a member of the State Soil Conservation Committee confirmed for the unexpired portion of the term ending June 30, 1975.

Senator Rhodes submitted the following report and moved its adoption:

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Sam M. Kinsinger of Ottumwa, Wapello County, Iowa, for appointment as a member of the Employment Safety Commission under the provisions of section 88A.4, 1971 Code of Iowa, for the unexpired portion of a term ending June 30, 1975, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

JOHN C. RHODES, Chairman
 GENE W. GLENN
 JOHN L. MOWRY
 RICHARD L. STEPHENS
 RUDY VAN DRIE

The motion prevailed and the report was adopted.

Senator Rhodes moved that the appointment of Sam M. Kinsinger be confirmed.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 42:

Anderson	Doderer	Lavery	Rhodes
Arbuckle	Erskine	Messerly	Riley
Bass	Gilley	Miller	Robinson
Briles	Glenn	Milligan	Schaben
Brownlee	Graham	Mowry	Shaff
Carlson	Gross	Neu	Shawver
Coleman	Hill	Nicholson	Stephens
Conklin	Keith	Potgeter	Tapscott
Curran	Kennedy	Potter	Van Drie
Davis	Kyhl	Rabedeaux	Van Gilst
DeKoster	Lamborn		

Nays, none.

Absent or not voting, 8:

Balloun	Griffin	Palmer	Thordsen
Gaudineer	Ollenburg	Smith	Walsh

President Jepsen declared the appointment of Sam M. Kinsinger as a member of the Employment Safety Commission confirmed for

the unexpired portion of the term ending June 30, 1975.

Senator Brownlee submitted the following report and moved its adoption:

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Jerry Norland of Cylinder, Palo Alto County, Iowa, for appointment as a member of the State Soil Conservation Committee for the State of Iowa under the provisions of section 467A.4, 1971 Code of Iowa, as amended by House File 73, passed by the Sixty-fourth General Assembly and signed into law by Governor Robert Ray on May 28, 1971, for the regular four-year term beginning July 1, 1971, and ending June 30, 1975, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

S. J. BROWNLEE, Chairman
C. JOSEPH COLEMAN
LEIGH R. CURRAN
WAYNE D. KEITH
H. L. OLLENBURG

The motion prevailed and the report was adopted.

Senator Brownlee moved that the appointment of Jerry Norland be confirmed.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 45:

Anderson	Doderer	Lamborn	Rabedaux
Arbuckle	Erskine	Lavery	Rhodes
Balloun	Gaudineer	Messerly	Riley
Bass	Gilley	Miller	Robinson
Briles	Glenn	Milligan	Shaff
Brownlee	Graham	Mowry	Shawver
Carlson	Gross	Neu	Stephens
Coleman	Hill	Nicholson	Tapscott
Conklin	Keith	Palmer	Van Drie
Curran	Kennedy	Potgeter	Van Gilst
Davis	Kyhl	Potter	Walsh
DeKoster			

Nays, none.

Absent or not voting, 5:

Griffin	Schaben	Smith	Thordsen
Ollenburg			

President Jepsen declared the appointment of Jerry Norland as a member of the State Soil Conservation Committee confirmed for the regular four-year term ending June 30, 1975.

Senator Brownlee submitted the following report and moved its adoption:

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Virgil Jones of Storm Lake, Buena Vista County, Iowa, for appointment as a member of the Employment Safety Commission under the provisions of section 88A.4, 1971 Code of Iowa, for the regular six-year

term beginning July 1, 1971, and ending June 30, 1977, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

S. J. BROWNLEE, Chairman
J. WESLEY GRAHAM
G. WILLIAM GROSS
ARTHUR A. NEU
MARVIN W. SMITH

The motion prevailed and the report was adopted.

Senator Brownlee moved that the appointment of Virgil Jones be confirmed.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 43:

Anderson	Doderer	Lavery	Riley
Arbuckle	Erskine	Messerly	Robinson
Bass	Gaudineer	Miller	Schaben
Briles	Glenn	Milligan	Shaff
Brownlee	Graham	Mowry	Shawver
Carlson	Gross	Nicholson	Stephens
Coleman	Hill	Palmer	Tapscott
Conklin	Keith	Potgeter	Van Drie
Curran	Kennedy	Potter	Van Gilst
Davis	Kyhl	Rabedaux	Walsh
DeKoster	Lamborn	Rhodes	

Nays, none.

Absent or not voting, 7:

Balloun	Griffin	Ollenburg	Thordsen
Gilley	Neu	Smith	

President Jepsen declared the appointment of Virgil Jones as a member of the Employment Safety Commission confirmed for the regular six-year term ending June 30, 1977.

Senator Conklin submitted the following report and moved its adoption:

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Fernice W. Robbins of Waterloo, Black Hawk County, Iowa, for appointment as a member of the Council on Social Services for the State of Iowa under the provisions of section 217.2, Code 1971, for the regular six-year term beginning July 1, 1971, and ending June 30, 1977, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

W. CHARLENE CONKLIN, Chairman
CHARLES F. BALLOUN
GENE V. KENNEDY
FRANCIS L. MESSERLY
GEORGE L. SHAWVER

The motion prevailed and the report was adopted.

Senator Conklin moved that the appointment of Fernice W. Robbins be confirmed.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 42:

Anderson	Doderer	Messerly	Riley
Arbuckle	Erskine	Miller	Robinson
Balloun	Gaudineer	Milligan	Schaben
Bass	Gilley	Mowry	Shaff
Briles	Glenn	Nicholson	Shawver
Brownlee	Graham	Palmer	Stephens
Carlson	Gross	Potgeter	Tapscott
Coleman	Hill	Potter	Van Drie
Conklin	Keith	Rabedeaux	Van Gilst
Curran	Lamborn	Rhodes	Walsh
DeKoster	Laverty		

Nays, none.

Absent or not voting, 8:

Davis	Kennedy	Neu	Smith
Griffin	Kyhl	Ollenburg	Thordsen

President Jepsen declared the appointment of Fernice W. Robbins as a member of the Council on Social Services confirmed for the regular six-year term ending June 30, 1977.

Senator Potter submitted the following report and moved its adoption:

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Donald E. Balster of Marion, Linn County, Iowa, for appointment as a member of the State Judicial Nominating Commission for the State of Iowa under the provisions of section 46.1 of the 1971 Code of Iowa for a regular six-year term commencing July 1, 1971, and ending June 30, 1977, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

RALPH W. POTTER, Chairman
W. CHARLENE CONKLIN
TOM RILEY
CLOYD ROBINSON
ROGER J. SHAFF

The motion prevailed and the report was adopted.

Senator Potter moved that the appointment of Donald E. Balster be confirmed.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 44:

Anderson	Doderer	Messerly	Riley
Balloun	Erskine	Miller	Robinson
Bass	Gaudineer	Milligan	Schaben
Briles	Gilley	Mowry	Shaff
Brownlee	Glenn	Neu	Shawver
Carlson	Graham	Nicholson	Smith
Coleman	Gross	Palmer	Stephens
Conklin	Hill	Potgeter	Tapscott
Curran	Keith	Potter	Van Drie
Davis	Lamborn	Rabedeaux	Van Gilst
DeKoster	Laverty	Rhodes	Walsh

Nays, none.

Absent or not voting, 6:

Arbuckle	Kennedy	Ollenburg	Thordsen
Griffin	Kyhl		

President Jepsen declared the appointment of Donald E. Balster as a member of the State Judicial Nominating Commission confirmed for the regular six-year term ending June 30, 1977.

Senator Milligan submitted the following report and moved its adoption:

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Albert A. Augustine of Des Moines, Polk County, Iowa, for appointment as a member of the Appeal Board on State Institution Construction Contracts under the provisions of section 22.1, 1971 Code of Iowa, for a regular four-year term beginning July 1, 1971, and ending June 30, 1975, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

GEORGE F. MILLIGAN, Chairman
 QUENTIN V. ANDERSON
 R. DEAN ARBUCKLE
 JOHN C. RHODES
 JOHN E. TAPSCOTT

The motion prevailed and the report was adopted.

Senator Milligan moved that the appointment of Albert A. Augustine be confirmed.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 43:

Anderson	Erskine	Miller	Robinson
Balloun	Gaudineer	Milligan	Schaben
Bass	Gilley	Mowry	Shaff
Briles	Glenn	Neu	Shawver
Brownlee	Gross	Nicholson	Smith
Carlson	Hill	Palmer	Stephens
Coleman	Keith	Potgeter	Tapscott
Conklin	Kennedy	Potter	Van Drie
Curran	Lamborn	Rabedeaux	Van Gilst
DeKoster	Laverty	Rhodes	Walsh
Doderer	Messerly	Riley	

Nays, none.

Absent or not voting, 7:

Arbuckle	Graham	Kyhl	Thordsen
Davis	Griffin	Ollenburg	

President Jepsen declared the appointment of Albert A. Augustine as a member of the Appeal Board on State Institution Construction Contracts confirmed for the regular four-year term ending June 30, 1975.

Senator Milligan submitted the following report and moved its adoption:

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Sherry R. Fisher of Des Moines, Polk County, Iowa, for appointment as a member of the State Soil Conservation Committee for the State of Iowa under the provisions of section 467A.4, 1971 Code of Iowa, as amended by House File 73, passed by the Sixty-fourth General Assembly and signed into law by Governor Robert Ray on May 28, 1971, for the regular four-year term beginning July 1, 1971, and ending June 30, 1975, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

GEORGE F. MILLIGAN, Chairman
REINHOLD O. CARLSON
EUGENE M. HILL
CHARLES O. LAVERTY
RUDY VAN DRIE

The motion prevailed and the report was adopted.

Senator Milligan moved that the appointment of Sherry R. Fisher be confirmed.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 43:

Anderson	Doderer	Messerly	Riley
Arbuckle	Erskine	Miller	Schaben
Balloun	Gaudineer	Milligan	Shaff
Bass	Gilley	Mowry	Shawver
Briles	Glenn	Neu	Smith
Brownlee	Gross	Nicholson	Stephens
Carlson	Hill	Palmer	Tapscott
Coleman	Keith	Potgeter	Van Drie
Conklin	Kennedy	Potter	Van Gilst
Curran	Lamborn	Rabedeaux	Walsh
DeKoster	Laverty	Rhodes	

Nays, none.

Absent or not voting, 7:

Davis	Griffin	Ollenburg	Thordsen
Graham	Kyhl	Robinson	

President Jepsen declared the appointment of Sherry R. Fisher as a member of the State Soil Conservation Committee confirmed for the regular four-year term ending June 30, 1975.

Senator DeKoster submitted the following report and moved its adoption:

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Tom Kenny of Akron, Plymouth County, Iowa, for appointment as a member of the State Soil Conservation Committee for the State of Iowa under the provisions of section 467A.4 of the 1971 Code of Iowa for the regular six-year term beginning July 1, 1971, and ending June

30, 1977, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

LUCAS J. DEKOSTER, Chairman
ALDEN J. ERSKINE
G. WILLIAM GROSS
WESLEY GRAHAM
MARVIN W. SMITH

The motion prevailed and the report was adopted.

Senator DeKoster moved that the appointment of Tom Kenny be confirmed.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 41:

Anderson	DeKoster	Laverty	Rhodes
Arbuckle	Doderer	Messerly	Riley
Balloun	Erschine	Miller	Schaben
Bass	Gaudineer	Mowry	Shaff
Briles	Gilley	Neu	Shawver
Brownlee	Glenn	Nicholson	Smith
Carlson	Gross	Palmer	Stephens
Coleman	Hill	Potgeter	Tapscott
Conklin	Keith	Potter	Van Drie
Curran	Lamborn	Rabedaux	Walsh
Davis			

Nays, none.

Absent or not voting, 9:

Graham	Kyhl	Ollenburg	Thordsen
Griffin	Milligan	Robinson	Van Gilst
Kennedy			

President Jepsen declared the appointment of Tom Kenny as a member of the State Soil Conservation Committee confirmed for the regular six-year term ending June 30, 1977.

Senator Rhodes submitted the following report and moved its adoption:

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Mrs. Margaret Collison of Oskaloosa, Mahaska County, Iowa, for appointment as a member of the Iowa State Board of Regents for the State of Iowa under the provisions of section 262.3 of the 1971 Code of Iowa for the regular six-year term beginning July 1, 1971, and ending June 30, 1977, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

JOHN C. RHODES, Chairman
CHARLES O. LAVERTY
GEORGE F. MILLIGAN
RICHARD L. STEPHENS
BASS VAN GILST

The motion prevailed and the report was adopted.

Senator Rhodes moved that the appointment of Mrs. Margaret Collison be confirmed.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 36:

Balloun	Erskine	Messerly	Riley
Bass	Gaudineer	Miller	Robinson
Briles	Gilley	Milligan	Schaben
Brownlee	Glenn	Neu	Shaff
Carlson	Gross	Palmer	Smith
Coleman	Hill	Potgeter	Tapscott
Curran	Keith	Potter	Van Drie
DeKoster	Lamborn	Rabedeaux	Van Gilst
Doderer	Laverty	Rhodes	Walsh

Nays, 1:

Anderson

Absent or not voting, 13:

Arbuckle	Griffin	Mowry	Shawver
Conklin	Kennedy	Nicholson	Stephens
Davis	Kyhl	Ollenburg	Thordsen
Graham			

President Jepsen declared the appointment of Mrs. Margaret Collison as a member of the State Board of Regents confirmed for the regular six-year term ending June 30, 1977.

Senator Smith submitted the following report and moved its adoption:

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of William Beck of Spirit Lake, Dickinson County, Iowa, for appointment as a member of the State Judicial Nominating Commission for the State of Iowa under the provisions of section 46.1, 1971 Code of Iowa, for the regular six-year term beginning July 1, 1971, and ending June 30, 1977, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

MARVIN W. SMITH, Chairman
S. J. BROWNLEE
C. JOSEPH COLEMAN
LUCAS J. DEKOSTER
WAYNE D. KEITH

The motion prevailed and the report was adopted.

Senator Smith moved that the appointment of William Beck be confirmed.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 43:

Anderson	Brownlee	DeKoster	Glenn
Arbuckle	Carlson	Doderer	Gross
Balloun	Coleman	Erskine	Hill
Bass	Conklin	Gaudineer	Keith
Briles	Curran	Gilley	Lamborn

Laverty	Nicholson	Riley	Stephens
Messerly	Palmer	Robinson	Tapscott
Miller	Potgeter	Schaben	Van Drie
Milligan	Potter	Shaff	Van Gilst
Mowry	Rabedaux	Shawver	Walsh
Neu	Rhodes	Smith	

Nays, none.

Absent or not voting, 7:

Davis	Griffin	Kyhl	Thordsen
Graham	Kennedy	Ollenburg	

President Jepsen declared the appointment of William Beck as a member of the State Judicial Nominating Commission confirmed for the regular six-year term ending June 30, 1977.

UNFINISHED BUSINESS

House File 182

The Senate resumed consideration of House File 182.

Senator Walsh offered the following amendment and moved its adoption:

- 1 Amend House File 182, page 5, line 13, by adding a period
- 2 after the word "patronage" and striking the words in line 13, line
- 3 14, line 15, and the words "similar business" in line 16.

The amendment lost.

Senator Potter offered the following amendment and moved its adoption:

- 1 Amend House File 182 as amended, passed and reprinted by the
House,
- 2 page 5, by striking in line 23 the words, "as the commission
- 3 determines to be" and inserting in lieu thereof the words, "which
- 4 is".

The amendment was adopted.

Senator Gaudineer offered the following amendment and moved its adoption:

- 1 Amend House File 182, as amended and passed by the
- 2 House, and reprinted, page 5, by striking in lines 10
- 3 and 11 the words "the commission is satisfied that".

The amendment was adopted.

Senator Walsh moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

Senator Brownlee took the chair at 5:40 p.m.

On the question "Shall the bill pass?" (H.F. 182) the vote was:

Ayes, 42:

Anderson	Erskine	Miller	Robinson
Arbuckle	Gaudineer	Milligan	Schaben
Balloun	Gilley	Mowry	Shaff
Bass	Glenn	Neu	Shawver
Briles	Gross	Nicholson	Smith
Brownlee	Hill	Palmer	Stephens
Carlson	Keith	Potgeter	Tapscott
Coleman	Kennedy	Potter	Van Drie
Curran	Lamborn	Rabedeaux	Van Gilst
DeKoster	Laverty	Rhodes	Walsh
Doderer	Messerly		

Nays, none.

Absent or not voting, 8:

Conklin	Graham	Kyhl	Riley
Davis	Griffin	Ollenburg	Thordsen

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

Senator Walsh asked and received unanimous consent that **House File 182** be **immediately messaged** to the House, which request was complied with.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the Speaker of the House has appointed, on the part of the House, as members of the conference committee on Senate File 557, a bill for an act to appropriate to the department of public safety, the following Representatives: Mr. Welden of Hardin, chairman; Mr. Schroeder of Pottawattamie, Mr. Stanley of Linn, and Mr. Small of Johnson.

Also: That the House has adopted conference committee report and amendments contained therein and repassed the following bill in which the concurrence of the House was asked:

Senate File 557, a bill for an act to appropriate to the department of public safety.

Also: That the House has concurred in Senate amendment to and repassed the following bill in which the concurrence of the House was asked:

House File 732, a bill for an act to establish the composition of the general assembly.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 563, a bill for an act to appropriate funds from general fund to state historical society.

WILLIAM R. KENDRICK, Chief Clerk

CONSIDERATION OF BILLS

Senator Shaff asked and received unanimous consent to take up for consideration House File 735.

House File 735

On motion of Senator Shaff, House File 735, a bill for an act authorizing the state highway commission to acquire existing interstate bridges, including partially constructed interstate bridges, to complete, improve, repair, remodel, or reconstruct interstate bridges and to issue revenue bonds therefor, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Shaff moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 735) the vote was:

Ayes, 44:

Anderson	Doderer	Messery	Riley
Arbuckle	Erskine	Miller	Robinson
Balloun	Gaudineer	Milligan	Schaben
Bass	Gilley	Mowry	Shaff
Briles	Glenn	Neu	Shawver
Brownlee	Graham	Nicholson	Smith
Carlson	Gross	Palmer	Stephens
Coleman	Hill	Potgeter	Tapscott
Conklin	Keith	Potter	Van Drie
Curran	Kennedy	Rabedeaux	Van Gilst
DeKoster	Lamborn	Rhodes	Walsh

Nays, none.

Absent or not voting, 6:

Davis	Kyhl	Ollenburg	Thordsen
Griffin	Laverty		

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

Senator Shaff moved that the vote by which **House File 735** passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

REPORT OF COMMITTEE

Senator Potgeter submitted the following report:

MR. PRESIDENT: Your committee on state government, to which was referred **House File 713**, a bill for an act relating to election laws, begs leave to report it has had the same under consideration and recommends the same **be amended as follows; and when so amended the bill do pass:**

- 1 Amend House File 713, page 10, as follows:
- 2 1. By striking lines 1 through 3, inclusive, and by

3 inserting in lieu thereof the words "Sec. 17. Every".

4 2. Line 8, by inserting after the word "vote" the
5 words ", subject to chapter forty-eight (48), if applicable,
6 and chapter forty-nine (49).",

7 3. Line 13, by inserting after the word "offices."
8 the following:

9 "This section shall be printed in the session laws,
10 only, and shall not be made a permanent part of the Code
11 of Iowa."

JAMES A. POTGETER, Chairman

Ordered passed on file.

CONSIDERATION OF BILLS

Senator Lamborn asked and received unanimous consent to take up for immediate consideration House File 713.

House File 713

On motion of Senator Gaudineer, House File 713, a bill for an act relating to the election laws, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Gaudineer offered the amendment by the committee on state government found on pages 1921 and 1922 of the Senate Journal, and moved its adoption.

The amendment was adopted.

Senator Potgeter offered the following amendment and moved its adoption:

1 Amend House File 713, as amended and passed by the House,
2 page 11, by adding after line 6 the following new sections:

3 Sec. Section forty-nine point four (49.4), unnumbered
4 paragraph two (2), Code 1971, as amended by House File one hundred
5 nineteen (119), section one (1), of the Sixty-fourth General
6 Assembly, First Session, is amended as follows:

7 No election precinct shall have a total population in excess
8 of three thousand *five hundred*, as shown by the most recent federal
9 decennial census. Where a civil township, or the portion of a
10 civil township outside the corporate limits of any or all cities
11 and towns located wholly or partially within the boundaries of
12 such township, is divided into two or more election precincts, the
13 populations of each such precinct shall be as nearly equal as
14 possible within the limitations of availability of suitable polling
15 places and of reliable data on the populations of various parts of
16 such township, and the boundaries of each precinct so established
17 shall follow the boundaries of areas for which official population
18 figures are available from the most recent federal decennial census.
19 Every precinct shall be contained wholly within an existing legisla-
20 tive district as established by law, and where an unavoidable conflict
21 arises between this requirement and the requirement that the pop-
22 ulations of any two precincts shall be as nearly equal as possible,

23 the requirement that each precinct shall be contained wholly within
24 an existing legislative district shall take precedence. The board
25 of supervisors shall make any changes necessary to comply with this

Page 2

1 section no earlier than July first and not later than December
2 thirty-first of each year immediately following a year in which
3 the federal decennial census is taken, unless the general assembly
4 by joint resolution establishes different dates for such compliance.
5 Any or all of the publications required by section 49.11 may be
6 made after December thirty-first if necessary.
7 Sec. Section forty-nine point five (49.5), unnumbered
8 paragraph two (2) and subsection one (1), Code 1971, as amended
9 by House File one hundred nineteen (119), section two (2), of the
10 Sixty-fourth General Assembly, First Session, are amended as fol-
lows:

11 Election precincts shall be of as nearly equal population as
12 possible within the limitations of reliable data on the populations
13 of various parts of such city, and the boundaries of each precinct
14 shall follow the boundaries of areas for which official population
15 figures are available from the most recent federal decennial census.
16 Every precinct shall be contained wholly within an existing legis-
17 lative district. No election precinct shall have a total population
18 in excess of three thousand *five hundred*, as shown by the most
19 recent federal decennial census, except that:

20 1. If in any area of the city it is not possible to devise
21 a contiguous precinct having a population of less than three thousand
22 *five hundred* by the most recent federal decennial census, because
23 one or more of the smallest population units for which census data
24 are available are composed of noncontiguous territory, the city
25 council may utilize other reliable and documented indicators of

Page 3

1 population distribution in establishing precincts within that area.
2 Sec. Section forty-nine point six (49.6), Code 1971, as
3 amended by House File one hundred nineteen (119), section three (3),
4 of the Sixty-fourth General Assembly, First Session, is amended as
5 follows:

6 49.6 POWER TO COMBINE TOWNSHIP AND CITY PRE-
CINCTS. The board
7 of supervisors and the council of any town or city of less than
8 thirty-five hundred inhabitants, not including the inmates of any
9 state institution, may combine any part of the township outside of
10 such city with any or all the wards or precincts thereof as one
11 election precinct, or change or abolish such precinct. No precinct
12 so created shall have a total population in excess of three thousand
13 *five hundred*, as shown by the most recent federal decennial census.

The amendment was adopted.

Senator Nicholson offered the following amendment and moved
its adoption:

1 Amend House File 713, as amended and passed by the House, as
2 follows:

3 1. Page 4, by striking lines 26 and 27 and inserting in lieu thereof
4 the following: "notice, but not later than fourteen days before any

5 election.”.

6 2. Page 6, line 17, by striking the word “tenth” and inserting in
7 lieu thereof the word “fifteenth”.

8 3. Page 7, by inserting after line 34 the following new section, and
9 renumber the remaining sections:

10 Sec. 10. Section forty-eight point thirteen (48.13), Code 1971,
11 is amended as follows:

12 48.13 ELECTION REGISTERS. The commissioner of registration
13 shall have [nine] *fourteen* full days between the last day of registration
14 and election day to perfect his election registers and, for that pur-
15 pose, [nine] *fourteen* days before any election day shall be days upon
16 which voters may not register. During these [nine] *fourteen* days the
17 commissioner shall complete the election registers and, on the day
18 before election day, he shall deliver them as required by law to each
19 election precinct.

The amendment lost.

Senator Gaudineer moved that the bill be read the last now,
which motion prevailed, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 713) the vote was:

Ayes, 44:

Anderson	Erskine	Messerly	Riley
Arbuckle	Gaudineer	Miller	Robinson
Balloun	Gilley	Milligan	Schaben
Bass	Glenn	Mowry	Shaff
Brownlee	Graham	Neu	Shawver
Carlson	Gross	Nicholson	Smith
Coleman	Hill	Palmer	Stephens
Conklin	Keith	Potgeter	Tapscott
Curran	Kennedy	Potter	Van Drie
DeKoster	Lamborn	Rabedeaux	Van Gilst
Doderer	Laverty	Rhodes	Walsh

Nays, none.

Absent or not voting, 6:

Briles	Griffin	Ollenburg	Thordsen
Davis	Kyhl		

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

Senator Gaudineer asked and received unanimous consent that
House File 713 be immediately messaged to the House, which request
was complied with.

ADOPTION OF CONFERENCE COMMITTEE REPORT

Senate File 557

Senator DeKoster called up for reconsideration the following report
and moved its adoption:

REPORT OF CONFERENCE COMMITTEE
ON SENATE FILE 557

We, the undersigned members of the conference committee appointed to consider the difference between the Senate and the House of Representatives on Senate File 557, a bill for an act to appropriate from the general fund of the state to the department of public safety and various divisions thereof, respectfully submit the following recommendations:

1. That the Senate recede from its amendment to the House amendment.
2. That the House recede from its amendment to Senate File 557, as amended, passed, and reprinted by the Senate.
3. That Senate File 557, as amended, passed, and reprinted by the Senate, be amended on page 2, by adding after line 27 the following new sentence:

"No funds from any source shall be expended for the operation of the criminal conspiracy unit after July 13, 1971, unless the department has filed a preliminary report of proposed rules and regulations regarding the internal operations of that unit with the legislative rules review committee before that date, and no funds shall be expended after September 15, 1971, unless all rules and regulations regarding the internal operation of the criminal conspiracy unit have been submitted to the legislative rules review committee, been made a matter of public record, and received any recommendations of such committee relative to such rules."

On the Part of the Senate:

LUCAS J. DeKOSTER, Chairman
LEE H. GAUDINEER, JR.
WAYNE D. KEITH

On the Part of the House:

RICHARD W. WELDEN, Chairman
LAVERNE W. SCHROEDER
ARTHUR A. SMALL, JR.
IVOR W. STANLEY

The motion prevailed and the conference committee report and the recommendations and amendment contained therein were adopted.

Senator DeKoster moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 557) the vote was:

Ayes, 44:

Anderson	Erskine	Laverty	Riley
Arbuckle	Gaudineer	Miller	Robinson
Balloun	Gilley	Milligan	Schaben
Bass	Glenn	Mowry	Shaff
Brownlee	Graham	Neu	Shawver
Carlson	Gross	Nicholson	Smith
Coleman	Hill	Palmer	Stephens
Conklin	Keith	Potgeter	Tapscott
Curran	Kennedy	Potter	Van Drie
DeKoster	Kyhl	Rabedeaux	Van Gilst
Doderer	Lamborn	Rhodes	Walsh

Nays, none.

Absent or not voting, 6:

Briles
Davis

Griffin
Messerly

Ollenburg

Thordsen

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

CONSIDERATION OF BILLS

Senate File 514

On motion of Senator Shaff, Senate File 514, a bill for an act to increase the tax on beverages containing alcohol, was taken up and considered.

Senator Shaff offered the following amendment filed by him on May 25:

- 1 Amend Senate File 514 as follows:
- 2 1. Page 2, by striking lines 1 through 15, inclu-
- 3 sive, and renumbering the remaining section accordingly.
- 4 2. Amend the title, page 1, line 1, by striking
- 5 the words "beverages containing alcohol" and inserting
- 6 in lieu thereof the word "beer".

Senator Shaff moved the adoption of his amendment and called for a division.

The amendment was adopted.

Senator Shaff offered the following amendment filed by him on June 8:

- 1 Amend Senate File 514, page 2, by inserting after
- 2 line 31 the following new section:
- 3 "House File 172, section one hundred thirty-seven
- 4 (137), unnumbered paragraph one (1), Acts of the
- 5 Sixty-fourth General Assembly, First Session, is
- 6 amended as follows:
- 7 In addition to the annual permit fee to be paid
- 8 by all class 'A' permittees under the provisions of
- 9 this Act there shall be levied and collected from such
- 10 permittees on all beer manufactured for sale or sold
- 11 in this state at wholesale and on all beer imported
- 12 into this state for sale at wholesale and sold in this
- 13 state at wholesale, a tax of [three] *four* and [seventy-two]
- 14 *thirty-four* hundredths dollars for every barrel contain-
- 15 ing thirty-one gallons, and at a like rate for any other
- 16 quantity or for the fractional part of a barrel. However,
- 17 no tax shall be levied or collected on beer shipped out-
- 18 side this state by a class 'A' permittee or sold by one
- 19 class 'A' permittee to another class 'A' permittee."

Senator Shaff offered the following amendment to the amendment and moved its adoption:

1 Amend the Shaff amendment to Senate File 514, filed
2 June 8, 1971, and appearing on page 1723 of the Senate
3 Journal, by striking from lines 3 and 4 the words and
4 figure "one hundred thirty-seven (137)" and inserting
5 in lieu thereof the words and figures "one hundred thirty-
6 six (136)".

The amendment to the amendment was adopted.

On motion of Senator Shaff, the amendment as amended was adopted.

President Jepsen took the chair at 6:36 p.m.

Senator Shaff moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 514) the vote was:

Ayes, 29:

Anderson	DeKoster	Lamborn	Rhodes
Arbuckle	Erskine	Lavery	Shaff
Balloun	Gilley	Messerly	Shawver
Bass	Graham	Mowry	Smith
Brownlee	Keith	Neu	Stephens
Carlson	Hill	Potter	Van Drie
Conklin	Kyhl	Rabedeaux	Van Gilst
Curran			

Nays, 14:

Coleman	Gross	Potgeter	Schaben
Doderer	Kennedy	Riley	Tapscott
Gaudineer	Miller	Robinson	Walsh
Glenn	Palmer		

Absent or not voting, 7:

Briles	Griffin	Nicholson	Thordsen
Davis	Milligan	Ollenburg	

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

Senator Shaff asked and received unanimous consent that **Senate File 514** be **immediately messaged** to the House, which request was complied with.

Senator Lamborn asked and received unanimous consent to take up out of order Senate File 314.

Senate File 314

On motion of Senator Keith, Senate File 314, a bill for an act relating to travel trailers, with report of committee recommending

passage, was taken up, considered, and the report of the committee adopted.

SUBSTITUTION

Senator Keith asked and received unanimous consent that **House File 386** be substituted for **Senate File 314**.

House File 386

On motion of Senator Keith, House File 386, a bill for an act relating to travel trailers, was taken up and considered.

Senator Keith offered the following amendment by Senators Keith and DeKoster and moved its adoption:

- 1 Amend House File 386 as follows:
- 2 Page 4, line 34, by inserting after the word "trailer"
- 3 the words "*of a gross weight of three thousand pounds or more*".

The amendment was adopted.

Senator Van Drie offered the following amendment:

- 1 Amend House File 386, page 3, by striking line 35 and
- 2 inserting in lieu thereof the following:
- 3 "[not more than twenty-eight] *between twenty and thirty-*
- 4 *two feet in length, and sixty miles per hour for any*
- 5 *motor vehicle drawing such a trailer the length of which*
- 6 *is less than twenty feet, including*".

Senator Van Drie moved the adoption of his amendment and called for a division.

The amendment lost.

Senator Keith moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 386) the vote was:

Ayes, 36:

Anderson	Gaudineer	Lavery	Rabedeaux
Arbuckle	Gilley	Messerly	Rhodes
Bass	Glenn	Miller	Riley
Carlson	Graham	Milligan	Schaben
Coleman	Gross	Mowry	Shawver
Conklin	Keith	Neu	Stephens
Curran	Kennedy	Palmer	Tapscott
DeKoster	Kyhl	Potgeter	Van Gilst
Erskine	Lamborn	Potter	Walsh

Nays, 4:

Doderer	Hill	Robinson	Van Drie
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Absent or not voting, 10:

Balloun	Davis	Ollenburg	Smith
Briles	Griffin	Shaff	Thordsen
Brownlee	Nicholson		

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

Senator Keith asked and received unanimous consent that **House File 386** be **immediately messaged** to the House, which request was complied with.

Senator Keith asked and received unanimous consent that **Senate File 314** be **withdrawn** from further consideration of the Senate.

MOTION TO SUSPEND RULES LOST

Senator Lamborn asked unanimous consent to take up for consideration House File 225.

Objection was raised.

Senator Lamborn moved that the rules be suspended and that House File 225 be taken up for consideration.

On the question "Shall the motion to suspend the rules be adopted?" the vote was:

Ayes, 26:

Anderson	Erskine	Laverty	Rhodes
Arbuckle	Gilley	Milligan	Riley
Bass	Graham	Mowry	Schaben
Carlson	Gross	Neu	Shaff
Curran	Keith	Potter	Shawver
DeKoster	Kennedy	Rabedaux	Walsh
Doderer	Lamborn		

Nays, 5:

Conklin	Messerly	Miller	Van Drie
Hill			

Voting present, 5:

Coleman	Glenn	Potgeter	Tapscott
Gaudineer			

Absent or not voting, 14:

Balloun	Griffin	Palmer	Stephens
Briles	Kyhl	Robinson	Thordsen
Brownlee	Nicholson	Smith	Van Gilst
Davis	Ollenburg		

The motion having failed to receive a two-thirds majority lost.

UNFINISHED BUSINESS

House File 503

On motion of Senator Erskine, House File 503, a bill for an act relating to levee and drainage, was taken up for further consideration.

Senator Neu offered the following amendment filed by him on June 3:

- 1 Amend House File 503 as follows:
- 2 1. Page 2, line 20, by adding after the word "in"
- 3 the words "*either of*".
- 4 2. Page 2, line 21, by striking the word "*manner*"
- 5 and inserting in lieu thereof the word "*methods*".
- 6 3. Page 2, line 26, by striking the figure "2".
- 7 4. Page 2, line 29, by striking the period and insert-
- 8 ing in lieu thereof "*; or*".
- 9 5. Page 2, line 30, by striking the figure "3" and
- 10 inserting in lieu thereof the figure "2".
- 11 6. Page 3, line 1, by striking "4. Thereafter" and
- 12 inserting in lieu thereof "*3. If either method of*
- 13 *annexation provided for in subsections one (1) or two (2)*
- 14 *of this section is completed*".

Senator Neu offered the following amendment to the amendment and moved its adoption:

- 1 Amend the Neu amendment to House File 503, filed June 3,
- 2 1971, by striking lines 2 and 3 of the amendment and in-
- 3 serting in lieu thereof the following:
- 4 "1. Page 2, line 20, by striking the words '*the lands*
- 5 *may be annexed in the following*' and inserting in lieu
- 6 thereof the words '*as an alternative procedure to that*
- 7 *established by the foregoing provisions of this section,*
- 8 *the lands may be annexed in either of the following*'."

The amendment to the amendment was adopted.

On motion of Senator Neu, the amendment as amended was adopted.

Senator Erskine moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 503) the vote was:

Ayes, 34:

Anderson	Gilley	Mowry	Robinson
Carlson	Glenn	Neu	Schaben
Coleman	Gross	Palmer	Shaff
Conklin	Keith	Potgeter	Shawver
Curran	Kennedy	Potter	Stephens
DeKoster	Lamborn	Rabedeaux	Tapscott
Doderer	Lavery	Rhodes	Van Drie
Erskine	Messerly	Riley	Van Gilst
Gaudineer	Milligan		

Nays, 2:

Bass

Graham

Absent or not voting, 14:

Arbuckle

Davis

Miller

Smith

Balloun

Griffin

Nicholson

Thordsen

Briles

Hill

Ollenburg

Walsh

Brownlee

Kyhl

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

Senator Erskine asked and received unanimous consent that **House File 503** be **immediately messaged** to the House, which request was complied with.

CONSIDERATION OF BILLS

Senator Lamborn asked and received unanimous consent to take up for consideration Senate File 342.

Senate File 342

On motion of Senator Riley, Senate File 342, a bill for an act to require that railway employees be provided adequate sanitation and shelter and providing a penalty, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

SUBSTITUTION

Senator Riley asked and received unanimous consent that **House File 271** be substituted for **Senate File 342**.

House File 271

On motion of Senator Riley, House File 271, a bill for an act to require that railway employees be provided adequate sanitation and shelter, was taken up and considered.

Senator Riley moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 271) the vote was:

Ayes, 36:

Anderson

Gilley

Miller

Riley

Carlson

Glenn

Milligan

Robinson

Coleman

Gross

Mowry

Schaben

Conklin

Hill

Neu

Shaff

Curran

Keith

Palmer

Shawver

DeKoster

Kennedy

Potgeter

Tapscott

Doderer

Lamborn

Potter

Van Drie

Erskine

Laverty

Rabedaux

Van Gilst

Gaudineer

Messerly

Rhodes

Walsh

Nays, 2:

Bass Stephens

Absent or not voting, 12:

Arbuckle	Brownlee	Griffin	Ollenburg
Balloun	Davis	Kyhl	Smith
Briles	Graham	Nicholson	Thordsen

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

Senator Riley asked and received unanimous consent that **House File 271** be **immediately messaged** to the House, which request was complied with.

SENATE FILE WITHDRAWN

Senator Riley asked and received unanimous consent that **Senate File 342** be **withdrawn** from further consideration of the Senate.

ADOPTION OF CONFERENCE COMMITTEE REPORT

Senator Anderson called up the following report and moved its adoption:

REPORT OF CONFERENCE COMMITTEE ON SENATE FILE 544

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to consider the difference between the Senate and the House of Representatives on Senate File 544, a bill for an act making an appropriation from the general fund of the state to the commission on alcoholism, respectfully submit the following recommendations:

1. That the House of Representatives recede from its amendment.
2. That Senate File 544, as amended, and passed by the Senate, be amended, page 2, line 25, by striking the word "ten" and inserting in lieu thereof the word "fifteen".

On the part of the Senate:

QUENTIN V. ANDERSON, Chairman
GEORGE F. MILLIGAN
TOM RILEY
C. JOSEPH COLEMAN

On the part of the House:

JOAN LIPSKY, Chairman
ELMER H. DEN HERDER
ELIZABETH SHAW
ED SKINNER

The motion prevailed and the conference committee report and the recommendation and amendment contained therein were adopted.

Senator Anderson moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 544) the vote was:

Ayes, 38:

Anderson	Gaudineer	Messerly	Rhodes
Arbuckle	Gilley	Miller	Riley
Bass	Glenn	Milligan	Robinson
Carlson	Graham	Mowry	Schaben
Coleman	Gross	Neu	Stephens
Conklin	Hill	Palmer	Tapscott
Curran	Keith	Potgeter	Van Drie
DeKoster	Kennedy	Potter	Van Gilst
Doderer	Lamborn	Rabedaux	Walsh
Erskine	Laverty		

Nays, none.

Absent or not voting, 12:

Balloun	Davis	Nicholson	Shawver
Briles	Griffin	Ollenburg	Smith
Brownlee	Kyhl	Shaff	Thordsen

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

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File 281, a bill for an act providing exemption from state income tax for members of Iowa national guard.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 565, a bill for an act making an appropriation to the department of social services.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 580, a bill for an act relating to an appropriation for payment of certain damages occasioned by the nonnegligent operation of an Iowa highway safety patrol vehicle.

WILLIAM R. KENDRICK, Chief Clerk

HOUSE AMENDMENT TO SENATE FILE 565

- 1 Amend Senate File 565, as follows:
- 2 1. Page 8, by striking lines 32 through 35.
- 3 2. Page 9, line 6, by striking the word "three" and
- 4 inserting in lieu thereof the word "two".
- 5 3. Page 9, by striking lines 9 through 14.
- 6 4. By adding the following new section:
- 7 "There is hereby appropriated to the department of
- 8 social services from funds in the general fund not otherwise
- 9 appropriated the sum of five hundred ten thousand (510,000)
- 10 dollars for the fiscal year beginning July 1, 1971 and ending
- 11 June 30, 1972, and the sum of five hundred ten thousand
- 12 (510,000) dollars for the fiscal year beginning July 1, 1972
- 13 and ending June 30, 1973, or so much thereof as may be
- 14 necessary, which funds shall be used exclusively for the

15 purpose of increasing the categorical grants for old age
16 assistance recipients as of January 1, 1971, by ten (10)
17 percent or so much thereof as is necessary to assure that
18 such recipients receive the benefit of the increase in
19 social security benefits."

HOUSE MESSAGE CONSIDERED

House File 281, a bill for an act providing an exemption from state income tax for members of the Iowa national guard performing training duty and active state service.

Read first time and **passed on file**.

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on June 16, 1971, the Governor approved and transmitted to the Secretary of State the following bill:

S. F. 542—Making an appropriation from the general fund of the State of Iowa to the department of public defense for various capital improvements, repairs, replacements, alterations, equipment and rehabilitation purposes.

COMMUNICATION FROM THE SECRETARY OF STATE

June 15, 1971

Mr. Carroll Lane
Secretary of the Senate
State Capitol Building
Des Moines, Iowa 50319

I hereby certify that Senate File 205 was published in the Hardin County Index, Eldora, Iowa, June 4, 1971, and in The Daily Freeman-Journal, Webster City, Iowa, June 3, 1971.

I further certify that Senate File 425 was published in The Peterson Patriot, Peterson, Iowa, June 3, 1971, and in The Daily Reporter, Spencer, Iowa, June 4, 1971.

Respectfully submitted,

MELVIN D. SYNHORST
Secretary of State

EXPLANATION OF VOTE

I changed my vote on Senate File 510 from "no" to "aye" in order to file a motion to reconsider. I am opposed to making this diversion of highway funds.

RUDY VAN DRIE

REPORTS OF COMMITTEES

Senator Laverty submitted the following report:

MR. PRESIDENT: Your committee on environmental preservation, to which was referred **House File 671**, a bill for an act to provide for the disposal of abandoned motor vehicles and for related purposes, begs leave to report it has had the same under consideration and **returns the bill without recommendation.**

CHARLES O. LAVERTY, Chairman

Ordered passed on file.

Senator DeKoster submitted the following report:

MR. PRESIDENT: Your committee on judiciary, to which was referred **House File 225**, a bill for an act relating to municipal judges, begs leave to report it has had the same under consideration and recommends the same **do pass.**

LUCAS J. DEKOSTER, Chairman

Ordered passed on file.

Senator Potgeter submitted the following report:

MR. PRESIDENT: Your committee on state government, to which was referred **House File 729**, a bill for an act relating to the appointment of notaries public by the Secretary of State, begs leave to report it has had the same under consideration and recommends the same **do pass.**

JAMES A. POTGETER, Chairman

Ordered passed on file.

AMENDMENTS FILED

- 1 Amend Senate File 566 as follows:
- 2 1. Page 2, line 25, by inserting after the word
- 3 "strike," the words "acceptance of better employment,".
- 4 2. Page 2, by inserting after the period in line 26
- 5 the following new sentence:
- 6 "If the employment is terminated by the applicant to
- 7 accept better employment after sixty calendar days, a fee
- 8 equal to fifty percent of the eight percent of the
- 9 projected annual gross earnings or eight percent of the
- 10 gross earnings to date, whichever is greater, shall be
- 11 due."
- 12 3. Page 3, by striking lines 4 through 19, inclusive.
- 13 4. Page 4, line 6, by striking the word "three" and
- 14 inserting in lieu thereof the word "two".
- 15 5. Page 4, by inserting after the period in line 13
- 16 the following new sentence:
- 17 "The decision of the commission shall be final."
- 18 6. Page 4, by striking lines 14 through 22, inclusive.

LEE H. GAUDINEER, JR.

- 1 Amend House File 406 as amended, and passed by the House, page 1,
- 2 by inserting after line 2 the following new section, and renumber the
- 3 remaining section:
- 4 Section 1. Section four hundred twenty-two point forty-five

5 (422.45), Code 1971, is amended by adding the following new subsection:

6 "The gross receipts from sales of tangible personal property or
7 services to an urban transit company as defined in section three hundred
8 eighty-six C point one (386C.1), of the Code."

9 Sec. 2. Section four hundred twenty-three point four (423.4),
10 Code 1971, is amended by adding the following new subsection:

11 "Tangible personal property used by an urban transit company as
12 defined in section three hundred eighty-six C point one (386C.1) of
13 the Code."

14 Amend the title, page 1, by inserting after the word "tax", the
15 words "and exempting sales of tangible personal property to urban
16 transit companies from the sales and use tax".

JOHN M. WALSH

On motion of Senator Lamborn, the Senate adjourned until 9:00
a.m., Thursday, June 17, 1971.

JOURNAL OF THE SENATE

ONE HUNDRED FIFTY-EIGHTH DAY

SENATE CHAMBER

DES MOINES, IOWA, THURSDAY, JUNE 17, 1971

The Senate met in regular session, President Jepsen presiding.

Prayer was offered by the Reverend Burton C. Collier, pastor of the Christ-Windsor United Methodist Church, Des Moines, Iowa.

The Senate pledged allegiance to the flag.

The Journal of Wednesday, June 16, 1971, was approved.

INTRODUCTION OF BILLS

Senate File 584, by committee on appropriations, a bill for an act to appropriate funds from the general fund of the State of Iowa for capital improvements and purchases of land for institutions under the state board of regents including construction of new buildings, repairs, improvements, land purchases, replacements, or alterations, and providing for joint control of the expenditure thereof by the board of regents, the Governor, and the state comptroller.

Read first time and placed on calendar.

Senate File 585, by committee on appropriations, a bill for an act relating to the costs of auditing the accounts of the area schools.

Read first time and placed on calendar.

Senate File 586, by committee on appropriations, a bill for an act to appropriate funds from the general fund of the State of Iowa to the state board of regents to reimburse state educational institutions for deficiencies in operating revenues resulting from funds pledged to finance academic and administrative buildings and facilities and utilities services.

Read first time and placed on calendar.

Senate File 587, by committee on appropriations, a bill for an act to appropriate funds from the general fund of the State of Iowa to the state board of regents to reimburse state educational institutions for deficiencies in operating revenues resulting from funds pledged to finance academic and administrative buildings and facilities and utilities services.

Read first time and placed on calendar.

Senate File 588, by committee on appropriations, a bill for an act to provide an appropriation from the general fund of the State of Iowa to the state board of regents to replace building space and equipment lost through fire at the University of Northern Iowa.

Read first time and placed on calendar.

Senate File 589, by committee on appropriations, a bill for an act to make appropriations to members of the committee on child labor for per diem and expense claims for services rendered.

Read first time and placed on calendar.

GOVERNOR'S ITEM VETO MESSAGE

June 16, 1971

The Honorable Roger W. Jepsen
Lieutenant Governor of Iowa
State Capitol
Local

Dear Governor Jepsen:

I have on this date signed and transmitted to the Secretary of State's Office Senate File 543, an appropriation bill, with the exception of item 2, designated as section 2 of the said bill which I disapprove.

Pursuant to Amendment 4 of the 1968 Amendments to the Constitution of the State of Iowa, I hereby return to the Senate item 2, designated as section 2 of Senate File 543, being an item of this appropriation bill.

This said item that I am unable to approve reads as follows:

"Sec. 2. Plans and specifications for improvements for which funds are appropriated by this Act or previous Acts of the general assembly shall be submitted by the department of social services to the budget and financial control committee for approval, except that items commonly known as change orders need not be submitted to the budget and financial control committee unless such change orders increase the total cost of that particular project."

I have disapproved this section because it violates the constitutional separation of the legislative and the executive branches of government. If the budget and financial control committee performed its duties under this section and exercised the powers given to it, the committee would be acting in an executive capacity or using delegated legislative powers. In either situation, they would be acting unconstitutionally. (1963 OAG 44, June 14, 1963)

We have been operating under a system whereby the executive council approves plans and specifications for improvements for which funds are appropriated by the General Assembly. This is a reasonable and working arrangement with the responsibility resting not only with the departments affected by the appropriation, but also with elected officials in the executive branch of government. These are people whose positions are fulltime and who provide interim safeguards for the system of state government.

Therefore, I am returning this item of Senate File 543 to the Senate

where this appropriation bill originated pursuant to Amendment 4 of the 1968 Amendments to the Constitution of the State of Iowa.

Very truly yours,
ROBERT D. RAY
Governor

CONSIDERATION OF BILLS

Senator Lamborn asked and received unanimous consent to take up for consideration House File 225.

House File 225

On motion of Senator Nicholson, House File 225, a bill for an act relating to municipal judges, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Nicholson moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 225) the vote was:

Ayes, 41:

Anderson	Gaudineer	Miller	Riley
Arbuckle	Gilley	Milligan	Schaben
Balloun	Glenn	Mowry	Shaff
Bass	Graham	Neu	Shawver
Briles	Gross	Nicholson	Smith
Brownlee	Keith	Ollenburg	Stephens
Carlson	Kennedy	Potgeter	Tapscott
Conklin	Kyhl	Potter	Thordsen
Curran	Lamborn	Rabedeaux	Van Drie
Davis	Laverty	Rhodes	Van Gilst
Erskine			

Nays, 1:

Hill

Absent or not voting, 8:

Coleman	Doderer	Messerly	Robinson
DeKoster	Griffin	Palmer	Walsh

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

Senator Nicholson asked and received unanimous consent that **House File 225** be **immediately messaged** to the House, which request was complied with.

Senator Lamborn asked and received unanimous consent to take up for consideration House File 729.

House File 729

On motion of Senator Potgeter, House File 729, a bill for an act relating to the appointment of notaries public by the Secretary of State, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Potgeter moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 729) the vote was:

Ayes, 45:

Anderson	Erskine	Laverty	Riley
Arbuckle	Gaudineer	Miller	Robinson
Balloun	Gilley	Milligan	Schaben
Bass	Glenn	Mowry	Shaff
Briles	Graham	Neu	Shawver
Brownlee	Gross	Nicholson	Smith
Carlson	Hill	Ollenburg	Stephens
Coleman	Keith	Potgeter	Tapscott
Conklin	Kennedy	Potter	Thordsen
Curran	Kyhl	Rabedeaux	Van Drie
Davis	Lamborn	Rhodes	Van Gilst
Doderer			

Nays, none.**Absent or not voting, 5:**

DeKoster	Messerly	Palmer	Walsh
Griffin			

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

Senator Potgeter asked and received unanimous consent that **House File 729** be **immediately messaged** to the House, which request was complied with.

BILL ASSIGNED TO COMMITTEE

President Jepsen announced the assignment of the following bill to committee:

H. F. 281 Ways and means

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

The Senate resumed session, Senator Coleman presiding.

On motion of Senator Miller, the Senate recessed until 1:15 p.m.

AFTERNOON SESSION

The Senate reconvened, President Jepsen presiding.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has concurred in Senate amendment to and passed the following bill in which the concurrence of the House was asked:

House File 330, a bill for an act relating to the adoption and enforcement of departmental rules by state conservation commission.

Also: That the House has concurred in Senate amendment to and passed the following bill in which the concurrence of the House was asked:

House File 573, a bill for an act relating to fish and game licenses and fees.

Also: That the House has concurred in Senate amendment to and passed the following bill in which the concurrence of the House was asked:

House File 713, a bill for an act relating to the election laws.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 739, a bill for an act setting the salary rate for state officials.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 740, a bill for an act making an appropriation to state comptroller for payment of certain publication costs of the Iowa academy of science.

WILLIAM R. KENDRICK, Chief Clerk

HOUSE MESSAGES CONSIDERED

House File 739, a bill for an act setting the salary rate for state officials and designated employees of the state.

Read first time and referred to committee on appropriations.

House File 740, a bill for an act making an appropriation to the state comptroller for payment of certain publication costs of the Iowa academy of science.

Read first time and referred to committee on appropriations.

SUBSTITUTION

Senator Lamborn asked and received unanimous consent that House File 574 be substituted for Senate File 397 which was made a special order of business for Tuesday, January 11, 1972, at 10:00 a.m.

UNFINISHED BUSINESS

House File 709

On motion of Senator Balloun, House File 709, a bill for an act making an appropriation from the general fund of the state of Iowa

to the department of public instruction, was taken up for further consideration.

Senator Balloun offered the following amendment by the committee on appropriations:

1 Amend House File 709, page 3, as follows:

2 1. By striking line 4 and inserting in lieu thereof the following:

3 "Secondary Schools: \$1,725,000.00 \$1,725,000.00".

4 2. By striking line 7 and inserting in lieu thereof the following:

5 "tion: \$6,900,000.00 \$6,900,000.00".

6 3. By striking line 12 and inserting in lieu thereof the following:

7 "laneous purposes: \$1,100,000.00 \$1,100,000.00".

Senator Balloun moved the adoption of the amendment and called for a division.

The amendment was adopted.

Senator Conklin offered the following amendment filed by her on June 15, 1971:

1 Amend House File 709 as follows:

2 1. Page 3, by adding the following new section

3 after line 12:

4 "Sec. 2. There is appropriated to the department of
5 public instruction from the general fund of the state
6 for the biennium beginning July 1, 1971, and ending June
7 30, 1973, the sum of thirty thousand (30,000) dollars,
8 or so much thereof as may be necessary for the use of the
9 professional teaching practices commission to carry out
10 the provisions of chapter two hundred seventy-two A
11 (272A) of the Code."

12 2. By renumbering the bill sections.

On motion of Senator Balloun, action on the Conklin amendment filed June 15, 1971, was deferred.

Senator Conklin offered the following amendment:

1 Amend House File 709 as follows:

2 1. Page 3, by adding the following new section after

3 line 12:

4 "Sec. 2. Section two hundred sixty point fourteen
5 (260.14), Code 1971, is amended as follows:

6 260.14 FEES FOR RENEWAL. The fee for the issuance
7 or the [term] renewal of any certificate shall be [two]
8 fifteen dollars. [The fee for life renewal shall be five
9 dollars.]"

10 2. By renumbering the bill sections to conform with
11 this amendment.

12 3. By amending the title, page 1, line 2, by insert-
13 ing before the period the words "and relating to renewal
14 fees for certificates".

Senator Miller raised a point of order on the amendment for the reason that it was not germane to the bill.

The Chair ruled the point not well taken and the amendment in order.

President pro tempore Kyhl took the chair at 2:07 p.m.

On motion of Senator Conklin, the amendment was adopted.

The Senate resumed consideration of the amendment filed by Senator Conklin on June 15, 1971.

On motion of Senator Conklin, the amendment was adopted.

Senator Balloun moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 709) the vote was:

Ayes, 37:

Anderson	Erskine	Mowry	Riley
Arbuckle	Gilley	Neu	Robinson
Bass	Glenn	Nicholson	Shaff
Briles	Graham	Ollenburg	Shawver
Brownlee	Gross	Palmer	Smith
Carlson	Keith	Potgeter	Stephens
Conklin	Kennedy	Potter	Tapscott
Curran	Kyhl	Rabedeaux	Van Drie
DeKoster	Lamborn	Rhodes	Van Gilst
Doderer			

Nays, 3:

Balloun	Miller	Schaben
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Absent or not voting, 10:

Coleman	Griffin	Messerly	Thordsen
Davis	Hill	Milligan	Walsh
Gaudineer	Laverty		

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

Senator Balloun asked and received unanimous consent that **House File 709** be immediately messaged to the House, which request was complied with.

CONSIDERATION OF BILLS

Senator Lamborn asked and received unanimous consent to take up for consideration Senate File 585.

Senate File 585

On motion of Senator Balloun, Senate File 585, a bill for an act relating to the costs of auditing the accounts of the area schools, was taken up and considered.

President Jepsen took the chair at 2:35 p.m.

Senator Balloun moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 585) the vote was:

Ayes, 27:

Anderson	Curran	Kyhl	Rabedeaux
Arbuckle	Davis	Lavery	Shaff
Balloun	DeKoster	Messerly	Shawver
Bass	Erskine	Mowry	Smith
Briles	Gilley	Neu	Stephens
Carlson	Graham	Nicholson	Van Drie
Conklin	Keith	Ollenburg	

Nays, 16:

Doderer	Kennedy	Potgeter	Robinson
Glenn	Miller	Potter	Schaben
Gross	Milligan	Rhodes	Tapscott
Hill	Palmer	Riley	Van Gilst

Absent or not voting, 7:

Brownlee	Gaudineer	Lamborn	Walsh
Coleman	Griffin	Thordsen	

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

Senator Balloun asked and received unanimous consent that **Senate File 585** be **immediately messaged** to the House, which request was complied with.

HOUSE AMENDMENT CONSIDERED

Senate File 565

Senator Anderson called up for consideration Senate File 565, a bill for an act making an appropriation to the department of social services and divisions thereof, including the board of parole, and providing for the administration thereof and providing for a study committee, amended by the House, as follows:

- 1 Amend Senate File 565, as follows:
- 2 1. Page 8, by striking lines 32 through 35.
- 3 2. Page 9, line 6, by striking the word "three" and
- 4 inserting in lieu thereof the word "two".
- 5 3. Page 9, by striking lines 9 through 14.
- 6 4. By adding the following new section:
- 7 "There is hereby appropriated to the department of
- 8 social services from funds in the general fund not otherwise
- 9 appropriated the sum of five hundred ten thousand (510,000)
- 10 dollars for the fiscal year beginning July 1, 1971, and ending
- 11 June 30, 1972, and the sum of five hundred ten thousand
- 12 (510,000) dollars for the fiscal year beginning July 1, 1972,
- 13 and ending June 30, 1973, or so much thereof as may be
- 14 necessary, which funds shall be used exclusively for the
- 15 purpose of increasing the categorical grants for old age

16 assistance recipients as of January 1, 1971, by ten (10)
 17 percent or so much thereof as is necessary to assure that
 18 such recipients receive the benefit of the increase in
 19 social security benefits."

Senator Anderson offered the following amendment to the House amendment:

- 1 Amend the House amendment to Senate File 565 by striking
- 2 lines 6 through 19.

Roll call was requested.

On the question "Shall the amendment to the House amendment be adopted?" (S.F. 565) the vote was:

Ayes, 31:

Anderson	Davis	Lavery	Potter
Arbuckle	DeKoster	Messerly	Rabedeaux
Balloun	Erskine	Milligan	Rhodes
Bass	Gilley	Mowry	Shaff
Briles	Graham	Neu	Shawver
Brownlee	Keith	Nicholson	Smith
Carlson	Kyhl	Ollenburg	Stephens
Conklin	Lamborn	Potgeter	

Nays, 15:

Doderer	Hill	Riley	Thordsen
Gaudineer	Kennedy	Robinson	Van Gilst
Glenn	Miller	Schaben	Walsh
Gross	Palmer	Tapscott	

Absent or not voting, 4:

Coleman	Curran	Griffin	Van Drie
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The amendment to the House amendment was adopted.

On motion of Senator Anderson, the Senate concurred in the House amendment as amended.

Senator Anderson moved that the bill as amended by the House, further amended and concurred in by the Senate, be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 565) the vote was:

Ayes, 45:

Anderson	Gilley	Miller	Robinson
Arbuckle	Glenn	Mowry	Schaben
Balloun	Graham	Neu	Shaff
Bass	Gross	Nicholson	Shawver
Briles	Hill	Ollenburg	Smith
Brownlee	Keith	Palmer	Stephens
Carlson	Kennedy	Potgeter	Tapscott
Conklin	Kyhl	Potter	Thordsen
Davis	Lamborn	Rabedeaux	Van Drie
DeKoster	Lavery	Rhodes	Van Gilst
Doderer	Messerly	Riley	Walsh
Erskine			

Nays, 1:

Milligan

Absent or not voting, 4:

Coleman

Curran

Gaudineer

Griffin

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

CONSIDERATION OF BILLS

Senator Lamborn asked and received unanimous consent to take up for consideration Senate File 584.

Senate File 584

On motion of Senator Balloun, Senate File 584, a bill for an act to appropriate funds from the general fund of the State of Iowa for capital improvements and purchases of land for institutions under the state board of regents including construction of new buildings, repairs, improvements, land purchases, replacements, or alterations, and providing for joint control of the expenditure thereof by the board of regents, the Governor, and the state comptroller, was taken up and considered.

Senator Balloun moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 584) the vote was:

Ayes, 45:

Anderson	Gaudineer	Messerly	Rhodes
Arbuckle	Gilley	Miller	Riley
Balloun	Glenn	Milligan	Schaben
Bass	Graham	Mowry	Shawver
Briles	Gross	Neu	Smith
Brownlee	Hill	Nicholson	Stephens
Carlson	Keith	Ollenburg	Tapscott
Conklin	Kennedy	Palmer	Thordsen
Curran	Kyhl	Potgeter	Van Drie
Davis	Lamborn	Potter	Van Gilst
DeKoster	Laverty	Rabedeaux	Walsh
Doderer			

Nays, none.

Absent or not voting, 5:

Coleman
Erskine

Griffin

Robinson

Shaff

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

Senator Balloun asked and received unanimous consent that Sen-

ate File 584 be immediately messaged to the House, which request was complied with.

Senator Davis took the chair at 3:45 p.m.

Senator Lamborn asked and received unanimous consent to take up for consideration Senate File 588.

Senate File 588

On motion of Senator Balloun, Senate File 588, a bill for an act to provide an appropriation from the general fund of the state of Iowa to the state board of regents to replace building space and equipment lost through fire at the University of Northern Iowa, was taken up and considered.

Senator Balloun moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 588) the vote was:

Ayes, 43:

Anderson	Doderer	Lavery	Rhodes
Arbuckle	Erskine	Messerly	Riley
Balloun	Gaudineer	Miller	Schaben
Bass	Gilley	Milligan	Shaff
Briles	Glenn	Neu	Smith
Brownlee	Graham	Nicholson	Stephens
Carlson	Gross	Ollenburg	Tapscott
Conklin	Keith	Palmer	Thordsen
Curran	Kennedy	Potgeter	Van Drie
Davis	Kyhl	Potter	Van Gilst
DeKoster	Lamborn	Rabedeaux	

Nays, 2:

Hill	Mowry
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Absent or not voting, 5:

Coleman	Robinson	Shawver	Walsh
Griffin			

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

Senator Balloun asked and received unanimous consent that **Senate File 588** be immediately messaged to the House, which request was complied with.

Senator Lamborn asked and received unanimous consent to take up for consideration Senate File 586.

Senate File 586

On motion of Senator Balloun, Senate File 586, a bill for an act to appropriate funds from the general fund of the state of Iowa to the

state board of regents to reimburse state educational institutions for deficiencies in operating revenues resulting from funds pledged to finance academic and administrative buildings and facilities and utilities services, was taken up and considered.

Senate Balloun moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 586) the vote was:

Ayes, 41:

Anderson	Erskine	Lavery	Rabedeaux
Arbuckle	Gaudineer	Messerly	Rhodes
Balloun	Gilley	Miller	Riley
Bass	Glenn	Milligan	Shaff
Briles	Graham	Mowry	Smith
Brownlee	Gross	Neu	Tapscott
Carlson	Keith	Nicholson	Thordsen
Curran	Kennedy	Ollenburg	Van Drie
Davis	Kyhl	Palmer	Van Gilst
DeKoster	Lamborn	Potgeter	Walsh
Doderer			

Nays, 4:

Conklin	Hill	Schaben	Stephens
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Absent or not voting, 5:

Coleman	Potter	Robinson	Shawver
Griffin			

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

Senator Balloun asked and received unanimous consent that **Senate File 586** be **immediately messaged** to the House, which request was complied with.

Senator Lamborn asked and received unanimous consent to take up for consideration Senate File 587.

Senate File 587

On motion of Senator Balloun, Senate File 587, a bill for an act to appropriate funds from the general fund of the State of Iowa to the state board of regents to reimburse state educational institutions for deficiencies in operating revenues resulting from funds pledged to finance academic and administrative buildings and facilities and utilities services, was taken up and considered.

Senator Van Gilst took the chair at 4:10 p.m.

Senator Balloun moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 587) the vote was:

Rule 24 was invoked.**Ayes, 32:**

Arbuckle	Gaudineer	Mowry	Riley
Briles	Glenn	Neu	Robinson
Brownlee	Gross	Nicholson	Shaff
Carlson	Keith	Ollenburg	Stephens
Curran	Kyhl	Potgeter	Tapscott
Davis	Lamborn	Potter	Van Drie
DeKoster	Lavery	Rabedeaux	Van Gilst
Doderer	Milligan	Rhodes	Walsh

Nays, 14:

Anderson	Erskine	Kennedy	Palmer
Balloun	Gilley	Messerly	Schaben
Bass	Graham	Miller	Smith
Conklin	Hill		

Absent or not voting, 4:

Coleman	Griffin	Shawver	Thordsen
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Balloun asked and received unanimous consent that **Senate File 587** be **immediately messaged** to the House, which request was complied with.

President Jepsen took the chair at 4:45 p.m.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has adopted conference committee report and amendments contained therein and repassed the following bill in which the concurrence of the House was asked:

Senate File 544, a bill for an act to appropriate to the commission on alcoholism.

Also: That the House has refused to concur in Senate amendment to the following bill in which the concurrence of the House was asked:

House File 236, a bill for an act relating to establishment of rest areas.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 741, a bill for an act relating to payment of general school aid to merged areas.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 742, a bill for an act to authorize and direct the issuance of a patent to certain real estate.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 744, a bill for an act to make an appropriation to merged area I for the purpose of implementing the provisions of law requiring an area vocational attendance center.

WILLIAM R. KENDRICK, Chief Clerk

INTRODUCTION OF BILL

Senate File 590, by committee on appropriations, a bill for an act relating to a renal disease program and to provide an appropriation therefor.

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

HOUSE MESSAGES CONSIDERED

House File 741, a bill for an act relating to payment of general school aid to merged areas, and providing an appropriation.

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

House File 742, a bill for an act to authorize and direct the issuance of a patent to certain real estate by the governor and secretary of state to the United States of America.

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

House File 744, a bill for an act to make an appropriation to merged area I for the purpose of implementing the provisions of law requiring an area vocational attendance center.

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

APPOINTMENT CONFIRMED

The confirmation of Julian Torgerson of Sioux City, Woodbury County, Iowa, for appointment as a member of the Merit Employment Commission was taken up for further consideration.

Senator Erskine moved that the appointment of Julian Torgerson be confirmed.

On the question "Shall the appointee be confirmed?" the vote was:

Rule 24 was invoked.

Ayes, 37:

Anderson
Arbuckle
Balloun
Bass
Briles
Brownlee
Carlson

Conklin
Curran
Davis
DeKoster
Erskine
Gilley
Graham

Gross
Keith
Kyhl
Lamborn
Lavery
Messerly
Milligan

Mowry
Nicholson
Ollenburg
Potgeter
Potter
Rabedaux
Rhodes

Riley
Schaben
Shaff

Shawver
Smith

Stephens
Thordsen

Van Drie
Walsh

Nays, 11:

Doderer
Gaudineer
Glenn

Hill
Kennedy
Miller

Neu
Palmer
Robinson

Tapscott
Van Gilst

Absent or not voting, 2:

Coleman

Griffin

President Jepsen declared the appointment of Julian Torgerson as a member of the Merit Employment Commission confirmed for the unexpired portion of the term ending June 30, 1975.

REPORTS OF COMMITTEE

Senator Messerly submitted the following reports:

MR. PRESIDENT: Your committee on appropriations, to which was referred **Senate Concurrent Resolution 32**, a resolution to approve a proposed ten-year building program for the board of regents institutions, begs leave to report it has had the same under consideration and recommends the same **do pass**.

FRANCIS L. MESSERLY, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred **Senate Concurrent Resolution 33**, a resolution authorizing the board of regents to issue bonds to fund the proposed building programs, begs leave to report it has had the same under consideration and recommends the same **do pass**.

FRANCIS L. MESSERLY, Chairman

Ordered passed on file.

REPORT OF INVESTIGATING COMMITTEE

Senator Van Drie submitted the following report and moved its adoption:

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Dr. Keith McNurlen of Ames, Story County, Iowa, for appointment as a member of the State Conservation Commission for the State of Iowa under the provisions of sections 107.1 and 107.2, 1971 Code of Iowa, for the regular six-year term beginning July 1, 1971, and ending June 30, 1977, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

RUDY VAN DRIE, Chairman
C. JOSEPH COLEMAN
JAMES A. POTGETER

The motion prevailed and the report was adopted.

Senator Van Drie moved that the appointment of Dr. Keith McNurlen be confirmed.

On the question "Shall the appointee be confirmed?" the vote was:

Rule 24 was invoked.

Ayes, 40:

Arbuckle	Gaudineer	Miller	Riley
Bass	Gilley	Milligan	Robinson
Briles	Glenn	Neu	Schaben
Brownlee	Griffin	Nicholson	Shaff
Carlson	Gross	Ollenburg	Shawver
Curran	Hill	Palmer	Tapscott
Davis	Keith	Potgeter	Thordsen
DeKoster	Kennedy	Potter	Van Drie
Doderer	Lamborn	Rabedeaux	Van Gilst
Erskine	Laverty	Rhodes	Walsh

Nays, 7:

Anderson	Graham	Messerly	Smith
Balloun	Kyhl	Mowry	

Absent or not voting, 3:

Coleman	Conklin	Stephens
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President Jepsen declared the appointment of Dr. Keith McNurlen as a member of the State Conservation Commission confirmed for the regular six-year term ending June 30, 1977.

ADOPTION OF SENATE CONCURRENT RESOLUTIONS

Senate Concurrent Resolution 33

Senator Balloun asked and received unanimous consent to take up for consideration Senate Concurrent Resolution 33, authorizing the board of regents to issue bonds to fund projects approved by the Sixty-third General Assembly, found on pages 842-843 of the Senate Journal.

Senator Balloun offered the following amendment by the committee on appropriations and moved its adoption:

1 Amend Senate Concurrent Resolution 33 as follows:

2 (1) Page 1, lines 47 and 48, by striking the words and figure
3 "twenty-five million five hundred thirty-five thousand dollars
4 (\$25,535,000)", and inserting in lieu thereof the words and figure
5 "eighteen million nine hundred thirty-three thousand dollars
6 (\$18,933,000)".

7 (2) Page 1, lines 64 and 65, by striking the words and figure
8 "twenty-five million five hundred thirty-five thousand dollars
9 (\$25,535,000)", and inserting in lieu thereof the words and figure
10 "eighteen million nine hundred thirty-three thousand dollars
11 (\$18,933,000)".

12 (3) Page 1, by striking lines 67 through 73, inclusive, and
13 inserting in lieu thereof the following:

14 General utilities, general remodeling, campus improvements
15 Steam main extensions—construction and equipment
16 MacLean Hall Remodeling

- 17 Turbine generator—equipment and installation
 18 (4) Page 1, by striking lines 75 through 77, inclusive, and
 19 inserting in lieu thereof the following:
 20 General utilities, general remodeling, campus improvements
 21 Deferred equipment, Physical Education building (women)
 22 Deferred equipment, Classroom and Office building #3
 23 Steam generation equipment and installation
 24 Fire protection improvements
 25 Physical plant shops and stores building construction and

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- 1 equipment
 2 Veterinary medicine facilities construction and equipment
 3 (5) Page 1, by striking lines 80 through 82 and inserting
 4 in lieu thereof the following:
 5 General utilities, general remodeling

Senator Shaff took the chair at 6:08 p.m.

On motion of Senator Balloun, the amendment was adopted.

Senator Balloun moved the adoption of the resolution as amended.

On the question "Shall the resolution as amended be adopted?"
 (S.C.R. 33) the vote was:

Ayes, 36:

Balloun	Gilley	Milligan	Rhodes
Bass	Glenn	Mowry	Riley
Briles	Gross	Neu	Robinson
Carlson	Kennedy	Nicholson	Shaff
Davis	Kyhl	Ollenburg	Shawver
DeKoster	Lamborn	Palmer	Smith
Doderer	Laverty	Potgeter	Tapscott
Erskine	Messerly	Potter	Van Drie
Gaudineer	Miller	Rabedeaux	Van Gilst

Nays, 7:

Anderson	Conklin	Hill	Stephens
Brownlee	Graham	Schaben	

Absent or not voting, 7:

Arbuckle	Curran	Keith	Walsh
Coleman	Griffin	Thordsen	

The resolution having received a constitutional two-thirds majority was declared to have been adopted by the Senate.

Senate Concurrent Resolution 32

Senator Balloun asked and received unanimous consent to take up for consideration Senate Concurrent Resolution 32, approving the ten-year building program submitted by the board of regents, found on pages 838-842, inclusive, of the Senate Journal.

Senator Balloun offered the following amendment by the committee on appropriations and moved its adoption:

1 Amend Senate Concurrent Resolution 32, found on pages 838
2 through 843, Journal of the Senate, page 1, by striking all of the
3 Resolution after the word "three" in line 1 and insert in lieu
4 thereof the following:
5 "(262A.3) of the Code provides that the state board of regents
6 shall prepare and submit to the General Assembly for approval no later
7 than seven days after the convening of each regular annual session of
8 the General Assembly a proposed ten-year building program for each
9 institution of higher learning under the jurisdiction of said board,
10 said program to contain a list of the buildings and facilities which
11 the board deems necessary to further the educational objectives of
12 the institutions, with an estimate of the cost of each of the build-
13 ings and facilities referred to therein and an estimate of the maximum
14 amount of bonds which the board expects to issue under chapter two
15 hundred sixty-two A (262A) of the Code during each year of the en-
suing
16 biennium; and
17 WHEREAS, the state board of regents prepared and, within seven
days
18 after the convening of the Sixty-fourth General Assembly of the State
19 of Iowa, First Session, submitted to the Sixty-fourth General Assembly,
20 First Session, for approval such a proposed ten-year building program
21 for each institution containing a list of the buildings and facilities
22 which the board deems necessary to further the educational objectives of
23 the institutions, together with an estimate of the cost of each of the
24 buildings and facilities referred to therein and the amount of bonds
25 to be issued as authorized during the biennium ending June 30, 1971,

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1 along with an estimate of the maximum amount of bonds which the
board
2 expects to issue under the provisions of chapter two hundred sixty-two
A
3 (262A) of the Code for each year of the biennium beginning July 1,
1971
4 and ending June 30, 1973; NOW THEREFORE,
5 BE IT RESOLVED BY THE SENATE, THE HOUSE CONCUR-
RING, That the
6 proposed ten-year building program submitted by the state board of
regents
7 for each institution of higher learning under its jurisdiction, including
8 the amount of bonds issued and to be issued during the biennium
ending
9 June 30, 1971, and the estimate of the maximum amount of bonds which
the
10 board expects to issue under the provisions of chapter two hundred
sixty-
11 two A (262A) of the Code for each year of the biennium ending June
30,
12 1973, be and is hereby approved as submitted, to wit:
13 STATE BOARD OF REGENTS PROPOSED TEN-YEAR
14 BUILDING PROGRAM 1971-81
15 STATE UNIVERSITY OF IOWA

16		Estimated
17	Project	Total Costs
18	Recurring projects (including utilities, remodeling,	
19	advance planning, campus improvements)	\$ 2,947,000
20	Steam main extensions	271,000
21	Turbine generator	2,100,000
22	MacLean hall remodeling	900,000
23	Eastside elevated water tank	474,000
24	Music building (old) remodeling	430,000
25	Dentistry building (old) remodeling	600,000
26	College of education building and equipment	8,053,000

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1	Animal house addition	220,000
2	Hydraulics laboratory addition	920,000
3	Preschool laboratory	678,000
4	Engineering building remodeling	726,000
5	Social sciences building	7,986,000
6	Chemistry-botany addition and remodeling	4,543,000
7	Medical laboratories remodeling	2,197,000
8	Water plant expansion	1,050,000
9	University hospital remodeling—Phase I and II	5,905,000

10 Total State University of Iowa\$40,000,000

11 IOWA STATE UNIVERSITY

12	Project	Estimated
13		Total Costs
14	Recurring projects (including utilities, remodeling,	
15	advance planning, campus improvements)	\$ 3,525,000
16	Veterinary medicine facilities construction and	
17	equipment	16,447,706
18	Deferred equipment (physical education—women, class-	
19	room and office building 3)	350,000
20	Fire protection improvements	300,000
21	Steam generation equipment	2,300,000
22	Physical plant shops and stores	1,997,000
23	Education building	3,262,000
24	Industrial education building	2,416,000
25	Music building—Phase I	2,230,000
	Design center	5,790,000

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1	Meats laboratory	\$ 1,464,000
2	Veterinary quadrangle (old) remodeling	275,000

3 Total Iowa State University\$40,356,706

4 UNIVERSITY OF NORTHERN IOWA

5	Project	Estimated
6		Total Costs
7	Recurring projects (including utilities, remodeling,	
8	advance planning)	\$ 1,293,294
9	Library—Phase II and III	6,000,000
10	Industrial arts and technology building	1,220,000
11	Art building—Phase I	1,500,000
	Speech building—Phase I	1,300,000

12	Physical education building—Phase II	3,330,000
13	Total University of Northern Iowa	\$14,643,294
14	TOTAL REGENTS TEN-YEAR PROGRAM 1971-1981	<u>\$95,000,000</u>
15	By Senate Concurrent Resolutions No. 44 and No. 45, the Sixty-	
16	third General Assembly of the State of Iowa, First Session, authorized	
17	the state board of regents to issue bonds in the amount of sixteen	
18	million one hundred fourteen thousand (16,114,000) dollars. Of this	
19	maximum amount of bonds authorized, the board of regents will issue	during
20	the biennium which commenced July 1, 1969 and which ends June 30,	1971,
21	under the provisions of chapter two hundred sixty-two A (262A) of the	
22	Code of Iowa 1971, twelve million four hundred fifteen thousand	
23	(12,415,000) dollars. During the biennium which commences July 1, 1971	
24	and which ends June 30, 1973, the maximum amount of bonds which	the state
25	board of regents expects to issue is three million four hundred thirty-	five

Page 5

1 thousand (3,435,000) dollars of the bond authority granted by the
2 Sixty-third General Assembly, First Session, and eighteen million
3 nine hundred thirty-three thousand (18,933,000) dollars of the bond
4 authority granted by the Sixty-fourth General Assembly, First Session,
5 with ten million eight hundred thirty-five thousand (10,835,000) dollars
6 of the total biennial issue of twenty-two million three hundred sixty-
7 eight thousand (22,368,000) dollars to be issued during the fiscal year
8 ending June 30, 1972 and the remaining eleven million five hundred
9 thirty-three thousand (11,533,000) dollars to be issued during the
10 fiscal year ending June 3, 1973, and this plan of financing is hereby
11 approved.

The amendment was adopted.

Senator Balloun moved the adoption of the resolution as amended.

On the question "Shall the resolution as amended be adopted?"
(S.C.R. 32) the vote was:

Rule 24 was invoked.

Ayes, 34:

Anderson	Gaudineer	Mowry	Riley
Balloun	Glenn	Neu	Robinson
Bass	Gross	Nicholson	Shaff
Briles	Keith	Ollenburg	Smith
Carlson	Kennedy	Palmer	Tapscott
Curran	Lamborn	Potter	Van Drie
Davis	Laverty	Rabedaux	Van Gilst
DeKoster	Messery	Rhodes	Walsh
Doderer	Milligan		

Nays, 6:

Conklin	Graham	Schaben	Stephens
Gilley	Hill		

Absent or not voting, 10:

Arbuckle	Erskine	Miller	Shawver
Brownlee	Griffin	Potgeter	Thordsen
Coleman	Kyhl		

The resolution having received a constitutional two-thirds majority was declared to have been adopted by the Senate.

CONSIDERATION OF BILLS

Senator Riley asked and received unanimous consent to take up for consideration Senate File 589.

Senate File 589

On motion of Senator Riley, Senate File 589, a bill for an act to make appropriations to members of the committee on child labor for per diem and expense claims for services rendered, was taken up and considered.

Senator Riley moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 589) the vote was:

Ayes, 42:

Anderson	Gilley	Milligan	Riley
Arbuckle	Glenn	Mowry	Robinson
Bass	Graham	Neu	Schaben
Briles	Gross	Nicholson	Shaff
Carlson	Hill	Ollenburg	Smith
Conklin	Keith	Palmer	Stephens
Curran	Kennedy	Potgeter	Tapscott
Davis	Lamborn	Potter	Van Drie
DeKoster	Laverty	Rabedaux	Van Gilst
Erskine	Messerly	Rhodes	Walsh
Gaudineer	Miller		

Nays, none.

Absent or not voting, 8:

Balloun	Coleman	Griffin	Shawver
Brownlee	Doderer	Kyhl	Thordsen

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

Senator Riley asked and received unanimous consent that **Senate File 589** be **immediately messaged** to the House, which request was complied with.

President Jepsen took the chair at 6:25 p.m.

MOTION TO SUSPEND RULES LOST

Senator Lamborn moved that the rules be suspended and that **House File 734** be taken up for consideration.

On the question "Shall the motion to suspend the rules be adopted?" (H.F. 734) the vote was:

Ayes, 24:

Balloun	Glenn	Messerly	Robinson
Briles	Gross	Milligan	Shawver
Curran	Hill	Neu	Tapscott
Davis	Keith	Potter	Van Drie
DeKoster	Lamborn	Rabedeaux	Van Gilst
Gaudineer	Laverty	Riley	Walsh

Nays, 21:

Anderson	Erskine	Mowry	Rhodes
Arbuckle	Gilley	Nicholson	Schaben
Bass	Graham	Ollenburg	Shaff
Carlson	Kennedy	Palmer	Smith
Conklin	Miller	Potgeter	Stephens
Doderer			

Absent or not voting, 5:

Brownlee	Griffin	Kyhl	Thordsen
Coleman			

The motion lost.

SPECIAL ORDER

Senator Lamborn moved that **Senate File 734** be made a special order of business for Tuesday, January 25, 1972, at 10:00 a.m.

Motion prevailed.

REPORT OF COMMITTEE

Senator Shaff submitted the following report:

MR. PRESIDENT: Your committee on ways and means, to which was referred **House File 281**, a bill for an act providing an exemption from state income tax for members of the Iowa national guard performing training duty and active state service, begs leave to report it has had the same under consideration and recommends the same **do pass**.

ROGER J. SHAFF, Chairman

Ordered passed on file.

CONSIDERATION OF BILLS

Senator Lamborn asked unanimous consent to take up for immediate consideration House File 281.

Objection was raised.

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

The Senate resumed session, President Jepsen presiding.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has refused to concur in the Senate amendments to the following bill in which the concurrence of the House was asked:

House File 182, a bill for an act relating to compensation for refinancing costs where property is acquired for public use.

Also: That the House has concurred in Senate amendment to and re-passed the following bill in which the concurrence of the House was asked:

House File 386, a bill for an act relating to travel trailers.

Also: That the House has concurred in Senate amendment to and re-passed the following bill in which the concurrence of the House was asked:

House File 503, a bill for an act relating to levee and drainage districts.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 556, a bill for an act creating and making an appropriation to the executive council general contingent fund.

Also: That the House has concurred in Senate amendment to House amendment and re-passed the following bill in which the concurrence of the House was asked:

Senate File 565, a bill for an act making an appropriation to the department of social services.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 572, a bill for an act relating to the control and use of state funds, powers of budget and financial control committee.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 573, a bill for an act to appropriate from the primary road fund to the state highway commission.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 576, a bill for an act making an appropriation from the general fund to various state departments.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 577, a bill for an act to appropriate to the department of public instruction for reimbursements to boards of education.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 579, a bill for an act to appropriate to the supreme court and district courts.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 581, a bill for an act to appropriate to the executive council for training facility for family practitioners at Broadlawns Polk County Hospital.

WILLIAM R. KENDRICK, Chief Clerk

HOUSE AMENDMENT TO SENATE FILE 556

- 1 Amend Senate File 556, as passed by the Senate,
- 2 as follows:
- 3 1. Page 2, by inserting after the period in line 16
- 4 the following: "The executive council shall not spend
- 5 any money out of the contingent fund while the legislature
- 6 is in session."
- 7 2. Page 2, lines 22 and 23, by striking the words and
- 8 figures "three hundred thousand (300,000)" and inserting
- 9 in lieu thereof the following: "two hundred thousand
- 10 (200,000)".

HOUSE AMENDMENT TO SENATE FILE 572

- 1 Amend Senate File 572, as amended and passed by the
- 2 Senate and reprinted, as follows:
- 3 1. Page 2, by inserting after line 9 the following:
- 4 "Funds appropriated to the budget and financial
- 5 control committee shall be administered by the budget
- 6 and financial control committee and allocations from
- 7 the fund may be made only for the following:
- 8 1. Compensation and expenses of the members of the
- 9 budget and financial control committee authorized by
- 10 section two point forty-five (2.45) of the Code.
- 11 2. Payment of obligations incurred under the pro-
- 12 visions of subsection six (6) of section two point forty-
- 13 four (2.44) and section two point forty-six (2.46) of
- 14 the Code.
- 15 3. Salaries for additional employees or staff for
- 16 state agencies, departments, boards, and commissions
- 17 upon a showing of the need for additional employees or
- 18 staff to carry out currently funded programs. Request
- 19 for funds under this subsection shall be reviewed by the
- 20 legislative fiscal director who shall report his
- 21 recommendations and findings to the budget and financial
- 22 control committee."
- 23 2. Page 2, line 21, by inserting after the word
- 24 "council" the following: "*and the budget and financial*
- 25 *control committee*".

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- 1 3. Page 2, line 26, by inserting after the word
- 2 "council" the following: "*and the budget and financial*
- 3 *control committee*".
- 4 4. Page 2, line 29, by striking the words "the
- 5 general fund of the state" and inserting in lieu thereof
- 6 the words "[the general fund of the state] *a special trust*
- 7 *fund to be held in such fund for the department of social*

8 *services until the general assembly appropriates such*
9 *funds”.*

10 5. Page 2, by inserting after line 35 the following
11 new sections:

12 (1) **CAPITAL IMPROVEMENTS.** Before expending any funds
13 for the construction of new buildings, repairs, improvements,
14 replacements, or alterations, or any other capital expendi-
15 tures, the contracts, plans and specifications, or plan of
16 operation for improvements, shall be submitted to the
17 budget and financial control committee. If the budget
18 and financial control committee does not approve of the
19 expenditure as being in the best interests of the state,
20 the funds shall not be expended. Change orders need not
21 be submitted for approval unless the change order would
22 increase the total cost of the project.

23 (2) Section two hundred sixty-two point nine (262.9),
24 subsection five (5), Code 1971, is amended as follows:

25 5. With the approval of the executive council, acquire

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1 real estate for the proper uses of said institutions,
2 and dispose of real estate belonging to said institutions
3 when not necessary for their purposes. A disposal of
4 such real estate shall be made upon such terms, conditions
5 and consideration as the board may recommend and subject
6 to the approval of the executive council *and the budget and*
7 *financial control committee.* [If real estate subject to
8 sale hereunder has been purchased or acquired from
9 appropriated funds, the] *The proceeds of such sale shall be*
10 *deposited with the treasurer of state and credited to*
11 *[the general fund of the state] a special trust fund to be*
12 *held in such fund for the board of regents until the general*
13 *assembly appropriates such funds.* [There is hereby
14 appropriated from the general fund of the state a sum
15 equal to the proceeds so deposited and credited to the
16 general fund of the state to the state board of regents
17 which, with the prior approval of the executive council,
18 may be used to purchase other real estate and buildings,
19 and for the construction and alteration of buildings,
20 and other capital improvements.] All transfers shall be by
21 state patent in the manner provided by law.

22 (3) Section two point forty-seven (2.47), Code 1971,
23 is amended by adding the following new subsection:

24 “Prepare and submit to each member of the general
25 assembly, not later than the fifteenth day of each month,

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1 a detailed report of the current status of state
2 revenue income and departmental expenditures. The
3 report shall contain a comparison of the revenue income
4 and departmental expenditures for the same period during
5 each of the two preceding fiscal bienniums. The budget
6 and financial control committee shall approve the style
7 and format of the report.”

8 7. Amend the title, page 1, line 1, by inserting
9 after the word “powers” the words “and duties”.

HOUSE AMENDMENT TO SENATE FILE 573

1 Amend Senate File 573, as passed by the Senate and
2 reprinted, as follows:

3 1. Page 6, after line 5, add the following new sections:

4 (1) Section three hundred thirteen point four (313.4),
5 Code 1971, is amended by adding the following new paragraph:

6 "It is further provided that there is appropriated from
7 the primary road fund an amount sufficient to pay the
8 increase in salaries, which increase is not otherwise
9 provided for by the general assembly in an appropriation
10 bill, resulting from the annual review of the merit pay
11 plan as provided in subsection two (2) of section
12 nineteen A point nine (19A.9) of the Code. The
13 appropriation herein provided shall be in effect from
14 the date of approval by the executive council to the end
15 of the fiscal biennium in which it becomes effective."

16 (2) Chapter three hundred seven (307), Code 1971, is
17 amended by adding the following new section:

18 "No employee of the state highway commission subject
19 to the provisions of chapter nineteen A (19A) of the Code
20 who is hired on or after July 1, 1971 shall be entitled
21 to longevity pay. The provisions of this section shall
22 not apply to any employee of the state highway commission
23 subject to chapter nineteen A (19A) of the Code who has
24 been employed prior to July 1, 1971 and whose employment
25 continues after June 30, 1971. Any employee of the state

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1 highway commission subject to chapter nineteen A (19A)
2 of the Code whose employment is terminated on or
3 after July 1, 1971 shall, if reemployed by the state
4 highway commission, forfeit any right he may have to
5 longevity pay."

6 3. Amend the title, line 2 by inserting after the
7 word "commission" the following:

8 " , and relating to employees of the state highway
9 commission under the state merit system."

HOUSE AMENDMENT TO SENATE FILE 576

1 Amend Senate File 576, as amended and passed by the
2 Senate, as follows:

3 1. Page 3, by striking line 13, and inserting in
4 lieu thereof the words

5 "control committee:" \$3,650.00 \$3,650.00

6 2. Page 3, by inserting after line 13 the following:

7 "For the expense of conducting
8 a study, planning, and specific
9 recommendations to be submitted
10 to the general assembly regarding
11 food services in the capitol com-
12 plex, visitor parking facilities,
13 appearance and utilization of the
14 ground floor of the capitol
15 building, and immediate space

16	needs of all state departments,		
17	boards, commissions and agencies:	\$25,000.00	\$25,000.00
18	Total:	<u>\$28,650.00</u>	<u>\$28,650.00"</u>
19	3. Page 13, by inserting after line 1 the following		
20	new section:		
21	Sec. 2. Chapter nineteen A (19A), Code 1971, is amended		
22	by adding the following new section:		
23	"No state employee subject to the provisions of this		
24	chapter shall be entitled to longevity pay except those		
25	employees granted longevity pay pursuant to section ten		

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- 1 (10) of Senate File five hundred seventy-three (573),
- 2 Acts of the Sixty-fourth General Assembly, First
- 3 Session."
- 4 4. Renumber the remaining sections.

INTRODUCTION OF BILL

Senate File 591, by committee on appropriations, a bill for an act making an appropriation to the Iowa American Revolution Bicentennial Commission.

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

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on June 16, 1971, the Governor approved and transmitted to the Secretary of State the following bill:

H. F. 172—Relating to a reorganization of the Iowa liquor control department; providing for the appointment of an Iowa beer and liquor control council and a director of beer and liquor control and designating their powers and duties; creating a division of beer and liquor law enforcement in the department of public safety.

REPORTS OF COMMITTEES

Senator Messerly submitted the following reports:

MR. PRESIDENT: Your committee on appropriations, to which was referred **House File 736**, a bill for an act making an appropriation from the general fund of the State of Iowa to the Iowa liquor control commission for capital improvements, begs leave to report it has had the same under consideration and recommends **the same do pass**.

FRANCIS L. MESSERLY, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred **House File 738**, a bill for an act to appropriate from the general fund of the state to the educational radio and television facility board, begs leave to

report it has had the same under consideration and recommends the same **do pass**.

FRANCIS L. MESSERLY, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred **House File 741**, a bill for an act relating to payment of general school aid to merged areas, and providing an appropriation, begs leave to report it has had the same under consideration and recommends the same **do pass**.

FRANCIS L. MESSERLY, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred **House File 744**, a bill for an act to make an appropriation to merged area K for the purpose of implementing the provisions of law requiring an area vocational attendance center, begs leave to report it has had the same under consideration and recommends the same **do pass**.

FRANCIS L. MESSERLY, Chairman

Ordered passed on file.

Senator Walsh submitted the following report:

MR. PRESIDENT: Your committee on transportation, to which was referred **House File 734**, a bill for an act relating to junkyards along interstate and federal aid primary highways, begs leave to report it has had the same under consideration and recommends the same **do pass**.

JOHN M. WALSH, Chairman

Ordered passed on file.

AMENDMENTS FILED

- 1 Amend Senate File 590 by adding the following section:
- 2 Sec. 3. Any unused balance of the funds herein
- 3 appropriated remaining at the end of the biennium shall
- 4 revert to the general fund of the state.

COMMITTEE ON APPROPRIATIONS
FRANCIS L. MESSERLY, Chairman

- 1 Amend House File 6, as amended and passed by the
- 2 House, as follows:
- 3 1. Page 2, by inserting after line 2 the follow-
- 4 ing new section:
- 5 "Sec. STATEMENT OF POLICY.
- 6 It is found and declared that building codes of
- 7 the governmental subdivisions of this state as enacted
- 8 and applied are not uniform and impede the utilization
- 9 of new and improved technology, techniques, methods,
- 10 and materials in the manufacture and construction
- 11 of buildings and structures.
- 12 Therefore, it is the policy of the state of Iowa
- 13 to insure decent, safe, and sanitary buildings and
- 14 structures for its citizens through the promulgation

15 and enforcement of a uniform state building code.”

16 2. Page 3, by adding the following after line

17 31:

18 “18. ‘Performance objective’ establishes design
19 and engineering criteria without reference to specific
20 methods of construction.”

21 3. Page 4, by striking lines 19 through 22 and

22 inserting in lieu thereof the following:

23 “Sec. STATE BUILDING CODE. The state building
24 code commissioner with the approval of the advisory
25 council is hereby empowered and directed to formulate

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1 and adopt and from time to time amend or revise and
2 to promulgate, in conformity with and subject to the
3 conditions set forth in this Act, reasonable rules
4 designed to establish minimum safeguards in the erec-
5 tion and construction of buildings and structures,
6 to protect the human beings who live and work in them
7 from fire and other hazards, and to establish regula-
8 tions to further protect the health and safety of
8 the public.

10 The rules shall include reasonable provisions for
11 the following:”

12 4. Page 5, by striking lines 2 through 4 and in-
13 serting in lieu thereof the following:

14 “1. Provide uniform standards and requirements
15 for construction, construction materials, and equipment
16 through the adoption by reference of applicable na-
17 tional codes where appropriate and providing exceptions
18 when necessary. The rules adopted shall include pro-
19 visions imposing requirements reasonably consistent
20 with or identical to recognized and accepted standards
21 contained in performance criteria as developed by
22 the National Bureau of Standards or other nationally
23 recognized model codes such as the model codes pre-
24 pared by the Building Officials Conference of America,
25 the International Conference of Building Officials,

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1 the Southern Building Codes Congress, the National
2 Fire Protection Association, the American National
3 Standards Institute, the American Insurance Associa-
4 tion, the United States Department of Housing and
5 Urban Development, the American Standards Associa-
6 tion, the International Association of Plumbing and
7 Mechanical Officials, and the United States of America
8 Standards Institute.”

9 5. Page 7, line 34, by inserting after the word
10 “resolution” the words “or ordinance”.

11 6. Page 7, line 35, by inserting after the word
12 “resolution” the words “or ordinance”.

13 7. Page 8, line 4, by inserting after the word
14 “resolution” the words “or ordinance”.

15 8. Page 8, line 5, by inserting after the word
16 “resolution” the words “or ordinance”.

- 17 9. Page 8, line 7, by inserting after the word
18 "resolution" the words "or ordinance".
19 10. Page 8, line 9, by inserting after the word
20 "resolution" the words "or ordinance".
21 11. Page 8, line 16, by inserting after the word
22 "resolution" the words "or ordinance".
23 12. Page 8, line 19, by inserting after the word
24 "resolution" the words "or ordinance".
25 13. Page 10, line 11, by striking the word "five"

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- 1 and inserting in lieu thereof the word "four".
2 14. Page 15, line 19, by striking the word "li-
3 cense,".
4 15. Page 15, line 32, by striking the word "li-
5 cense,".
6 16. Page 16, line 1, by striking the word "li-
7 cense,".
8 17. By renumbering the bill sections.

W. R. RABEDEAUX

- 1 Amend House File 281, page 2, by striking
2 lines 3 through 16, inclusive and by inserting in
3 lieu thereof the following:
4 "A member of the Iowa National Guard, below the
5 rank of warrant officer, who is performing active
6 state service as defined in section twenty-nine A
7 point one (29A.1) in respect to public disaster, riot,
8 tumult, breach of the peace, resistance of process,
9 or whenever the foregoing is threatened, whenever
10 called upon in aid of civil authorities or under
11 martial law."

LEE H. GAUDINEER, JR.

- 1 Amend House File 574, as passed by the House,
2 as follows:
3 Page 109, by striking all after the word
4 "franchise" in line 24 and all of line 25, and insert-
5 ing in lieu thereof a period.

REINHOLD O. CARLSON

- 1 Amend House File 671 as follows:
2 1. Page 2, line 9, by striking the word "remained"
3 and inserting in lieu thereof the words "been unlawfully
4 parked or placed".
5 2. Page 2, line 11, by striking the words "for more
6 than twenty-four hours".
7 3. Page 3, line 2, by inserting after the word
8 "title," the word "claim,".
9 4. Page 3, line 4, by inserting after the period
10 the following:
11 "If the owner and lien holders do not exercise their
12 right to reclaim such motor vehicle within the twenty-
13 one day reclaiming period, such owner and lien holders
14 shall no longer have any right, title, claim, or interest
15 in or to such motor vehicle. No court in any case in

16 law or equity shall recognize any right, title, claim,
17 or interest of any such owner and lien holders after
18 the expiration of the twenty-one day reclaiming period.”
19 5. Page 3, by striking from lines 25, 26, and 27 the
20 words “sell the motor vehicle at public auction or dispose
21 of the same to a demolisher as provided in section six (6)
22 of this Act.” and inserting in lieu thereof the following:
23 “make a determination as to whether or not the motor
24 vehicle shall be sold for use upon the highways. If
25 it is to be sold as a motor vehicle for use upon the

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1 highways it shall first be inspected as required by
2 Senate File 297, Acts of the Sixty-fourth General
3 Assembly, First Session, and have a valid certificate
4 of inspection affixed. If the motor vehicle is not
5 sold for use upon the highways it shall only be sold
6 to a dealer licensed under chapter three hundred twenty-
7 two (322) of the Code or to a demolisher. The police
8 authority shall sell the motor vehicle at public auction.
9 Notwithstanding any other provision of this Act, any
10 police authority which has taken into possession any
11 abandoned motor vehicle which is over eight years old
12 and has no engine or is otherwise totally inoperable
13 may dispose of such motor vehicle to a demolisher without
14 the notification procedures enumerated in section three
15 (3) of this Act and without public auction.”
16 6. Page 3, line 31, by inserting after the comma
17 the words “if the motor vehicle is sold or disposed
18 of to a demolisher,”.
19 7. Page 3, line 33, by striking the word “a” and
20 inserting in lieu thereof the word “such”.
21 8. Page 3, line 35, by striking the word “necessary”
22 and inserting in lieu thereof the word “permitted”.
23 9. Page 6, by adding after line 29 the following
24 two new subsections:
25 “The owner of an abandoned motor vehicle and all

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1 lien holders shall no longer have any right, title,
2 claim, or interest in or to such motor vehicle; and
3 no court in any case in law or equity shall recognize
4 any right, title, claim, or interest of any such owner
5 and lien holders after the disposal of such motor vehicle
6 to a demolisher.”
7 “Any proceeds from the sale of an abandoned motor
8 vehicle to a demolisher under this section, by one other
9 than the owner of the vehicle, shall first be applied
10 to that person's expenses in effecting the sale,
11 including storage, towing, and disposal charges, and
12 any surplus shall be distributed in accordance with
13 section four (4) of this Act.”
14 10. Page 6, by striking lines 31 through 35, inclu-
15 sive, and page 7, by striking lines 1 through 6, inclu-
16 sive, and inserting in lieu thereof the following:

17 "1. Any demolisher who purchases or otherwise
18 acquires an abandoned motor vehicle under the provisions
19 of this Act shall scrap, wreck, dismantle, or demolish
20 such motor vehicle, however, if the vehicle is acquired
21 under the provisions of section six (6), subsection
22 five (5), of this Act, the demolisher shall apply to
23 the police authority of the jurisdiction from which
24 the vehicle was acquired for a certificate of authority
25 to demolish the vehicle. In making the application

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1 the demolisher shall describe the motor vehicle as
2 required by section six (6), subsection (2), of
3 this Act. The police authority shall issue the
4 certificate of authority upon complying with section
5 six (6), subsection three (3), of this Act, but shall
6 be excused from following the notification procedures
7 as required by that subsection. The demolisher shall
8 not be required to obtain a certificate of title for
9 the motor vehicle in his own name. After the motor
10 vehicle has been demolished, processed, or changed so
11 that it physically is no longer a motor vehicle, the
12 demolisher shall surrender the auction sales receipt
13 or certificate of authority to dispose of or demolish
14 a motor vehicle to the department of public safety for
15 cancellation. The department of public safety shall
16 issue such forms, rules, and regulations governing the
17 surrender of auction sales receipts, certificates of
18 title, and certificates of authority to dispose of or
19 demolish motor vehicles, and the cancellation and
20 surrender of the registrations and certificates of title
21 for such motor vehicles as are appropriate."

22 11. Page 7, by striking lines 31 through 35, inclu-
23 sive, and page 8, by striking lines 1 through 4, inclu-
24 sive, and inserting in lieu thereof the following new
25 sections and renumbering the remaining section accord-

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1 ingly:

2 "Section three hundred twenty-one point eighty-eight
3 (321.88), Code 1971, as amended by Senate File two
4 hundred ninety-seven (297), Acts of the Sixty-fourth
5 General Assembly, First Session, is amended by striking
6 the section and inserting in lieu thereof the following:
7 FAILURE OF OWNER TO CLAIM. If the owner does not
8 appear within that time, the motor vehicle shall be
9 deemed abandoned and the officer having possession of
10 same shall proceed as provided in sections three (3)
11 and four (4) of this Act."

12 "No person, firm, corporation, unit of government,
13 garagekeeper or police authority upon whose property
14 an abandoned motor vehicle is found or who disposes
15 of such abandoned vehicle in accordance with this Act
16 shall be liable for damages by reason of the removal,
17 sale, or disposal of such motor vehicle."

TOM RILEY

1 Amend House File 734 as follows:

2 1. Page 1, line 3, by striking the word "This" and
3 inserting in lieu thereof the words "Sections one (1)
4 through nine (9), inclusive of this".

5 2. Page 1, by adding after line 12 the following
6 new paragraph:

7 It is also declared that it is necessary to construct,
8 maintain, and supervise federal aid interstate and
9 primary highways so as to control and regulate the
10 erection and maintenance of outdoor advertising
11 thereupon, and on lands adjacent thereto, in order to
12 protect the public investment in such highways, and
13 to promote the safety and recreational value of public
14 travel, to preserve natural beauty and consistent
15 therewith to regulate the display of outdoor advertising,
16 and to comply with the provisions of Title twenty-three
17 (23), section one hundred thirty-one (131) of the United
18 States Code and the federal standards promulgated
19 pursuant to such provisions.

20 3. Page 2, line 1, by inserting after the word
21 "DEFINITIONS." the words "For the purposes of sections
22 one (1) through nine (9), inclusive, of this Act, unless
23 the context otherwise requires:".

24 4. Page 4, line 7, by inserting after the word
25 "requirements" the words "of section one (1) through

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1 nine (9), inclusive,".

2 5. Page 4, line 11, by inserting after the word
3 "provisions" the words "of sections one (1) through
4 nine (9), inclusive,".

5 6. Page 4, line 12, by inserting after the word
6 "to" the words "sections one (1) through nine (9),
7 inclusive, of".

8 7. Page 4, line 16, by inserting after the word
9 "provisions" the words "of sections one (1) through
10 nine (9), inclusive,".

11 8. Page 4, line 24, by inserting after the word
12 "in" the words "sections one (1) through nine (9),
13 inclusive, of".

14 9. Page 4, by adding after line 29 the following
15 new sections:

16 Sec. 10. Sections ten (10) through twenty-three
17 (23), inclusive, of this Act shall be known and may
18 be cited as the "Iowa Highway Advertising Control Act".

19 Sec. 11. For the purposes of sections ten (10)
20 through twenty-three (23), inclusive, of this Act,
21 unless the context otherwise requires:

22 1. "Just compensation" means payment for the removal
23 of existing advertising devices prohibited by sections
24 ten (10) through twenty-three (23), inclusive, of this
25 Act, without regard to whether or not they may have

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1 been otherwise removable pursuant to the police power
2 without compensation. "Just compensation" shall have

3 no relation to, nor be dependent upon traffic flow or
4 frequency, or proximity to or visibility from the public
5 highways, and shall be determined with full consideration
6 of the duty of sign and property owners to mitigate
7 damages due to the taking or removal of existing adver-
8 tising devices, or restrictions imposed against erection
9 and maintenance of such devices by sections ten (10)
10 through twenty-three (23), inclusive, of this Act.
11 This definition is solely for the purpose of compliance
12 with Title twenty-three (23), section one hundred thirty-
13 one (131), paragraph (G) of the United States Code.
14 2. "Commission" means the state highway commission
15 of the state of Iowa.
16 3. "Interstate highway" includes "interstate road"
17 and "interstate system" and means any highway of the
18 primary system at any time officially designated as
19 a part of the national system of interstate and defense
20 highways by the commission and approved by the
21 appropriate authority of the federal government.
22 4. "Bonus interstate highways" includes all
23 interstate highways except those interstate highways
24 adjacent to areas excepted from control under chapter
25 three hundred six B (306B) by authority of section three

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1 hundred six B point two (306B.2), subsection five (5)
2 of the Code.
3 5. "Primary highways" includes the federal aid
4 primary system and means that portion of the connected
5 main highways as officially designated, or as may
6 hereafter be so designated, by the commission and
7 approved by the appropriate authority of the federal
8 government.
9 6. "Freeway primary highway" means those primary
10 highways which have been constructed as a fully
11 controlled access facility with no access to the facility
12 except at established interchanges.
13 7. "Main traveled way" means the portion of the
14 roadway for movement of vehicles on which through traffic
15 is carried exclusive of shoulders and auxiliary lanes.
16 In the case of a divided highway, the main traveled
17 way includes each of the separated roadways for traffic
18 in opposite directions, exclusive of frontage roads,
19 turning roadways, or parking areas.
20 8. "Advertising device" includes any outdoor sign,
21 display, device, figure, painting, drawing, message,
22 placard, poster, billboard, or any other device designed,
23 intended, or used to advertise or give information in
24 the nature of advertising, and having the capacity of
25 being visible from the traveled portion of any interstate

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1 or primary highway.
2 9. "Structure" means any sign supporting device
3 including but not limited to buildings.

- 4 10. "Erect" means to construct, reconstruct, build,
5 raise, assemble, place, affix, attach, create, paint,
6 draw, or in any other way bring into being or establish;
7 however, it shall not include any of the foregoing
8 activities when performed incidental to the customary
9 maintenance of a sign.
- 10 11. "Maintain" means to cause to remain in a state
11 of good repair but does not include reconstruction.
- 12 12. "Reconstruction" means any repair to the extent
13 of sixty percent or more of the replacement cost of
14 the structure, excluding buildings.
- 15 13. "Visible" means capable of being read or
16 comprehended without visual aid by a person of normal
17 visual acuity.
- 18 14. "Adjacent area" means an area which is contiguous
19 to and within six hundred and sixty feet of the nearest
20 edge of the right-of-way of any interstate, freeway
21 primary, or primary highway.
- 22 15. "Right-of-way" means land area dedicated to
23 public use for the highway and its maintenance, and
24 includes land acquired in fee simple or by permanent
25 easement for highway purposes, but does not include

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- 1 temporary easements or rights for supplementary highway
2 appurtenances.
- 3 16. "Information center" means a site, either with
4 or without structures or buildings, established and
5 maintained at a rest area for the purpose of providing
6 "information of specific interest to the traveling
7 public", as that phrase is defined in section twelve
8 (12), subsection five (5) of this Act.
- 9 17. "Rest area" means an area or site established
10 and maintained under authority of section three hundred
11 thirteen point sixty-seven (313.67) of the Code within
12 the right-of-way of an interstate, freeway primary,
13 or primary highway under supervision and control of
14 the commission for the safety, recreation, and
15 convenience of the traveling public.
- 16 18. "Commercial or industrial zone" means those
17 areas zoned commercial or industrial under authority
18 of any law, regulation, or ordinance of this state or
19 its subdivisions.
- 20 19. "Commercial or industrial activities" means
21 those activities generally recognized as commercial
22 or industrial by zoning authorities in this state,
23 except that none of the following activities shall be
24 considered commercial or industrial:
25 a. Outdoor advertising structures.

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- 1 b. Agricultural, forestry, grazing, farming, and
2 related activities, including, but not limited to,
3 wayside fresh produce.
- 4 c. Activities in operation less than three months

5 per year.

6 d. Activities conducted in a building principally
7 used as a residence.

8 e. Railroad tracks and minor spurs.

9 f. Activities outside of adjacent areas, as defined
10 by this Act.

11 g. Activities which have been used in defining and
12 delineating an unzoned area but which have since been
13 discontinued or abandoned.

14 h. Residential housing developments.

15 i. Mobile home parks.

16 j. Institutions of learning.

17 k. State, county and charitable institutions.

18 l. State and county conservation and recreation
19 areas, public parks, forests, playgrounds, or other
20 areas of historic interest or areas designated as scenic
21 beautification areas under section three hundred thirteen
22 point sixty-seven (313.67) of the Code.

23 20. "Unzoned commercial or industrial area" means
24 those areas not zoned by state or local law, regulation,
25 or ordinance, which are occupied by one or more

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1 commercial or industrial activities, and the land along
2 the interstate, freeway primary, and primary highways
3 for a distance of seven hundred fifty feet immediately
4 adjacent to the activities. All measurements shall
5 be from the outer edge of the regularly used buildings,
6 parking lots, storage, or processing areas of the
7 activities and shall be parallel to the edge of pavement
8 of the highway. Measurements shall not be from the
9 property line of the activities unless that property
10 line coincides with the limits of the activities.

11 Unzoned commercial or industrial areas shall not include
12 land on the opposite side of the highway from the
13 commercial or industrial activities.

14 Sec. 12. Subject to the provision made in section
15 thirteen (13) of this Act regarding control of bonus
16 interstate highways, no advertising device shall be
17 erected or maintained within any adjacent area as defined
18 in section eleven (11) of this Act, except the following:

19 1. Signs, displays, and devices advertising the
20 sale or lease of property upon which they are located.

21 2. Signs, displays, and devices advertising
22 activities conducted on the property on which they are
23 located. Such advertised activities shall not be
24 construed to mean activities which are merely ancillary
25 to the primary advertised activities; neither shall

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1 the property upon which they are located be construed
2 to mean located upon any contiguous area having
3 inconsistent use, size, shape, or ownership.

4 3. Signs adjacent to such highways located in
5 commercial or industrial zones or in unzoned commercial
6 or industrial areas in compliance with the regulatory

7 standards of sections ten (10) through twenty-three
8 (23), inclusive, of this Act and rules and regulations
9 promulgated by the commission.

10 4. Signs upon or along such highways which are
11 directional or other official traffic control devices
12 and notices which signs and notices shall include, but
13 not be limited to signs and notices pertaining to natural
14 wonders, scenic and historic attractions which are
15 required or authorized by law which shall conform with
16 rules and regulations promulgated by the commission,
17 provided that such rules shall be consistent with na-
18 tional standards promulgated from time to time by the
19 appropriate authority of the federal government, pursuant
20 to Title twenty-three (23), section one hundred thirty-
21 one (131), paragraph (c) of the United States Code.

22 5. Signs, displays, and devices giving specific
23 information of interest to the traveling public, may
24 be erected and maintained within the right-of-way in
25 such areas, and at appropriate distances from

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1 interchanges on the interstate system as shall conform
2 with the rules and regulations promulgated by the
3 commission. Such rules shall be consistent with national
4 standards promulgated from time to time by the ap-
5 propriate authority of the federal government pursuant
6 to Title twenty-three (23), section one hundred thirty-
7 one (131), paragraph (f) of the United States Code.
8 For purposes of sections ten (10) through twenty-three
9 (23), inclusive, of this Act, "specific information
10 of interest to the traveling public", means only
11 information about public places for outdoor recreation,
12 camping, lodging, eating, and vehicle service and repair,
13 including trade names only if it identifies such places
14 as such.

15 Sec. 13. The commission shall control the erection
16 and maintenance of signs authorized by section twelve
17 (12), subsection three (3) of this Act in accord with
18 the following criteria, except that in the case of bonus
19 interstate highways the commission shall maintain the
20 controls required under chapter three hundred six B
21 (306B) of the Code or the controls required by this
22 Act, whichever controls are stricter:

23 1. Interstate highways and freeway primary highway
24 signs shall not be erected or maintained in any place
25 where they are visible from the main traveled way of

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1 said highway and closer to another sign facing in the
2 same direction than five hundred feet outside of cities
3 and towns, and within two hundred fifty feet if inside
4 of cities and towns. No sign may be located within
5 two hundred fifty feet of an interchange, or rest area.
6 The measurement shall be from the nearest widening
7 constructed for the purpose of acceleration or de-

8 celeration of traffic movement to or from the main
9 traveled way to the sign.

10 2. Signs adjacent to primary highways shall not
11 be erected or maintained closer to another sign facing
12 in the same direction than one hundred feet if inside
13 the corporate limits of a municipality. No sign, other
14 than as excepted or permitted by subsection four (4),
15 five (5), or six (6) of this section, shall be located
16 within the triangular area formed by the line connecting
17 two points each fifty feet back from the point where
18 the street right-of-way lines of the main traveled way
19 in the intersecting street meet or would meet if
20 extended.

21 3. Signs adjacent to primary highways shall not
22 be erected or maintained closer to another sign facing
23 in the same direction than three hundred feet if outside
24 the corporate limits of a municipality. No sign, other
25 than those excepted or permitted by subsection four

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1 (4), five (5), or six (6) of this section, shall be
2 located within the triangular area formed by a line
3 connecting two points each one hundred feet back from
4 the point where the street right-of-way lines of the
5 main traveled way and the intersecting street meet,
6 or would meet if extended.

7 4. The distance spacing measurements fixed by
8 subsections two (2) and three (3) of this section shall
9 not apply to signs which are separated by a building
10 in such a manner that only one sign located within the
11 minimum spacing distance is visible from the highway
12 at any one time.

13 5. Within a triangular area, as defined by
14 subsections two (2) and three (3) of this section,
15 occupied by a building or structure, no sign shall be
16 erected or maintained closer to the intersection than
17 the building or structure itself.

18 6. Official signs and signs advertising the sale
19 or lease of the property or activities conducted upon
20 the property as specified in Title twenty-three (23),
21 section one hundred thirty-one (131), paragraph (c)
22 of the United States Code, shall not be taken into
23 consideration in determining compliance with spacing
24 requirements.

25 7. The minimum distance between two signs facing

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1 the same direction shall apply without regard to the
2 side of the highway on which the signs may be located
3 and shall be measured along the center line of the
4 highway between points directly opposite the signs.

5 8. Advertising devices shall not be erected,
6 maintained, or illuminated:

7 a. In a manner to obscure or otherwise physically
8 interfere with an official traffic sign, signal, or
9 device, or to obstruct or physically interfere with

10 any driver's view of approaching, merging, or
11 intersecting traffic.

12 b. Unless effectively shielded to prevent light
13 from being directed at any portion of the traveled
14 highway with such intensity or brilliance as to cause
15 glare or to impair the vision of the driver of any motor
16 vehicle.

17 c. Which contain, include, or are illuminated by
18 any flashing, intermittent, or moving light or lights,
19 except those giving public service information such
20 as, but not limited to time, date, temperature, weather,
21 news and similar information.

22 d. Which imitate or resemble an official sign or
23 signal or device or which are erected or maintained
24 within or closer than three hundred feet from scenic
25 areas, as defined and determined by the commission,

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1 or which are located or maintained upon trees, or painted
2 or drawn upon rocks or natural features, or which are
3 structurally unsafe or in substantial disrepair.

4 e. Which exceed one thousand two hundred square
5 feet in area or in the case of a back-to-back or V-type
6 sign seven hundred fifty square feet in area for each
7 of two facings, including border and trim but excluding
8 base or apron, support, and other structural members.

9 f. Which do not comply with all applicable state
10 or local laws, regulations, and ordinances, including
11 but not limited to zoning, building, and sign codes
12 as locally interpreted and applied and enforced, or
13 which violate chapter three hundred nineteen (319) of
14 the Code; however, nothing in sections ten (10) through
15 twenty-three (23), inclusive, of this Act shall prevent
16 or restrict county or local zoning authorities from
17 making a determination of customary use concerning size,
18 lighting, and spacing of signs in zoned commercial or
19 industrial adjacent areas, and such determinations will
20 be accepted in lieu of the standards of sections ten
21 (10) through twenty-three (23), inclusive, of this Act.
22 Nor shall anything in sections ten (10) through twenty-
23 three (23), inclusive, of this Act prevent or restrict
24 county or local zoning authorities within their
25 respective jurisdictions from establishing standards

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1 imposing controls stricter than those required by
2 sections ten (10) through twenty-three (23), inclusive,
3 of this Act.

4 g. Notwithstanding paragraph f of this subsection,
5 the standards contained in this section pertaining to
6 size, lighting, and spacing, or signs erected or
7 maintained within six hundred sixty feet of the right-
8 of-way of those portions of the interstate highway
9 system exempted from control under chapter three hundred
10 six B (306B) by authority of section three hundred six
11 B point two (306B.2), subsection five (5) of the Code,

12 and signs erected and maintained within adjacent areas
13 along primary highways within zoned and unzoned
14 commercial and industrial areas, shall apply only to
15 those signs erected subsequent to the effective date
16 of sections ten (10) through twenty-three (23),
17 inclusive, of this Act.

18 Sec. 14. Any sign lawfully in existence in an
19 adjacent area on the effective date of sections ten
20 (10) through twenty-three (23), inclusive, of this Act,
21 which does not conform with the provisions of sections
22 ten (10) through twenty-three (23), inclusive, of this
23 Act, shall be required to be brought into conformity
24 or removed within five years after the effective date
25 of sections ten (10) through twenty-three (23),

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1 inclusive, of this Act. Any sign lawfully erected after
2 the effective date of sections ten (10) through twenty-
3 three (23), inclusive, of this Act which subsequently
4 becomes nonconforming, shall be required to be brought
5 into conformity or removed within five years after the
6 date the nonconformity occurs. However, no sign shall
7 be acquired or be required to be removed pursuant to
8 sections ten (10) through twenty-three (23), inclusive,
9 of this Act unless the commission has received
10 notification from the federal government that the federal
11 share of "just compensation" to be paid is immediately
12 available to contribute to the cost of acquisition or
13 removal. This section shall not apply to the acquisition
14 or removal of signs for which no federal share is
15 payable.

16 Sec. 15. The commission shall acquire by purchase,
17 gift, or condemnation, and shall pay "just compensation"
18 upon the removal of any of the following signs which
19 are not in conformity with the provisions of sections
20 ten (10) through twenty-three (23), inclusive, of this
21 Act:

22 1. Signs lawfully in existence on the effective
23 date of sections ten (10) through twenty-three (23),
24 inclusive, of this Act.

25 2. Signs lawfully in existence on land adjoining

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1 any highway made an interstate, freeway primary, or
2 primary highways after the effective date of sections
3 ten (10) through twenty-three (23), inclusive, of this
4 Act.

5 3. Signs lawfully erected on or after the effective
6 date of sections ten (10) through twenty-three (23),
7 inclusive, of this Act, but which subsequently become
8 nonconforming.

9 4. Any sign lawfully erected on the mistaken or
10 negligent advice of any official or employee of the
11 state of Iowa as to the interpretation, effect, or
12 operation of sections ten (10) through twenty-three

13 (23), inclusive, of this Act, chapter three hundred
14 six B (306B) of the Code, or rules and regulations
15 promulgated by the commission.

16 Sec. 16. Compensation required by section fifteen
17 (15) of this Act shall be paid for the following:

18 1. The taking from the owner of all right, title,
19 leasehold, and interest in a nonconforming sign, display
20 or device.

21 2. The taking from the owner of real property on
22 which a nonconforming sign, display, or device is
23 located, of the right to erect and maintain such signs,
24 displays, and devices upon that real property.

25 Sec. 17. The provisions of chapter four hundred

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1 seventy-one (471) and four hundred seventy-two (472)
2 of the Code shall be applicable to any such condemnation
3 commenced pursuant to sections ten (10) through twenty-
4 three (23), inclusive, of this Act, and the commission
5 may take immediate possession of and remove such signs
6 under the procedures of section four hundred seventy-
7 two point twenty-five (472.25) of the Code.

8 Sec. 18. On every sign regulated by the provisions
9 of sections ten (10) through twenty-three (23),
10 inclusive, of this Act, or on the structure on which
11 the sign is displayed, shall be affixed the name and
12 address of the owner of the display and the date of
13 its erection. However, if the address of the owner
14 is on file with the commission it need not be stated
15 on the display. No sign permitted by section thirteen
16 (13) of this Act may be erected without first obtaining
17 a permit from the commission. The application for a
18 permit shall be on a form provided by the commission
19 and shall contain such information as the commission
20 may deem necessary. Upon receipt of an application
21 containing all required information in due form and
22 properly executed, together with a permit fee of five
23 dollars, the commission shall issue a permit to the
24 applicant for the erection of the sign, if the sign
25 will not violate any provision of sections ten (10)

Page 19

1 through twenty-three (23), inclusive, of this Act, or
2 of chapter three hundred six B (306B) of the Code, or
3 any rule or regulation promulgated by the commission.

4 Sec. 19. Any sign erected in an adjacent area after
5 the effective date of sections ten (10) through twenty-
6 three (23), inclusive, of this Act, in violation of
7 sections ten (10) through twenty-three (23), inclusive,
8 of this Act, or any sign erected in violation of chapter
9 three hundred six B (306B) of the Code, or the rules
10 and regulations promulgated by the commission, is a
11 public nuisance and may be removed by the commission
12 upon thirty days' notice, by certified mail, to the
13 owner of the device and to the owner of the land on

14 which the sign is located, which shall notify such
15 owners to remove the sign if it is prohibited or to
16 cause it to conform to sections ten (10) through twenty-
17 three (23), inclusive, of this Act or rules and
18 regulations promulgated by the commission if it is not
19 prohibited.

20 1. If the landowner or owner of the sign fails to
21 act within thirty days as required in the notice, the
22 commission may enter upon the land and remove the sign.
23 Such entry after notice, shall not be deemed a trespass
24 and the commission may be aided by injunction to abate
25 the nuisance and to insure peaceful entry.

Page 20

1 2. The cost of removal, including any fees and costs
2 or expenses as may arise out of any action brought by
3 the commission to insure peaceful entry and removal,
4 shall be assessed against the owner of the sign. Should
5 the owner of the sign fail to promptly pay such fees,
6 costs, or expenses, the commission shall proceed to
7 advertise and sell the sign for purposes of collecting
8 the same. Any balance from the total receipts of the
9 sale after deducting all fees, costs, and expenses,
10 including those of the sale, shall be paid to the owner
11 of the sign; however, if in the opinion of the commis-
12 sion, the proceeds of the sale will not be sufficient
13 to justify the expense involved, the sign may be used,
14 scrapped, dismantled, or otherwise destroyed or disposed
15 of by the commission as it sees fit.

16 Sec. 20. Whoever erects a sign in violation of
17 sections ten (10) through twenty-three (23), inclusive,
18 of this Act or chapter three hundred six B (306B) of
19 the Code or the rules and regulations promulgated by
20 the commission shall be guilty of a misdemeanor and
21 upon conviction be fined not less than twenty-five
22 dollars nor more than one hundred dollars.

23 Sec. 21. The commission shall enter into agreements
24 with the duly constituted federal authorities in order
25 to secure for the state all bonus federal funds allotted

Page 21

1 and appropriations to the state and to avoid loss or
2 reduction, under Title twenty-three (23), section one
3 hundred thirty-one (131), of the United States Code,
4 of federal aid funds apportioned or to be apportioned
5 to the state under Title twenty-three (23), section
6 one hundred four (104) of the United States Code. The
7 commission may accept funds from whatever source, includ-
8 ing any allotment of funds by the United States, or
9 any of its departments or agencies, appropriated to
10 carry out the purposes of Title twenty-three (23),
11 section one hundred thirty-one (131) of the United
12 States Code. The commission shall take such steps as
13 may be necessary to obtain from the United States or
14 any of its departments or agencies, funds allotted and

15 appropriated for the purpose of paying the federal share
16 of just compensation to be paid to sign owners and
17 owners of the real property under the terms of this
18 Act and Title twenty-three (23), section one hundred
19 thirty-one (131), paragraph (g) of the United States
20 Code.

21 Sec. 22. The commission may establish or enter into
22 agreements with private persons, firms, or corporations
23 for the establishment of information centers in rest
24 areas on the interstate, freeway primary, and primary
25 highways, subject to the approval of the appropriate

Page 22

1 authority of the federal government.
2 Sec. 23. Section three hundred six B point five
3 (306B.5), Code 1971, is amended as follows:
4 306B.5 NUISANCE DECLARED. Any advertising device
5 erected adjacent to any interstate system after May
6 21, 1965, which violates the provisions of this chapter
7 or fails to comply with the rules and regulations
8 promulgated by the state highway commission is a public
9 nuisance. The state highway commission shall give
10 thirty days' notice, by certified mail, to the owner
11 of the device and to the owner of the land on which
12 said device is located to remove such advertising de-
13 vice if it is a prohibited device or cause it to conform
14 to rules and regulations if it is an authorized device.
15 [If the landowner or owner of the device fails to act
16 within thirty days as required in the notice, the state
17 highway commission may file a petition in the district
18 court of the county where such advertising device is
19 located to abate the nuisance. If the court finds that
20 a violation exists as alleged in the petition, the court
21 shall enter an order of abatement against the person
22 or persons erecting or maintaining such advertising
23 device and against the person or persons owning the
24 land on which such advertising device is located.] If
25 the landowner or owner of the sign fails to act within

Page 23

1 thirty days as required in the notice, the commission
2 may enter upon the land and remove the sign. Such entry
3 after notice, shall not be deemed a trespass and the
4 commission may be aided by injunction to abate the
5 nuisance and to insure peaceful entry. The cost of
6 removal, including any fees and costs or expenses as
7 may arise out of any action brought by the commission
8 to insure peaceful entry and removal, shall be assessed
9 against the owner of the sign. Should the owner of
10 the sign fail to promptly pay such fees, costs or
11 expenses, the commission shall proceed to advertise
12 and sell the sign for purposes of collecting the same.
13 Any balance from the total receipts of the sale after
14 deducting the fees, costs and expenses, including those
15 of the sale, shall be paid to the owner of the sign;

16 *however, if in the opinion of the commission, the*
17 *proceeds of the sale will not however be sufficient*
18 *to justify the expense involved, the sign may be used,*
19 *scrapped, dismantled, or otherwise destroyed or dis-*
20 *posed of by the commission as it sees fit.*
21 10. Amend the title, page 1, line 1, by adding after
22 the word "junkyards" the words "and outdoor advertising".

JOHN M. WALSH
LUCAS J. DeKOSTER

1 Amend House File 734 as follows:
2 1. Page 2, line 8, by inserting after the word
3 "used" the word "primarily".
4 2. Page 2, lines 28 and 29, by striking the words
5 "rendering them invisible" and inserting in lieu there-
6 of the words "obscuring them from view".
7 3. Page 2, line 34, by inserting after the word
8 "commission" the words "under the provisions of chapter
9 seventeen A (17A) of the Code".
10 4. Page 3, line 16, by inserting before the figure
11 "4." the word "Sec.".
12 5. Page 3, line 17, by inserting after the word
13 "regulations" the words "pursuant to chapter seventeen
14 A (17A) of the Code".

JOHN M. WALSH
LUCAS J. DeKOSTER

1 Amend House File 739 as follows:
2 1. Page 2, line 25, by striking the figures
3 "18,500.00 18,500.00" and inserting the figures
4 "22,000.00 22,000.00".
5 2. Page 3, line 2, by striking the figures
6 "22,500.00 22,500.00" and inserting the figures
7 "26,000.00 26,000.00".
8 3. Page 3, line 6, by striking the figures
9 "18,500.00 18,500.00" and inserting the figures
10 "22,000.00 22,000.00".
11 4. Page 8, line 26, by striking the figures
12 "18,500.00 18,500.00" and inserting the figures
13 "22,000.00 22,000.00".
14 5. Page 9, line 19, by striking the figures
15 "18,500.00 18,500.00" and inserting the figures
16 "22,000.00 22,000.00".

CHARLES O. LAVERTY

1 Amend House File 739 as follows:
2 1. Page 2, by striking lines 14 through 21.
3 2. Page 2, by striking lines 26 through 33.
4 3. Page 3, by striking lines 7 through 10.
5 4. Page 3, by striking lines 15 through 25.
6 5. Page 3, by striking lines 34 and 35.
7 6. Page 4, by striking lines 1 through 5.
8 7. Page 4, by striking lines 14 through 24.
9 8. Page 4, by striking lines 27 through 30.
10 9. Page 4, by striking lines 34 and 35.
11 10. Page 5, by striking line 1.

- 12 11. Page 5, by striking lines 6 through 29.
- 13 12. Page 6, by striking lines 2 through 35.
- 14 13. By striking all of page 7.
- 15 14. Page 8, by striking lines 1 through 8.
- 16 15. Page 8, by striking lines 12 through 22.
- 17 16. Page 8, by striking lines 27 through 35.
- 18 17. Page 9, by striking lines 4 through 15.
- 19 18. Page 9, by striking lines 20 through 29.

ARTHUR A. NEU

On motion of Senator Lamborn, the Senate adjourned until 9:00 a.m., Friday, June 18, 1971.

JOURNAL OF THE SENATE

ONE HUNDRED FIFTY-NINTH DAY

SENATE CHAMBER
DES MOINES, IOWA, FRIDAY, JUNE 18, 1971

The Senate met in regular session, President Jepsen presiding.

Prayer was offered by the Reverend John R. Kremer, principal of the Don Bosco School, Gilbertville, Iowa.

The Senate pledged allegiance to the flag.

The Journal of Thursday, June 17, 1971, was approved.

PRESENTATION OF VISITORS

The Chair announced that the following visitors were present in the Senate gallery:

Seventy-four students from Moulton Elementary Summer School, Des Moines, Iowa.

Twenty-two students from Lincoln High School, Des Moines, Iowa, accompanied by their instructor, Mr. Farrow.

MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate File 514, a bill for an act to increase the tax on beverages containing alcohol.

WILLIAM R. KENDRICK, Chief Clerk

INTRODUCTION OF BILL

Senate File 592, by committee on appropriations, a bill for an act to appropriate from the general fund of the state of Iowa to the higher education facilities commission for the tuition grant program.

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

REPORTS OF INVESTIGATING COMMITTEES

Senator Bass submitted the following report and moved its adoption:

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of David F. McCann of Council Bluffs, Iowa, for appointment as a member of the Council on Social Services under the provisions of section 217.2, 1971 Code of Iowa, for the regular six-year term beginning July 1, 1971, and ending June 30, 1977, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

JAMES W. GRIFFIN, SR., Chairman
 EARL G. BASS
 JAMES E. BRILES
 ARTHUR A. NEU
 JAMES F. SCHABEN

The motion prevailed and the report was adopted.

Senator Bass moved that the appointment of David F. McCann be confirmed.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 41:

Anderson	Erskine	Messerly	Riley
Arbuckle	Gilley	Miller	Robinson
Balloun	Glenn	Milligan	Schaben
Bass	Graham	Mowry	Shaff
Briles	Gross	Neu	Shawver
Brownlee	Hill	Nicholson	Smith
Carlson	Keith	Ollenburg	Stephens
Coleman	Kennedy	Potgeter	Tapscott
Curran	Lamborn	Rabedeaux	Van Drie
DeKoster	Laverty	Rhodes	Van Gilst
Doderer			

Nays, none.

Absent or not voting, 9:

Conklin	Griffin	Palmer	Thordsen
Davis	Kyhl	Potter	Walsh
Gaudineer			

President Jepsen declared the appointment of David F. McCann as a member of the Council on Social Services confirmed for the regular six-year term ending June 30, 1977.

Senator Ollenburg submitted the following report and moved its adoption:

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Don Knudsen of Eagle Grove, Iowa, for appointment as a member of the Iowa Real Estate Commission under the provisions of section 117.8, Code 1971, for the regular four-year term beginning July 1, 1971, and ending June 30, 1975, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

H. L. OLLENBURG, Chairman
 LEIGH R. CURRAN
 C. JOSEPH COLEMAN
 WAYNE D. KEITH
 JAMES A. POTGETER

The motion prevailed and the report was adopted.

Senator Ollenburg moved that the appointment of Don Knudsen be confirmed.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 39:

Anderson	Erschine	Milligan	Robinson
Arbuckle	Gilley	Mowry	Schaben
Bass	Glenn	Neu	Shawver
Briles	Graham	Nicholson	Smith
Brownlee	Gross	Ollenburg	Stephens
Carlson	Keith	Potgeter	Tapscott
Coleman	Kennedy	Potter	Thordsen
Curran	Lamborn	Rabedeaux	Van Drie
DeKoster	Messerly	Rhodes	Van Gilst
Doderer	Miller	Riley	

Nays, none.

Absent or not voting, 11:

Balloun	Gaudineer	Kyhl	Shaff
Conklin	Griffin	Laverty	Walsh
Davis	Hill	Palmer	

President Jepsen declared the appointment of Don Knudsen as a member of the Iowa Real Estate Commission confirmed for the regular four-year term ending June 30, 1975.

Senator Bass asked and received unanimous consent to take up for consideration the appointment of Lee Feil as a member of the Natural Resources Council.

Senator Bass submitted the following report and moved its adoption:

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Lee Feil of Riverton, Iowa, for appointment as a member of the Natural Resources Council under the provisions of section 455A.4 of the Code 1971, for the regular six-year term beginning July 1, 1971, and ending June 30, 1977, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

EARL G. BASS, Chairman
 QUENTIN V. ANDERSON
 JAMES E. BRILES
 JAMES F. SCHABEN

The motion prevailed and the report was adopted.

Senator Bass moved that the appointment of Lee Feil be confirmed.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 44:

Anderson	DeKoster	Messerly	Riley
Arbuckle	Doderer	Miller	Robinson
Balloun	Erskine	Milligan	Schaben
Bass	Gilley	Mowry	Shaff
Briles	Glenn	Neu	Shawver
Brownlee	Graham	Nicholson	Smith
Carlson	Gross	Ollenburg	Stephens
Coleman	Hill	Potgeter	Tapscott
Conklin	Keith	Potter	Thordsen
Curran	Kennedy	Rabedaux	Van Drie
Davis	Lamborn	Rhodes	Van Gilst

Nays, none.

Absent or not voting, 6:

Gaudineer	Kyhl	Palmer	Walsh
Griffin	Laverty		

President Jepsen declared the appointment of Lee Feil as a member of the Natural Resources Council confirmed for the regular six-year term ending June 30, 1977.

Senator Balloun submitted the following report and moved its adoption:

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Dr. Irving Y. Fishman of Grinnell, Poweshiek County, Iowa, for appointment as a member of the Board of Examiners in the Basic Sciences for the State of Iowa under the provisions of section 146.6, Code 1971, for the regular six-year term beginning July 1, 1971, and ending June 30, 1977, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

CHARLES F. BALLOUN, Chairman
W. CHARLENE CONKLIN
EUGENE M. HILL
RALPH W. POTTER
TOM RILEY

The motion prevailed and the report was adopted.

Senator Balloun moved that the appointment of Dr. Irving Y. Fishman be confirmed.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 45:

Anderson	Doderer	Laverty	Riley
Arbuckle	Erskine	Messerly	Robinson
Balloun	Gaudineer	Miller	Schaben
Bass	Gilley	Mowry	Shaff
Briles	Glenn	Neu	Shawver
Brownlee	Graham	Nicholson	Smith
Carlson	Gross	Ollenburg	Stephens
Coleman	Hill	Potgeter	Tapscott
Conklin	Keith	Potter	Thordsen
Curran	Kennedy	Rabedaux	Van Drie
Davis	Lamborn	Rhodes	Van Gilst
DeKoster			

Nays, none.

Absent or not voting, 5:

Griffin	Milligan	Palmer	Walsh
Kyhl			

President Jepsen declared the appointment of Irving Y. Fishman as a member of the Board of Examiners in the Basic Sciences confirmed for the regular six-year term ending June 30, 1977.

Senator Davis asked and received unanimous consent to take up for consideration the appointment of John Link as a member of the State Conservation Commission.

Senator Davis submitted the following report and moved its adoption:

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of John Link of Burlington, Des Moines County, Iowa, for appointment as a member of the State Conservation Commission under the provisions of section 107.1 and section 107.2 of the 1971 Code of Iowa for a regular six-year term beginning July 1, 1971, and ending June 30, 1977, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

WILSON L. DAVIS, Chairman
W. R. RABEDEAUX
CHARLES P. MILLER
EDWARD E. NICHOLSON
RICHARD L. STEPHENS

The motion prevailed and the report was adopted.

Senator Davis moved that the appointment of John Link be confirmed.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 46:

Anderson	Erskine	Miller	Riley
Arbuckle	Gaudineer	Milligan	Robinson
Balloun	Gilley	Mowry	Schaben
Bass	Glenn	Neu	Shaff
Briles	Graham	Nicholson	Shawver
Brownlee	Gross	Ollenburger	Smith
Carlson	Hill	Palmer	Stephens
Coleman	Keith	Potgeter	Tapscott
Conklin	Kennedy	Potter	Thordsen
Curran	Lamborn	Rabedeaux	Van Drie
Davis	Laverty	Rhodes	Van Gilst
DeKoster	Messerly		

Nays, none.

Absent or not voting, 4:

Doderer	Griffin	Kyhl	Walsh
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President Jepsen declared the appointment of John Link as a

member of the State Conservation Commission confirmed for the regular six-year term ending June 30, 1977.

Senator Kennedy submitted the following report and moved its adoption:

MR. PRESIDENT: Your committee appointed to investigate the character and qualifications of Reverend Warren E. Nye of Dubuque, Iowa, for appointment as a member of the Board of Examiners in the Basic Sciences for the State of Iowa under the provisions of section 146.6, 1971 Code of Iowa, for the regular six-year term beginning July 1, 1971, and ending June 30, 1977, begs leave to report that it has made investigation and recommends that the appointment be confirmed.

JOHN M. WALSH, Chairman
CLIFTON C. LAMBORN
FLOYD GILLEY
GENE V. KENNEDY
FRANCIS L. MESSERLY

The motion prevailed and the report was adopted.

Senator Kennedy moved that the appointment of the Reverend Warren E. Nye be confirmed.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 43:

Anderson	DeKoster	Miller	Riley
Arbuckle	Doderer	Milligan	Robinson
Balloun	Erskine	Mowry	Schaben
Bass	Gaudineer	Neu	Shaff
Briles	Gilley	Nicholson	Shawver
Brownlee	Glenn	Ollenburg	Smith
Carlson	Graham	Palmer	Stephens
Coleman	Gross	Potgeter	Tapscott
Conklin	Keith	Potter	Van Drie
Curran	Kennedy	Rabedeaux	Van Gilst
Davis	Lamborn	Rhodes	

Nays, none.

Absent or not voting, 7:

Griffin	Kyhl	Messerly	Walsh
Hill	Laverty	Thorsen	

President Jepsen declared the appointment of the Reverend Warren E. Nye as a member of the Board of Examiners in the Basic Sciences confirmed for the regular six-year term ending June 30, 1977.

CONSIDERATION OF BILLS

Senator Smith asked and received unanimous consent to take up for consideration Senate File 590.

Senate File 590

On motion of Senator Smith, Senate File 590, a bill for an act relating to a renal disease program and to provide an appropriation therefor, was taken up and considered.

Senator Smith offered the following amendment filed by the committee on appropriations and moved its adoption:

- 1 Amend Senate File 590 by adding the following section:
- 2 Sec. 3. Any unused balance of the funds herein
- 3 appropriated remaining at the end of the biennium shall
- 4 revert to the general fund of the state.

The amendment was adopted.

Senator Smith moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 590) the vote was:

Ayes, 41:

Anderson	Gaudineer	Mowry	Robinson
Arbuckle	Gilley	Neu	Schaben
Bass	Glenn	Nicholson	Shaff
Carlson	Graham	Ollenburg	Shawver
Coleman	Gross	Palmer	Smith
Conklin	Keith	Potgeter	Stephens
Curran	Kennedy	Potter	Tapscott
Davis	Lamborn	Rabedeaux	Thordsen
DeKoster	Miller	Rhodes	Van Drie
Doderer	Milligan	Riley	Van Gilst
Erskine			

Nays, 2:

Balloun	Messerly
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Absent or not voting, 7:

Briles	Griffin	Kyhl	Walsh
Brownlee	Hill	Laverty	

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

Senator Smith asked and received unanimous consent that **Senate File 590** be **immediately messaged** to the House, which request was complied with.

Senator Laverty asked and received unanimous consent to take up for consideration Senate File 591.

Senate File 591

On motion of Senator Laverty, Senate File 591, a bill for an act making an appropriation to the Iowa American Revolution Bicentennial Commission, was taken up and considered.

Senator Messerly offered the following amendment filed by the committee on appropriations and moved its adoption:

- 1 Amend Senate File 591 by striking in lines 7 and 8 the
- 2 words and figures "fifty-two thousand five hundred (52,500)"
- 3 and insert the words and figures "forty thousand (40,000)".

Senator Smith took the chair at 10:02 a.m.

Action on the bill was temporarily deferred.

Senator Balloun asked and received unanimous consent to take up for immediate consideration Senate File 592.

Senate File 592

On motion of Senator Balloun, Senate File 592, a bill for an act to appropriate from the general fund of the State of Iowa to the higher education facilities commission for the tuition grant program, was taken up and considered.

Senator Stephens offered the following amendment:

- 1 Amend Senate File 592, page 2, by striking line 19 and
- 2 inserting in lieu thereof the following:
- 3 the Code: \$3,000,000.00 \$3,000,000.00

President Jepsen took the chair at 10:55 a.m.

Senator Stephens moved the adoption of his amendment.

Roll call was requested.

On the question "Shall the Stephens amendment be adopted?" (S.F. 592) the vote was:

Ayes, 10:

Bass	Graham	Mowry	Shaff
Conklin	Hill	Nicholson	Stephens
Gilley	Messerly		

Nays, 34:

Anderson	Gaudineer	Ollenburg	Schaben
Balloun	Glenn	Palmer	Shawver
Briles	Gross	Potgeter	Smith
Brownlee	Kennedy	Potter	Tapscott
Carlson	Lamborn	Rabedaux	Thordsen
Coleman	Lavery	Rhodes	Van Drie
Davis	Miller	Riley	Van Gilst
DeKoster	Milligan	Robinson	Walsh
Doderer	Neu		

Absent or not voting, 6:

Arbuckle	Erskine	Keith	Kyhl
Curran	Griffin		

The amendment lost.

Senator Mowry offered the following amendment by Senator Arbuckle:

- 1 Amend Senate File 592, page 2, line 19, by striking
- 2 the figures "\$4,000,000.00" and "\$4,000,000.00" and
- 3 inserting in lieu thereof the figures "\$3,500,000.00"
- 4 and "\$3,500,000.00".

Senator Mowry moved the adoption of the amendment and called for a division.

The amendment lost.

Senator Balloun moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 592) the vote was:

Ayes, 41:

Anderson	Gaudineer	Milligan	Schaben
Balloun	Gilley	Neu	Shaff
Briles	Glenn	Ollenburg	Shawver
Brownlee	Graham	Palmer	Smith
Carlson	Gross	Potgeter	Stephens
Coleman	Keith	Potter	Tapscott
Curran	Kennedy	Rabedaux	Thorsen
Davis	Lamborn	Rhodes	Van Drie
DeKoster	Laverty	Riley	Van Gilst
Doderer	Miller	Robinson	Walsh
Erskine			

Nays, 6:

Bass	Hill	Mowry	Nicholson
Conklin	Messerly		

Absent or not voting, 3:

Arbuckle	Griffin	Kyhl
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

HOUSE AMENDMENTS CONSIDERED

Senate File 556

Senator Mowry called up for consideration Senate File 556, a bill for an act creating and making an appropriation to the executive council general contingent fund, amended by the House, and moved that the Senate concur in the following amendment:

- 1 Amend Senate File 556, as passed by the Senate,
- 2 as follows:
- 3 1. Page 2, by inserting after the period in line 16
- 4 the following: "The executive council shall not spend
- 5 any money out of the contingent fund while the legislature
- 6 is in session."
- 7 2. Page 2, lines 22 and 23, by striking the words and

8 figures "three hundred thousand (300,000)" and inserting
9 in lieu thereof the following: "two hundred thousand
10 (200,000)".

The motion prevailed and the Senate concurred in the House amendment.

Senator Mowry moved that the bill as amended by the House and concurred in by the Senate be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 556) the vote was:

Ayes, 45:

Anderson	Erskine	Miller	Riley
Balloun	Gaudineer	Milligan	Robinson
Bass	Gilley	Mowry	Shaff
Briles	Glenn	Neu	Shawver
Brownlee	Graham	Nicholson	Smith
Carlson	Gross	Ollenburg	Stephens
Coleman	Keith	Palmer	Tapscott
Conklin	Kennedy	Potgeter	Thordsen
Curran	Lamborn	Potter	Van Drie
Davis	Laverty	Rabedaux	Van Gilst
DeKoster	Messerly	Rhodes	Walsh
Doderer			

Nays, none.

Absent or not voting, 5:

Arbuckle	Hill	Kyhl	Schaben
Griffin			

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

Senate File 573

Senator Keith called up for consideration Senate File 573, a bill for an act to appropriate from the primary road fund to the state highway commission, amended by the House, as follows:

- 1 Amend Senate File 573, as passed by the Senate and
- 2 reprinted, as follows:
- 3 1. Page 6, after line 5, add the following new sections:
- 4 (1) Section three hundred thirteen point four (313.4),
- 5 Code 1971, is amended by adding the following new paragraph:
- 6 "It is further provided that there is appropriated from
- 7 the primary road fund an amount sufficient to pay the
- 8 increase in salaries, which increase is not otherwise
- 9 provided for by the general assembly in an appropriation
- 10 bill, resulting from the annual review of the merit pay
- 11 plan as provided in subsection two (2) of section
- 12 nineteen A point nine (19A.9) of the Code. The
- 13 appropriation herein provided shall be in effect from
- 14 the date of approval by the executive council to the end
- 15 of the fiscal biennium in which it becomes effective."

16 (2) Chapter three hundred seven (307), Code 1971, is
 17 amended by adding the following new section:
 18 "No employee of the state highway commission subject
 19 to the provisions of chapter nineteen A (19A) of the Code
 20 who is hired on or after July 1, 1971, shall be entitled
 21 to longevity pay. The provisions of this section shall
 22 not apply to any employee of the state highway commission
 23 subject to chapter nineteen A (19A) of the Code who has
 24 been employed prior to July 1, 1971, and whose employment
 25 continues after June 30, 1971. Any employee of the state

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1 highway commission subject to chapter nineteen A (19A)
 2 of the Code whose employment is terminated on or
 3 after July 1, 1971, shall, if reemployed by the state
 4 highway commission, forfeit any right he may have to
 5 longevity pay."
 6 3. Amend the title, line 2, by inserting after the
 7 word "commission" the following:
 8 " , and relating to employees of the state highway
 9 commission under the state merit system."

Senator Potgeter offered the following amendment to the House amendment:

1 Amend the House amendment to Senate File 573, page 1,
 2 line 8, by inserting after the word "salaries" the words
 3 "for all employees in the merit system".

Senator Briles raised a point of order on the amendment for the reason that it was not germane to the title of the bill.

The Chair ruled the point well taken and the amendment out of order.

On motion of Senator Keith, the Senate concurred in the House amendment.

Senator Keith moved that the bill as amended by the House and concurred in by the Senate be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 573) the vote was:

Ayes, 45:

Anderson	Gaudineer	Milligan	Robinson
Bass	Gilley	Mowry	Schaben
Briles	Glenn	Neu	Shaff
Brownlee	Graham	Nicholson	Shawver
Carlson	Gross	Ollenburg	Smith
Coleman	Keith	Palmer	Stephens
Conklin	Kennedy	Potgeter	Tapscott
Curran	Lamborn	Potter	Thordsen
Davis	Laverty	Rabedeaux	Van Drie
DeKoster	Messerly	Rhodes	Van Gilst
Doderer	Miller	Riley	Walsh
Erskine			

Nays, 2:

Balloun

Hill

Absent or not voting, 3:

Arbuckle

Griffin

Kyhl

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

Senator Keith moved that the vote by which **Senate File 573** passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate File 576

Senator Mowry called up for consideration Senate File 576, a bill for an act making an appropriation from the general fund of the state of Iowa to various state departments and their divisions, and transferring and appropriating from certain departmental funds, amended by the House, and moved that the Senate concur in the following amendments:

- 1 Amend Senate File 576, as amended and passed by the
- 2 Senate, as follows:
- 3 1. Page 3, by striking line 13, and inserting in
- 4 lieu thereof the words
- 5 "control committee:" \$ 3,650.00 \$ 3,650.00
- 6 2. Page 3, by inserting after line 13 the following:
- 7 "For the expense of conducting
- 8 a study, planning, and specific
- 9 recommendations to be submitted
- 10 to the general assembly regarding
- 11 food services in the capitol com-
- 12 plex, visitor parking facilities,
- 13 appearance and utilization of the
- 14 ground floor of the capitol
- 15 building, and immediate space
- 16 needs of all state departments,
- 17 boards, commissions and agencies: \$25,000.00 \$25,000.00
- 18 Total: \$28,650.00 \$28,650.00"
- 19 3. Page 13, by inserting after line 1 the following
- 20 new section:
- 21 Sec. 2. Chapter nineteen A (19A), Code 1971, is amended
- 22 by adding the following new section:
- 23 "No state employee subject to the provisions of this
- 24 chapter shall be entitled to longevity pay except those
- 25 employees granted longevity pay pursuant to section ten

Page 2

- 1 (10) of Senate File five hundred seventy-three (573),
- 2 Acts of the Sixty-fourth General Assembly, First
- 3 Session."
- 4 4. Renumber the remaining sections.

The motion prevailed and the Senate concurred in the House amendments.

Senator Mowry moved that the bill as amended by the House and concurred in by the Senate be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 576) the vote was:

Ayes, 39:

Anderson	Gaudineer	Miller	Riley
Bass	Gilley	Milligan	Robinson
Brownlee	Graham	Mowry	Schaben
Carlson	Gross	Neu	Shawver
Coleman	Hill	Nicholson	Smith
Conklin	Keith	Ollenburg	Tapscott
Curran	Kennedy	Palmer	Thordsen
Davis	Lamborn	Potgeter	Van Drie
DeKoster	Laverty	Potter	Walsh
Erskine	Messerly	Rhodes	

Nays, 1:

Balloun

Absent or not voting, 10:

Arbuckle	Glenn	Rabedeaux	Stephens
Briles	Griffin	Shaff	Van Gilst
Doderer	Kyhl		

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

CONSIDERATION OF BILLS

Senate File 591

The Senate resumed consideration of Senate File 591 and the appropriations committee amendment.

Senator Potter took the chair at 12:15 p.m.

Senator Hill offered the following amendment to the amendment:

- 1 Amend the committee on appropriations amendment
- 2 to Senate File 591 by striking from line 3 the words
- 3 and figures "forty thousand (40,000)" and inserting
- 4 in lieu thereof the words and figures "ten thousand
- 5 five hundred (10,500)".

Senator Hill moved the adoption of his amendment to the amendment and requested a roll call.

On the question "Shall the amendment to the amendment be adopted?" (S.F. 591) the vote was:

Ayes, 9:

Gilley
Graham
Hill

Mowry
Palmer

Potgeter
Smith

Tapscott
Van Gilst

Nays, 23:

Anderson
Bass
Brownlee
Carlson
Conklin
Curran

Gaudineer
Gross
Keith
Kennedy
Lamborn
Lavery

Miller
Nicholson
Ollenburg
Potter
Rhodes
Riley

Robinson
Schaben
Thordsen
Van Drie
Walsh

Absent or not voting, 18:

Arbuckle
Balloun
Briles
Coleman
Davis

DeKoster
Doderer
Erskine
Glenn
Griffin

Kyhl
Messerly
Milligan
Neu

Rabedeaux
Shaff
Shawver
Stephens

The amendment to the amendment lost.

On motion of Senator Lavery, the committee amendment was adopted.

Senator Lavery moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 591) the vote was:

Ayes, 29:

Anderson
Bass
Brownlee
Carlson
Conklin
Curran
Davis
Doderer

Erskine
Gaudineer
Graham
Gross
Keith
Kennedy
Lamborn

Lavery
Miller
Nicholson
Ollenburg
Potgeter
Potter
Rhodes

Riley
Robinson
Schaben
Stephens
Thordsen
Van Drie
Walsh

Nays, 6:

Gilley
Hill

Messerly
Mowry

Palmer

Tapscott

Voting present, 1:

Van Gilst

Absent or not voting, 14:

Arbuckle
Balloun
Briles
Coleman

DeKoster
Glenn
Griffin
Kyhl

Milligan
Neu
Rabedeaux

Shaff
Shawver
Smith

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

Senator Van Drie moved that the vote by which **Senate File 591** passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

HOUSE AMENDMENT CONSIDERED

Senate File 572

Senator Coleman called up for consideration Senate File 572, a bill for an act relating to the control and use of state funds, powers of the budget and financial control committee and providing an appropriation, and the amendment by the House found on pages 1960-1962, inclusive, of the Senate Journal.

Senator Coleman offered the following amendment to the House amendment by Senators Messerly and Coleman:

- 1 Amend the House amendment printed on pages 1960 and
- 2 1961 of the Senate Journal to Senate File 572, as amended,
- 3 passed, and reprinted by the Senate, as follows:
- 4 1. Page 3, by striking lines 22 through 25.
- 5 2. Page 4, by striking lines 1 through 7 and insert-
- 6 ing in lieu thereof the following:
- 7 "(3) Section two point forty-seven (2.47), Code
- 8 1971, is amended by adding the following new subsection:
- 9 'Prepare quarterly and submit to each member of the
- 10 general assembly a report of the current status of major
- 11 state funds, a comparison of income with estimates used
- 12 by the general assembly during the first session of each
- 13 general assembly, and other revenue and expenditure infor-
- 14 mation which the budget and financial control committee
- 15 determines will be informative for members of the general
- 16 assembly. The state comptroller shall cooperate with the
- 17 legislative fiscal director in the development of the
- 18 report and the budget and financial control committee
- 19 shall approve the style and format of the report.'"

Senator Brownlee took the chair at 1:08 p.m.

Senator Coleman moved the adoption of the amendment to the House amendment.

The Chair called for a division.

The amendment to the House amendment was adopted.

Senator Potgeter offered the following amendment to the House amendment by Senators Gaudineer and Potgeter:

- 1 Amend the House amendment to Senate File 572 by striking
- 2 on page 1, lines 15 through 25, inclusive; page 2, lines 1
- 3 through 25, inclusive; and page 3, lines 1 through 21, inclusive.

Senator Potgeter moved the adoption of the amendment to the amendment and requested a roll call.

On the question "Shall the amendment to the House amendment be adopted?" (S.F. 572) the vote was:

Ayes, 25:

Brownlee	Gaudineer	Milligan	Riley
Carlson	Glenn	Neu	Robinson
Conklin	Gross	Ollenburg	Shawver
Curran	Hill	Palmer	Tapscott
Davis	Keith	Potgeter	Van Drie
DeKoster	Laverty	Rhodes	Walsh
Doderer			

Nays, 17:

Anderson	Erskine	Messerly	Smith
Balloun	Gilley	Mowry	Stephens
Bass	Graham	Nicholson	Thordsen
Briles	Kyhl	Shaff	Van Gilst
Coleman			

Absent or not voting, 8:

Arbuckle	Kennedy	Miller	Rabedeaux
Griffin	Lamborn	Potter	Schaben

The amendment to the House amendment was adopted.

Senator Coleman moved that the bill as amended by the House and further amended by the Senate be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 572) the vote was:

Ayes, 37:

Anderson	Erskine	Milligan	Robinson
Arbuckle	Glenn	Mowry	Shaff
Briles	Graham	Neu	Shawver
Brownlee	Gross	Nicholson	Smith
Carlson	Hill	Ollenburg	Stephens
Coleman	Keith	Potgeter	Thordsen
Conklin	Kyhl	Potter	Van Drie
Curran	Laverty	Rhodes	Van Gilst
Davis	Messerly	Riley	Walsh
DeKoster			

Nays, 3:

Bass	Palmer	Tapscott
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Voting present, 1:

Gilley

Absent or not voting, 9:

Balloun	Griffin	Lamborn	Rabedeaux
Doderer	Kennedy	Miller	Schaben
Gaudineer			

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

CONSIDERATION OF BILLS**House File 736**

On motion of Senator Mowry, House File 736, a bill for an act

making an appropriation from the general fund of the State of Iowa to the Iowa liquor control commission for capital improvements, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Mowry moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 736) the vote was:

Ayes, 40:

Anderson	Erskine	Messerly	Robinson
Balloun	Gaudineer	Milligan	Shaff
Bass	Gilley	Mowry	Shawver
Briles	Glenn	Neu	Smith
Brownlee	Graham	Ollenburg	Stephens
Carlson	Gross	Palmer	Tapscott
Coleman	Hill	Potgeter	Thordsen
Conklin	Keith	Potter	Van Drie
Davis	Kyhl	Rhodes	Van Gilst
DeKoster	Laverty	Riley	Walsh

Nays, none.

Absent or not voting, 10:

Arbuckle	Griffin	Miller	Rabedaux
Curran	Kennedy	Nicholson	Schaben
Doderer	Lamborn		

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

Senator Mowry asked and received unanimous consent that **House File 736** be **immediately messaged** to the House, which request was complied with.

House File 738

On motion of Senator Balloun, House File 738, a bill for an act to appropriate from the general fund of the state to the educational radio and television facility board, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Balloun moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 738) the vote was:

Rule 24 was invoked.

Ayes, 33:

Briles	Davis	Glenn	Kennedy
Brownlee	DeKoster	Gross	Laverty
Carlson	Erskine	Hill	Messerly
Conklin	Gaudineer	Keith	Miller

Milligan
Neu
Nicholson
Ollenburg
Palmer

Potgeter
Potter
Rhodes
Riley

Robinson
Shaff
Shawver
Tapscott

Thordsen
Van Drie
Van Gilst
Walsh

Nays, 9:

Anderson
Balloun
Bass

Gilley
Graham

Kyhl
Mowry

Smith
Stephens

Absent or not voting, 8:

Arbuckle
Coleman

Curran
Doderer

Griffin
Lamborn

Rabedeaux
Schaben

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

Senator Balloun asked and received unanimous consent that **House File 738** be immediately messaged to the House, which request was complied with.

House File 741

On motion of Senator Balloun, House File 741, a bill for an act relating to payment of general school aid to merged areas, and providing an appropriation, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Balloun moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

Senator Balloun moved to reconsider the vote by which House File 741 went to its last reading, which motion prevailed.

Senator Balloun offered the following amendment and moved its adoption:

- 1 Amend House File 741, page 3, line 7, by striking
- 2 "1971-72" and inserting in lieu thereof "1972-73".

The amendment was adopted.

Senator Balloun moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 741) the vote was:

Ayes, 42:

Anderson
Balloun
Briles
Brownlee
Carlson
Coleman
Conklin

Curran
Davis
DeKoster
Doderer
Erskine
Gaudineer
Gilley

Glenn
Graham
Gross
Hill
Keith
Kennedy
Kyhl

Lamborn
Lavery
Messerly
Miller
Milligan
Neu
Nicholson

Ollenburg
Potter
Rhodes
Riley

Robinson
Schaben
Shaff
Shawver

Smith
Stephens
Tapscott

Van Drie
Van Gilst
Walsh

Nays, 1:

Bass

Absent or not voting, 7:

Arbuckle
Griffin

Mowry
Palmer

Potgeter
Rabedeaux

Thordsen

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

Senator Balloun asked and received unanimous consent that **House File 741** be **immediately messaged** to the House, which request was complied with.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Rhodes, from the joint committee on enrolled bills, submitted the following report and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate Files 563, 578 and 580.

JOHN C. RHODES
Chairman, Senate Committee
ELIZABETH R. MILLER
Chairman, House Committee

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate the following bills: Senate Files 563, 578 and 580.

BILLS SENT TO THE GOVERNOR

Senator Rhodes, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 18th day of June, 1971, sent to the Governor for his approval: Senate Files 563, 578 and 580.

JOHN C. RHODES, Chairman

Passed on file.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate File 550, a bill for an act relating to the judicial retirement system.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 574, a bill for an act relating to the remittance of sales and use tax receipts to the department of revenue.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 583, a bill for an act to establish the salary rate for the superintendent of public instruction.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 589, a bill for an act to appropriate to members of the committee on child labor.

WILLIAM R. KENDRICK, Chief Clerk

CONSIDERATION OF BILLS

House File 744

On motion of Senator Balloun, House File 744, a bill for an act to make an appropriation to merged area I for the purpose of implementing the provisions of law requiring an area vocational attendance center, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Walsh offered the following amendment by Senators Walsh and Kennedy:

- 1 Amend House File 744 as follows:
- 2 1. Page 2, line 11, by striking the figures "\$100,000.00"
- 3 and inserting in lieu thereof the figures "\$150,000.00".
- 4 2. Page 2, line 12, by striking the figures "\$100,000.00"
- 5 and inserting in lieu thereof the figures "\$200,000.00".

Senator Brownlee took the chair at 2:32 p.m.

President Jepsen took the chair at 2:40 p.m.

Senator Walsh moved the adoption of the amendment and requested a roll call.

On the question "Shall the Walsh-Kennedy amendment be adopted?" (H.F. 744) the vote was:

Rule 24 was invoked.

Ayes, 22:

Balloun	Gross	Ollenburg	Schaben
Briles	Kennedy	Palmer	Shawver
Coleman	Lamborn	Potgeter	Tapscott
Doderer	Laverty	Riley	Van Drie
Gaudineer	Miller	Robinson	Walsh
Glenn	Neu		

Nays, 21:

Anderson	DeKoster	Kyhl	Rhodes
Bass	Erskine	Milligan	Shaff
Brownlee	Graham	Mowry	Smith
Carlson	Hill	Nicholson	Stephens
Conklin	Keith	Potter	Van Gilst
Davis			

Absent or not voting, 7:

Arbuckle	Gilley	Messerly	Thordsen
Curran	Griffin	Rabedaux	

The amendment was adopted.

Senator Balloun moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 744) the vote was:

Ayes, 36:

Balloun	Glenn	Milligan	Riley
Briles	Graham	Mowry	Robinson
Carlson	Gross	Neu	Schaben
Coleman	Keith	Nicholson	Shaff
Curran	Kennedy	Ollenburg	Shawver
Davis	Kyhl	Palmer	Tapscott
DeKoster	Lamborn	Potgeter	Van Drie
Doderer	Laverty	Potter	Van Gilst
Gaudineer	Miller	Rhodes	Walsh

Nays, 5:

Anderson	Gilley	Hill	Stephens
Bass			

Absent or not voting, 9:

Arbuckle	Erskine	Messerly	Smith
Brownlee	Griffin	Rabedaux	Thordsen
Conklin			

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

Senator Balloun asked and received unanimous consent that **House File 744** be **immediately messaged** to the House, which request was complied with.

SENATE FILE WITHDRAWN

Senator Lamborn asked and received unanimous consent that

Senate File 397 be **withdrawn** from further consideration of the Senate.

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

The Senate resumed session, President pro tempore Kyhl presiding.

SENATE RECEDES

House File 236

Senator Rhodes called up House File 236, a bill for an act relating to the establishment of rest areas or rest area buildings on interstate highways, amended by the Senate on June 16, 1971, and moved that the Senate recede from its amendment.

The motion prevailed and the Senate receded from its amendment.

Senator Rhodes moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 236) the vote was:

Ayes, 42:

Anderson	Erskine	Messerly	Riley
Balloun	Gaudineer	Miller	Shaff
Bass	Gilley	Neu	Shawver
Brownlee	Glenn	Nicholson	Smith
Carlson	Gross	Ollenburg	Stephens
Coleman	Hill	Palmer	Tapscott
Conklin	Keith	Potgeter	Thordsen
Curran	Kennedy	Potter	Van Drie
Davis	Kyhl	Rabedaux	Van Gilst
DeKoster	Lamborn	Rhodes	Walsh
Doderer	Laverty		

Nays, 1:

Milligan

Absent or not voting, 7:

Arbuckle	Graham	Mowry	Schaben
Briles	Griffin	Robinson	

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

House File 182

Senator Walsh called up House File 182, a bill for an act providing a relocation advisory assistance program and relocation payments to persons displaced by highway projects, amended by the Senate on June 16, 1971, and moved that the Senate recede from its amendments.

The motion prevailed and the Senate recessed from its amendments.

Senator Walsh moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 182) the vote was:

Ayes, 41:

Anderson	Gaudineer	Milligan	Riley
Balloun	Gilley	Mowry	Schaben
Bass	Glenn	Neu	Shaff
Brownlee	Gross	Nicholson	Shawver
Carlson	Kennedy	Ollenburg	Smith
Coleman	Kyhl	Palmer	Stephens
Conklin	Lamborn	Potgeter	Tapscott
Davis	Laverty	Potter	Van Drie
DeKoster	Messery	Rabedeaux	Van Gilst
Doderer	Miller	Rhodes	Walsh
Erskine			

Nays, none.

Absent or not voting, 9:

Arbuckle	Graham	Hill	Robinson
Briles	Griffin	Keith	Thordsen
Curran			

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

HOUSE AMENDMENT CONSIDERED

Senate File 574

Senator Shaff called up for consideration Senate File 574, a bill for an act relating to the remittance of sales and use tax receipts to the department of revenue, amended by the House, and moved that the Senate concur in the following amendment:

- 1 Amend Senate File 574 as follows:
- 2 Page 2, line 3, by inserting after the word "dollars",
- 3 the following: "*and not more than five hundred dollars*".

The motion prevailed and the Senate concurred in the House amendment:

Senator Shaff moved that the bill as amended by the House and concurred in by the Senate be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 574) the vote was:

Ayes, 43:

Anderson	Briles	Coleman	DeKoster
Balloun	Brownlee	Curran	Doderer
Bass	Carlson	Davis	Erskine

Gaudineer	Messerly	Potgeter	Shawver
Gilley	Miller	Potter	Smith
Glenn	Milligan	Rabedaux	Stephens
Graham	Mowry	Rhodes	Tapscott
Keith	Neu	Riley	Van Drie
Kennedy	Nicholson	Robinson	Van Gilst
Kyhl	Ollenburger	Schaben	Walsh
Laverty	Palmer	Shaff	

Nays, 2:

Conklin Gross

Absent or not voting, 5:

Arbuckle Hill Lamborn Thorsen
Griffin

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

REPORT OF COMMITTEE

Senator Messerly submitted the following report:

MR. PRESIDENT: Your committee on appropriations, to which was referred **House File 739**, a bill for an act setting the salary rate for state officials and designated employees of the state, begs leave to report it has had the same under consideration and recommends the same **do pass**.

FRANCIS L. MESSERLY, Chairman

Ordered passed on file.

CONSIDERATION OF BILLS

Senator Messerly asked and received unanimous consent to take up for consideration House File 739.

House File 739

On motion of Senator Messerly, House File 739, a bill for an act setting the salary rate for state officials and designated employees of the state, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Neu offered the following amendment:

- 1 Amend House File 739 as follows:
- 2 1. Page 2, by striking lines 14 through 18, inclusive.
- 3 2. Page 2, by striking lines 30 through 33, inclusive.
- 4 3. Page 3, by striking lines 15 through 18, inclusive.
- 5 4. Page 4, by striking lines 3 through 5, inclusive.
- 6 5. Page 4, by striking lines 14 through 21, inclusive.
- 7 6. Page 4, by striking lines 34 and 35.
- 8 7. Page 5, by striking line 1.
- 9 8. Page 5, by striking lines 6 through 9, inclusive.
- 10 9. Page 6, by striking lines 2 through 5, inclusive.
- 11 10. Page 7, by striking lines 7 through 10, inclusive.
- 12 11. Page 8, by striking lines 16 through 18, inclusive.
- 13 12. Page 9, by striking lines 20 through 24, inclusive.

14 13. By renumbering the remaining items in accordance
15 with this amendment.

President Jepsen took the chair at 4:15 p.m.

Senator Neu moved the adoption of the amendment and requested a roll call.

On the question "Shall the Neu amendment be adopted?" (H.F. 739) the vote was:

Ayes, 27:

Brownlee	Gross	Potgeter	Shawver
Conklin	Kennedy	Potter	Tapscott
Davis	Lavery	Rabedeaux	Thordsen
DeKoster	Miller	Riley	Van Drie
Doderer	Milligan	Robinson	Van Gilst
Gaudineer	Neu	Schaben	Walsh
Glenn	Palmer	Shaff	

Nays, 19:

Anderson	Curran	Kyhl	Ollenburg
Balloun	Erskine	Lamborn	Rhodes
Bass	Gilley	Messerly	Smith
Briles	Graham	Mowry	Stephens
Carlson	Hill	Nicholson	

Absent or not voting, 4:

Arbuckle	Coleman	Griffin	Keith
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The amendment was adopted.

Senator Lamborn asked and received unanimous consent that action on House File 739 be temporarily deferred.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 555, a bill for an act to provide an appropriation from general fund for capital improvements for the Iowa law enforcement academy.

Also: That the House has amended Senate amendment to, concurred in Senate amendment as amended, and repassed the following bill in which the concurrence of the House was asked:

House File 724, a bill for an act to appropriate to the state board of regents.

Also: That the House has refused to concur in the Senate amendment to the House amendment to the following bill in which the concurrence of the House was asked:

Senate File 572, a bill for an act relating to the control and use of state funds, powers of the budget and financial control committee.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 582, a bill for an act to appropriate from general fund to the department of public instruction for driver's training aid.

Also: That the House has taken the following action on Senate amendments to House File 709, a bill for an act making an appropriation from the general fund to the department of public instruction, in which the concurrence of the House was asked:

1. The House has concurred in sections 1, 2, 5 and 6.
2. The House has amended and concurred in as amended section 4.
3. The House has refused to concur in section 3.

WILLIAM R. KENDRICK, Chief Clerk

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Rhodes, from the joint committee on enrolled bills, submitted the following report and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: House Files 46, 164, 317, 393, 466, 565, 625, 654, 692, 693, 696, 700, 701, 703, 705, 708, 710, 716, 719, 720, 721, 722, 723, 728 and 731.

JOHN C. RHODES
Chairman, Senate Committee
ELIZABETH R. MILLER
Chairman, House Committee

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate the following bills: House Files 46, 164, 317, 393, 466, 565, 625, 654, 692, 693, 696, 700, 701, 703, 705, 708, 710, 716, 719, 720, 721, 722, 723, 728 and 731.

HOUSE AMENDMENT TO SENATE AMENDMENT CONSIDERED

House File 724

Senator Balloun called up for consideration House File 724, a bill for an act to appropriate funds from the general fund of the state to the state board of regents and institutions under the control of the board, amended by the House, and moved that the Senate refuse to concur in the following amendment:

- 1 Amend the Senate amendment to House File 724 as amended,
- 2 passed and reprinted by the House by striking from said
- 3 amendment all of lines 3 through 62 and inserting in lieu
- 4 thereof the following:
 - 5 1. Page 5B, by adding after line 50 the following new
 - 6 section:
 - 7 Sec. 8. There is appropriated from the general fund of
 - 8 the state of Iowa to the higher education facilities commission

9 for the biennium beginning July 1, 1971 and ending June 30,
 10 1973, the following amounts, or so much thereof as may be
 11 necessary, to be used for the following purpose:

	1971-72	1972-73
	<u>Fiscal Year</u>	<u>Fiscal Year</u>
14 TUITION GRANT PROGRAM		
15 To finance tuition		
16 grants to full-time resi-		
17 dent students attending		
18 accredited private institu-		
19 tions of higher education		
20 in Iowa under sections two		
21 hundred sixty-one point		
22 nine (261.9) to two hundred		
23 sixty-one point sixteen		
24 (261.16), inclusive, of		
25 the Code:	\$3,000,000.00	\$3,000,000.00

Page 2

- 1 2. Amend the title, page 1, line 3, by inserting after
- 2 the word "board" the words "and to the higher education
- 3 facilities commission for the tuition grant program".

The motion prevailed and the Senate refused to concur in the House amendment to the Senate amendment.

MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has insisted on its amendments to House File 724, a bill for an act to appropriate to the state board of regents, and requests a conference committee.

Conferees on the part of the House are: the Representative from Butler, Mr. Grassley, chairman; the Representative from Black Hawk, Mr. Hansen; the Representative from Grundy, Mr. Fischer, and the Representative from Linn, Mr. Radl.

WILLIAM R. KENDRICK, Chief Clerk

APPOINTMENT OF CONFERENCE COMMITTEE

President Jepsen announced the appointment of the following conference committee on House File 724, on the part of the Senate: Senators Neu, chairman; Balloun, Shaff and Van Gilst.

CONSIDERATION OF BILLS

House File 739

The Senate resumed consideration of House File 739.

Senator Laverty offered the following amendment and moved its adoption:

- 1 Amend House File 739 as follows:
- 2 1. Page 2, line 25, by striking the figures
- 3 "18,500.00 18,500.00" and inserting the figures
- 4 "22,000.00 22,000.00".
- 5 2. Page 3, line 2, by striking the figures
- 6 "22,500.00 22,500.00" and inserting the figures
- 7 "26,000.00 26,000.00".
- 8 3. Page 3, line 6, by striking the figures
- 9 "18,500.00 18,500.00" and inserting the figures
- 10 "22,000.00 22,000.00".
- 11 4. Page 8, line 26, by striking the figures
- 12 "18,500.00 18,500.00" and inserting the figures
- 13 "22,000.00 22,000.00".
- 14 5. Page 9, line 19, by striking the figures
- 15 "18,500.00 18,500.00" and inserting the figures
- 16 "22,000.00 22,000.00".

Roll call was requested.

On the question "Shall the Lavery amendment be adopted?"
(H.F. 739) the vote was:

Ayes, 14:

Briles	Lamborn	Riley	Thordsen
Doderer	Lavery	Robinson	Van Drie
Kennedy	Miller	Schaben	Walsh
Kyhl	Neu		

Nays, 30:

Anderson	DeKoster	Keith	Potter
Bass	Erskine	Messerly	Rabedeaux
Brownlee	Gaudineer	Mowry	Rhodes
Carlson	Gilley	Nicholson	Shawver
Coleman	Glenn	Ollenburg	Smith
Conklin	Graham	Palmer	Stephens
Curran	Gross	Potgeter	Tapscott
Davis	Hill		

Absent or not voting, 6:

Arbuckle	Griffin	Shaff	Van Gilst
Balloun	Milligan		

The amendment lost.

Senator Schaben offered the following amendment and moved
its adoption:

- 1 Amend House File 739, page 6, line 34, by striking the
- 2 figures "16,000" and the figures "16,000", and insert in
- 3 lieu thereof the figures "17,000" and the figures "17,000".

The amendment lost.

Senator Shaff offered the following amendment:

- 1 Amend House File 739, page 3, line 29, by striking the
- 2 figures "22,500 22,500" and insert the figures "24,000
- 3 24,000".

Senator Brownlee took the chair at 5:55 p.m.

On motion of Senator Shaff, the amendment was adopted.

Senator Neu withdrew the amendment filed by him on June 17 and found on pages 1980-1981 of the Senate Journal.

Senator Messerly moved that action on House File 739 be temporarily deferred.

Division was called for.

The motion lost.

Senator Messerly moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 739) the vote was:

Ayes, 36:

Balloun	Erskine	Milligan	Riley
Briles	Gaudineer	Mowry	Robinson
Brownlee	Glenn	Neu	Schaben
Carlson	Gross	Ollenburg	Smith
Coleman	Keith	Palmer	Stephens
Curran	Kennedy	Potgeter	Tapscott
Davis	Lamborn	Potter	Thordsen
DeKoster	Laverty	Rabedeaux	Van Drie
Doderer	Miller	Rhodes	Walsh

Nays, 9:

Anderson	Gilley	Hill	Nicholson
Bass	Graham	Kyhl	Shawver
Conklin			

Absent or not voting, 5:

Arbuckle	Messerly	Shaff	Van Gilst
Griffin			

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

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has concurred in Senate amendment to and repassed the following bill in which the concurrence of the House was asked:

House File 741, a bill for an act relating to payment of general school aid to merged areas.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 571, a bill for an act relating to the effective date of the act regulating motor vehicle odometers.

WILLIAM R. KENDRICK, Chief Clerk

INTRODUCTION OF BILL

Senate File 593, by committee on appropriations, a bill for an act to make an appropriation to the executive council for the college of osteopathic medicine and surgery.

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

SENATE INSISTS

Senate File 572

Senator Coleman called up Senate File 572, a bill for an act relating to the control and use of state funds, powers of the budget and financial control committee and providing an appropriation, amended by the House, and further amended by the Senate, and moved that the Senate recede from its amendment to the House amendment.

On the question "Shall the motion to recede from the Senate amendment to the House amendment be adopted?" (S.F. 572) the vote was:

Ayes, 16:

Anderson	Carlson	Keith	Rhodes
Balloun	Coleman	Messerly	Smith
Bass	Erskine	Mowry	Stephens
Briles	Gilley	Potter	Van Gilst

Nays, 28:

Brownlee	Glenn	Miller	Riley
Conklin	Graham	Milligan	Robinson
Curran	Gross	Neu	Schaben
Davis	Kennedy	Ollenburg	Tapscott
DeKoster	Kyhl	Palmer	Thordsen
Doderer	Lamborn	Potgeter	Van Drie
Gaudineer	Laverty	Rabedeaux	Walsh

Absent or not voting, 6:

Arbuckle	Hill	Shaff	Shawver
Griffin	Nicholson		

The motion to recede lost, and the Senate insisted on its amendment to the House amendment.

APPOINTMENT OF CONFERENCE COMMITTEE

President Jepsen announced the appointment of the following conference committee on House File 572, on the part of the Senate: Senators Potgeter, chairman; Anderson, DeKoster and Gaudineer.

MOTION TO RECONSIDER ADOPTED

House File 744

Senator Walsh asked and received unanimous consent to take up the following motion to reconsider, filed by Senators Walsh and Kennedy, and moved its adoption:

MR. PRESIDENT: We move to reconsider the vote by which House File 744 passed the Senate.

On the question "Shall the motion to reconsider be adopted?" (H.F. 744) the vote was:

Ayes, 38:

Anderson	Erskine	Messerly	Rhodes
Bass	Gilley	Miller	Riley
Briles	Glenn	Milligan	Schaben
Brownlee	Graham	Mowry	Shawver
Carlson	Gross	Ollenburg	Smith
Coleman	Keith	Palmer	Stephens
Conklin	Kennedy	Potgeter	Tapscott
Curran	Kyhl	Potter	Van Drie
DeKoster	Lamborn	Rabedeaux	Walsh
Doderer	Laverty		

Nays, 1:

Gaudineer

Absent or not voting, 11:

Arbuckle	Griffin	Nicholson	Thordsen
Balloun	Hill	Robinson	Van Gilst
Davis	Neu	Shaff	

The motion prevailed.

Senator Walsh moved to reconsider the vote by which House File 744 went to its last reading, which motion prevailed.

On motion of Senator Walsh, House File 744, a bill for an act to make an appropriation to merged area I for the purpose of implementing the provisions of law requiring an area vocational attendance center, was taken up for reconsideration.

Senator Walsh moved to reconsider the vote by which the amendment by Senators Walsh and Kennedy was adopted by the Senate, which motion prevailed.

Senator Walsh asked and received unanimous consent to withdraw the amendment.

Senator Balloun moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 744) the vote was:

Ayes, 38:

Andersen	Erskine	Laverty	Riley
Bass	Gaudineer	Miller	Robinson
Briles	Gilley	Milligan	Schaben
Brownlee	Glenn	Mowry	Shawver
Carlson	Graham	Ollenburg	Smith
Coleman	Gross	Palmer	Stephens
Conklin	Keith	Potgeter	Tapscott
Curran	Kennedy	Potter	Thordsen
DeKoster	Kyhl	Rabedeaux	Walsh
Doderer	Lamborn		

Nays, none.

Absent or not voting, 12:

Arbuckle	Griffin	Neu	Shaff
Balloun	Hill	Nicholson	Van Drie
Davis	Messerly	Rhodes	Van Gilst

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

CONSIDERATION OF BILLS

Senator Lamborn asked and received unanimous consent to take up for consideration House File 742.

House File 742

On motion of Senator DeKoster, House File 742, a bill for an act to authorize and direct the issuance of a patent to certain real estate by the governor and secretary of state to the United States of America, was taken up and considered.

Senator DeKoster moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 742) the vote was:

Ayes, 34:

Anderson	Gaudineer	Miller	Robinson
Briles	Gilley	Milligan	Schaben
Brownlee	Glenn	Mowry	Shawver
Carlson	Graham	Palmer	Smith
Coleman	Gross	Potgeter	Stephens
Conklin	Keith	Potter	Tapscott
Curran	Kennedy	Rhodes	Thordsen
DeKoster	Kyhl	Riley	Walsh
Erskine	Lamborn		

Nays, none.

Absent or not voting, 16:

Arbuckle	Doderer	Messerly	Rabedeaux
Balloun	Griffin	Neu	Shaff
Bass	Hill	Nicholson	Van Drie
Davis	Laverty	Ollenburg	Van Gilst

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

Senator DeKoster asked and received unanimous consent that **House File 742** be immediately messaged to the House, which request was complied with.

HOUSE AMENDMENTS CONSIDERED

Senate File 555

Senator Mowry called up for consideration Senate File 555, a bill for an act to provide an appropriation from the general fund of the state for capital improvements for the Iowa law enforcement academy, amended by the House, and moved that the Senate concur in the following amendment:

- 1 Amend Senate File 555, as passed by the Senate, page 2,
- 2 line 6, by inserting after the word "for" the words
- 3 "planning and".

The motion prevailed and the Senate concurred in the House amendment.

Senator Mowry moved that the bill as amended by the House and concurred in by the Senate be read the last now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 555) the vote was:

Ayes, 34:

Anderson	Gilley	Miller	Rhodes
Briles	Glenn	Milligan	Riley
Brownlee	Graham	Mowry	Robinson
Carlson	Gross	Nicholson	Schaben
Coleman	Hill	Ollenburg	Shawver
Curran	Keith	Palmer	Smith
DeKoster	Kennedy	Potgeter	Stephens
Erskine	Kyhl	Potter	Thordsen
Gaudineer	Lamborn		

Nays, 3:

Conklin	Doderer	Tapscott
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Absent or not voting, 13:

Arbuckle	Griffin	Neu	Van Drie
Balloun	Laverty	Rabedeaux	Van Gilst
Bass	Messerly	Shaff	Walsh
Davis			

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

Senate File 582

Senator Riley called up for consideration Senate File 582, a bill for an act to appropriate from the general fund of the state to the department of public instruction for driver's training aid and providing for administrative expenses, amended by the House, and moved that the Senate concur in the following amendment:

- 1 Amend Senate File 582, as passed by the Senate, as follows:
- 2 1. Page 2, by inserting after the word "education." in
- 3 line 30 the following:
- 4 *"Said courses may be offered at sites other than at*
- 5 *the public school, including non-public school facilities*
- 6 *within the public school districts. The public school*
- 7 *district offering said course in a non-public school within*
- 8 *the public school district shall be eligible for the*
- 9 *thirty dollar state reimbursement for each student in*
- 10 *the course regardless of the public school district in*
- 11 *which the student happens to reside."*
- 12 2. Page 2, line 45, by striking the word "Two" and
- 13 inserting in lieu thereof the words "[Two] Four".

Division was called for.

The motion prevailed and the Senate concurred in the House amendment.

Senator Riley moved that the bill as amended by the House and concurred in by the Senate be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 582) the vote was:

Ayes, 36:

Anderson	Erskine	Messerly	Rabedeaux
Briles	Gaudineer	Miller	Rhodes
Brownlee	Glenn	Milligan	Riley
Carlson	Graham	Mowry	Robinson
Coleman	Gross	Nicholson	Schaben
Conklin	Keith	Ollenburg	Shawver
Curran	Kennedy	Palmer	Smith
DeKoster	Lamborn	Potgeter	Stephens
Doderer	Laverty	Potter	Tapscott

Nays, 2:

Gilley Hill

Absent or not voting, 12:

Arbuckle	Davis	Neu	Van Drie
Balloun	Griffin	Shaff	Van Gilst
Bass	Kyhl	Thordsen	Walsh

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

MOTION TO RECONSIDER

Senate File 7

Senator DeKoster called up the following motion filed June 4, 1971, by Senator Tapscott and moved its adoption:

MR. PRESIDENT: I move to reconsider the vote by which Senate File 7 failed to pass the Senate on June 4, 1971.

On the question "Shall the motion to reconsider be adopted?" (S.F. 7) the vote was:

Ayes, 30:

Briles	Gaudineer	Milligan	Riley
Brownlee	Glenn	Ollenburg	Robinson
Carlson	Gross	Palmer	Schaben
Coleman	Keith	Potgeter	Shawver
Curran	Kennedy	Potter	Smith
DeKoster	Lamborn	Rabedeaux	Tapscott
Doderer	Laverty	Rhodes	Van Drie
Erskine	Miller		

Nays, 7:

Anderson	Gilley	Mowry	Stephens
Conklin	Messerly	Nicholson	

Voting present, 2:

Graham	Hill
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Absent or not voting, 11:

Arbuckle	Davis	Neu	Van Gilst
Balloun	Griffin	Shaff	Walsh
Bass	Kyhl	Thordsen	

The motion prevailed, and Senate File 7, a bill for an act to change the name and expand the duties of the governor's committee on employment of the handicapped to include housing and service, was taken up for reconsideration.

Senator DeKoster asked and received unanimous consent that further action on **Senate File 7** be deferred and that the bill be placed on the calendar under **unfinished business**.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the Speaker of the House has appointed, on the part of the House, as members of the conference committee on Senate File 572, a bill for an act relating to the control and use of state funds, powers of the budget and financial control committee, the following Representatives: Mr. Den Herder of Sioux, chairman; Mr. Fisher of Greene, Mr. Drake of Muscatine and Mr. Dunton of Keokuk.

Also: That the House has rejected the conference committee report on House File 724, a bill for an act to appropriate to the state board of regents, and requests a second conference committee.

Conferees on the part of the House on the second conference committee are: the Representative from Clinton, Mr. Camp, chairman; the Representative from Buena Vista, Mr. Freeman, the Representative from Polk, Mr. Kreamer, and the Representative from Polk, Mr. Bennett.

Also: That the House has taken the following action on the Senate amendments to House File 739, a bill for an act setting the salary rate for state officials, in which the concurrence of the House was asked:

1. The House has concurred in amendment 4.
2. The House has refused to concur in amendments 1, 2, 3, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 503, a bill for an act relating to the salaries of county officers.

WILLIAM R. KENDRICK, Chief Clerk

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

The Senate resumed session, Senator Brownlee presiding.

REPORT OF THE CONFERENCE COMMITTEE ON HOUSE FILE 724

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to consider the difference between the Senate and the House of Representatives on House File 724, a bill for an act to appropriate funds from the general fund of the state to the state board of regents and institutions under the control of the board, report that the conference committee has refused to reach agreement and recommends that a second conference committee be appointed.

On the part of the Senate:

ARTHUR A. NEU, Chairman
ROGER J. SHAFF
CHARLES F. BALLOUN
BASS VAN GILST

On the part of the House:

CHARLES E. GRASSLEY, Chairman
HAROLD O. FISCHER
WILLARD HANSEN
RICHARD M. RADL

APPOINTMENT OF SECOND CONFERENCE COMMITTEE

President Jepsen announced the appointment of the second conference committee on **House File 724**, on the part of the Senate: Senators Riley, chairman; Milligan, Van Drie and Kennedy.

CONSIDERATION OF BILLS

Senator Lamborn asked and received unanimous consent to take up for consideration Senate File 593.

Senate File 593

On motion of Senator Balloun, Senate File 593, a bill for an act to make an appropriation to the executive council for the college of osteopathic medicine and surgery, was taken up and considered.

Senator Gaudineer offered the following amendment by Senators Gaudineer and Tapscott and moved its adoption:

- 1 Amend Senate File 593 by striking all after the
- 2 word, "to" in line 8 and all of lines 9 through
- 3 12, inclusive, and by inserting in lieu thereof the
- 4 following:
- 5 "an existing medical school for the development
- 6 of plans and the construction
- 7 and equipping of a new medical school upon land owned
- 8 by such medical school within any county with two
- 9 hundred thousand (200,000) or more population and
- 10 which grants a degree of doctor of medicine and
- 11 surgery or osteopathic medicine and surgery recognized
- 12 pursuant to the laws of the state of Iowa."

The amendment was adopted.

Senator Gaudineer offered the following amendment by Senators Riley and Gaudineer and moved its adoption:

- 1 Amend Senate File 593 by adding the following new section:
- 2 "Sec. The executive council shall require, as a
- 3 condition precedent to payment of this appropriation that
- 4 the existing medical school shall enter into an agreement
- 5 with the state of Iowa to insure that in the event the said
- 6 existing medical school shall be unable, or unwilling, to
- 7 complete the construction of the said new medical school,
- 8 the state of Iowa shall have a first lien in the principal
- 9 amount of five hundred thousand (500,000) dollars without
- 10 interest on the premises, subject only to the rights, if
- 11 any, of the United States of America. Upon completion of
- 12 the construction of the said new medical school, the said
- 13 executive council shall by appropriate resolution and execution
- 14 of the necessary instruments discharge and satisfy said lien
- 15 in full."

The amendment was adopted.

Senator Gaudineer offered the following amendment and moved its adoption:

- 1 Amend Senate File 593, page 1, by striking all of line 2
- 2 and inserting in lieu thereof the following: "the
- 3 construction and equipping of a medical school in counties
- 4 of over two hundred thousand (200,000) population."

The amendment was adopted.

Senator Hill raised the point of order that under Article III,

Section 31, of the Constitution of Iowa, passage of Senate File 593 would require a two-thirds majority vote.

Senators Mowry, Messerly, Conklin and Curran expressed their support of Senator Hill's point of order.

The Chair ruled the point not well taken and the bill general enough in its application so that a two-thirds majority vote would not be required.

Senator Balloun moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 593) the vote was:

Rule 24 was invoked.

Ayes, 30:

Anderson	Erskine	Laverty	Riley
Balloun	Gaudineer	Neu	Robinson
Briles	Glenn	Palmer	Schaben
Carlson	Gross	Potgeter	Smith
Coleman	Keith	Potter	Tapscott
Davis	Kennedy	Rabedeaux	Van Gilst
DeKoster	Kyhl	Rhodes	Walsh
Doderer	Lamborn		

Nays 16:

Bass	Gilley	Miller	Shaff
Brownlee	Graham	Mowry	Shawver
Conklin	Hill	Nicholson	Stephens
Curran	Messerly	Ollenburg	Van Drie

Absent or not voting, 4:

Arbuckle	Griffin	Milligan	Thordsen
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Balloun moved that the vote by which **Senate File 593** passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

HOUSE AMENDMENT CONSIDERED

Senate File 503

Senator Briles called up for consideration Senate File 503, a bill for an act relating to the salaries of county officers, amended by the House, and moved that the Senate concur in the following amendments:

- 1 Amend Senate File 503, as passed by the Senate, by adding
- 2 the following new sections:
- 3 Sec. 3. Section three hundred forty point eight
- 4 (340.8), the last unnumbered paragraph, Code 1971, is

5 amended as follows:

6 In counties over two hundred fifty thousand population
 7 where more than two deputies are required, said deputies
 8 may be paid an amount not to exceed [seventy] *seventy-five*
 9 percent of the annual salary of his or her principal.
 10 Upon certification to the board of supervisors by the
 11 elected official concerned, the amount of the annual salary
 12 for each deputy as above provided, the board of supervisors
 13 [shall] *may* certify to the county auditor of any such county
 14 the annual salary certified by the elected officials, but
 15 in no event shall said board of supervisors be required to
 16 certify to the auditor of any such county an amount in
 17 excess of the amounts authorized above. The board of
 18 supervisors shall fix all compensation for extra help and
 19 clerks.
 20 Sec. 4. Section three hundred forty point nine (340.9),
 21 Code 1971, is amended by adding the following new paragraph:
 22 "The board of supervisors of any county may pay or
 23 supplement the salaries of the county attorney and the
 24 assistant county attorneys from federal funds notwithstanding
 25 the salary limitations set forth in this section and section

Page 2

1 three hundred forty point ten (340.10) of the Code."

The motion prevailed and the Senate concurred in the House amendment.

Senator Briles moved that the bill as amended by the House and concurred in by the Senate be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 503) the vote was:

Ayes, 33:

Anderson	Gaudineer	Miller	Rhodes
Balloun	Gilley	Mowry	Robinson
Briles	Glenn	Nicholson	Schaben
Brownlee	Graham	Ollenburg	Shaff
Carlson	Gross	Palmer	Shawver
Coleman	Keith	Potgeter	Tapscott
Curran	Kyhl	Potter	Van Gilst
DeKoster	Lamborn	Rabedeaux	Walsh
Erskine			

Nays, 5:

Bass	Hill	Messerly	Smith
Conklin			

Absent or not voting, 12:

Arbuckle	Griffin	Milligan	Stephens
Davis	Kennedy	Neu	Thordsen
Doderer	Laverty	Riley	Van Drie

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

HOUSE AMENDMENT TO SENATE AMENDMENT CONSIDERED

House File 709

Senator Balloun called up for consideration House File 709, a bill for an act making an appropriation from the general fund of the State of Iowa to the department of public instruction, amended by the House, and moved that the Senate concur in the following amendment to Division 4 of the Senate amendment:

- 1 Amend the Senate amendment to House File 709, page
- 2 1, by inserting after line 18 the following section:
- 3 "Sec. Chapter two hundred fifty-eight (258),
- 4 Code 1971, is amended by adding the following new
- 5 section:
- 6 1. There is created within the office of the
- 7 treasurer of state a vocational youth organization fund.
- 8 Moneys deposited in the fund shall be used to develop
- 9 leadership in the youth of Iowa who are enrolled in
- 10 vocational and occupational education programs and to
- 11 encourage the youth of Iowa to pursue vocational and
- 12 occupational education.
- 13 2. The board for vocational education is authorized
- 14 to award grants from the vocational youth organization
- 15 fund to any vocational organization which is an integral
- 16 part of the instructional program in occupational-
- 17 vocational areas which includes, but is not limited to,
- 18 agriculture, business and office occupations, distributive
- 19 education, home economics, and trade and industrial
- 20 education. No moneys shall be used for salaries and travel
- 21 of state or local advisors of vocational educational
- 22 organizations. No vocational organization shall receive
- 23 more than one-fifth of the moneys appropriated to the
- 24 vocational youth organization fund in any year.
- 25 3. There is allocated from subsection three (3) of

Page 2

- 1 section one (1) of this Act the sum of ten thousand
- 2 (10,000) dollars, or so much thereof as may be necessary,
- 3 for each year of the biennium beginning July 1, 1971, and
- 4 ending June 30, 1973, which shall be deposited in the
- 5 vocational youth organization fund and used to carry out
- 6 the purposes of this section."

The motion prevailed and the Senate concurred in the House amendment to Division 4 of the Senate amendment.

On motion of Senator Balloun, the Senate recessed from Division 3 of the Senate amendment.

Senator Balloun moved that the bill as amended by the House and concurred in by the Senate be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 709) the vote was:

Ayes, 39:

Anderson	Erskine	Laverty	Robinson
Balloun	Gaudineer	Messerly	Schaben
Bass	Gilley	Miller	Shaff
Briles	Glenn	Mowry	Shawver
Brownlee	Graham	Nicholson	Smith
Carlson	Gross	Ollenburg	Stephens
Coleman	Hill	Potgeter	Tapscott
Conklin	Keith	Potter	Van Gilst
Curran	Kyhl	Rabedeaux	Walsh
DeKoster	Lamborn	Rhodes	

Nays, none.

Absent or not voting, 11:

Arbuckle	Griffin	Neu	Thordsen
Davis	Kennedy	Palmer	Van Drie
Doderer	Milligan	Riley	

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

MOTION TO RECEDE LOST

House File 739

Senator Messerly called up House File 739, a bill for an act setting the salary rate for state officials and designated employees of the state, and moved that the Senate recede from divisions 1, 2, 3, 5, 6, 7, 8, 9, 10, 11, 12, 13 and 14 of its amendment.

Roll call was requested.

On the question "Shall the Senate recede from amendments 1, 2, 3, 5, 6, 7, 8, 9, 10, 11, 12, 13 and 14?" (H.F. 739) the vote was:

Rule 24 was invoked.

Ayes, 23:

Anderson	Davis	Kyhl	Rhodes
Balloun	Erskine	Lamborn	Shaff
Bass	Gilley	Messerly	Smith
Briles	Graham	Mowry	Stephens
Carlson	Hill	Nicholson	Van Drie
Curran	Keith	Ollenburg	

Nays, 24:

Brownlee	Glenn	Neu	Robinson
Coleman	Gross	Palmer	Schaben
Conklin	Kennedy	Potgeter	Shawver
DeKoster	Laverty	Potter	Tapscott
Doderer	Miller	Rabedeaux	Van Gilst
Gaudineer	Milligan	Riley	Walsh

Absent or not voting, 3:

Arbuckle	Griffin	Thordsen
----------	---------	----------

The motion lost.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 37, a bill for an act to permit counties to become associated with the Iowa state association of counties.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 199, a bill for an act relating to prohibited advertising practices by chiropractors.

Also: That the House has adopted conference committee report and amendments contained therein and repassed the following bill in which the concurrence of the House was asked:

Senate File 572, a bill for an act relating to the control and use of state funds, powers of the budget and financial control committee.

WILLIAM R. KENDRICK, Chief Clerk

ADOPTION OF CONFERENCE COMMITTEE REPORT

Senate File 572

Senator Potgeter called up for consideration the following report and moved its adoption:

REPORT OF THE CONFERENCE COMMITTEE
ON SENATE FILE 572

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to consider the difference between the Senate and the House of Representatives on Senate File 572, a bill for an act relating to the control and use of state funds, powers of the budget and financial control committee and providing an appropriation, respectfully submit the following recommendations:

1. That the Senate recede from its amendment to the House amendment.
2. That the House amendment to Senate File 572, received from the House on June 17, 1971, be amended as follows:
 - a. Page 1, line 9, by inserting after the word "committee" the words "and its staff".
 - b. Page 1, by striking lines 15 through 22, inclusive.
 - c. Page 1, line 24, by inserting after the first word "and" the words "*after receiving the recommendation of*".
 - d. Page 2, line 2, by inserting after the first word "and" the words "*after receiving the recommendation of*".
 - e. Page 2, line 17, by inserting after the word "committee" the words "for its recommendation".
 - f. Page 2, line 17, by striking the words "If the budget".
 - g. Page 2, by striking lines 18 through 22, inclusive.

h. Page 3, line 6, by inserting after the first word "and" the words "*after receiving the recommendation of*".

i. Page 3, by striking lines 24 and 25.

j. Page 4, by striking lines 1 through 7, inclusive, and inserting in lieu thereof the following:

"Prepare quarterly and submit to each member of the general assembly a report of the current status of major state funds, a comparison of income with estimates used by the general assembly during the first session of each general assembly, and other revenue and expenditure information which the budget and financial control committee determines will be informative for members of the general assembly. The state comptroller shall cooperate with the legislative fiscal director in the development of the report and the budget and financial control committee shall approve the style and format of the report."

On the part of the Senate:

JAMES A. POTGETER, Chairman
QUENTIN V. ANDERSON
LUCAS J. DeKOSTER
LEE H. GAUDINEER, JR.

On the part of the House:

ELMER H. DEN HERDER, Chairman
RICHARD F. DRAKE
KEITH H. DUNTON
C. RAYMOND FISHER

The motion prevailed and the conference committee report and the recommendations and amendments contained therein were adopted.

Senator Potgeter moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 572) the vote was:

Ayes, 41:

Anderson	Doderer	Lamborn	Rhodes
Balloun	Erschine	Laverty	Riley
Bass	Gilley	Miller	Schaben
Briles	Glenn	Milligan	Shaff
Brownlee	Graham	Neu	Shawver
Carlson	Gross	Ollenburg	Smith
Coleman	Hill	Palmer	Stephens
Conklin	Keith	Potgeter	Tapscott
Curran	Kennedy	Potter	Van Gilst
Davis	Kyhl	Rabedaux	Walsh
DeKoster			

Nays, none.

Absent or not voting, 9:

Arbuckle	Messerly	Nicholson	Thorsen
Gaudineer	Mowry	Robinson	Van Drie
Griffin			

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

HOUSE AMENDMENT CONSIDERED

Senate File 37

Senator Briles called up for consideration Senate File 37, a bill for an act to permit counties to become associated with the Iowa state association of counties, amended by the House, as follows:

1 Amend Senate File 37, as passed by the Senate, as
2 follows:
3 1. Page 1, by striking lines 7 through 21, inclusive,
4 and inserting in lieu thereof the following:
5 "To provide for membership in the Iowa state association
6 of counties, a nonprofit corporation organized under
7 chapter 504A of the Code, for the purpose of maintaining a
8 permanent organization to secure cooperation among counties
9 and county officers in their effort to procure better and
10 more efficient methods of government. The board of
11 supervisors may authorize attendance at schools of instruction
12 by county officers, appointees, and employees as the schools
13 are called by the association and may authorize attendance
14 at the annual meeting of the association by duly certified
15 representatives of each county which is affiliated with the
16 association. The board of supervisors may appropriate from
17 the county general fund necessary funds to provide membership
18 in the Iowa state association of counties, provided that the
19 method of assessment shall be established on a basis whereby
20 each county shall pay not to exceed one cent per capita and
21 one-hundredth of one mill of each county's assessed
22 valuation. The total assessment collected from all of the
23 member counties shall not exceed seventy-five thousand dollars
24 per annum. In the event that more than seventy-five thousand
25 dollars is collected, the excess shall be refunded

Page 2

1 proportionately to the counties from which payment is
2 received. The association shall keep and make such
3 accounts as are required by the auditor of state. The
4 accounts shall be audited annually and published in the
5 auditor of state's biennial report. The association shall
6 annually publish an accounting of all moneys expended in
7 connection with expenses incurred by and any salaries paid
8 to legislative representatives or lobbyists of the
9 association."
10 2. By adding thereto the following new section:
11 No county funds may be expended for membership fees or
12 for attendance expenses for any county officers
13 association other than the Iowa State Association of Counties.

Senator Tapscott offered the following amendment to the House amendment and moved its adoption:

1 Amend the House amendment to Senate File 37
2 by adding thereto the following new section:
3 "Representation in the Iowa state association of
4 counties shall be on a basis proportionate to the
5 population of the county."

Roll call was requested.

On the question "Shall the Tapscott amendment to the House amendment be adopted?" (S.F. 37) the vote was:

Ayes, 5:

Doderer	Gross	Palmer	Tapscott
Glenn			

Nays, 34:

Anderson	DeKoster	Mowry	Riley
Balloun	Erskine	Neu	Schaben
Bass	Gilley	Nicholson	Shawver
Briles	Graham	Ollenburg	Smith
Brownlee	Hill	Potgeter	Stephens
Carlson	Keith	Potter	Van Drie
Coleman	Kyhl	Rabedeaux	Van Gilst
Conklin	Lamborn	Rhodes	Walsh
Curran	Miller		

Absent or not voting, 11:

Arbuckle	Griffin	Messerly	Shaff
Davis	Kennedy	Milligan	Thordsen
Gaudineer	Laverty	Robinson	

The amendment to the House amendment lost.

President Jepsen took the chair at 12:02 a.m. Saturday, June 19, 1971.

Senator Glenn offered the following amendment to the House amendment:

- 1 Amend the House amendment to Senate File 37, page 2, line 9,
- 2 by inserting after the word "association." the following:
- 3 "None of the above monies may be expended for entertainment
- 4 of members of the General Assembly."

Senator Briles raised a point of order that the amendment contained subject matter already considered by the Senate.

The Chair ruled the point well taken and the amendment out of order.

On motion of Senator Briles, the Senate concurred in the House amendment.

Senator Kennedy took the chair at 12:15 a.m.

Senator Briles moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 37) the vote was:

Rule 24 was invoked.

Ayes, 26:

Anderson	Brownlee	Davis	Gilley
Briles	Curran	Erskine	Hill

Keith
Kyhl
Lamborn
Miller
Mowry

Neu
Nicholson
Ollenburg
Potgeter
Potter

Rhodes
Rabedaux
Shaff
Shawver

Smith
Stephens
Van Gilst
Walsh

Nays, 12:

Bass
Carlson
Conklin

DeKoster
Doderer
Glenn

Graham
Gross
Kennedy

Messerly
Palmer
Tapscott

Absent or not voting, 12:

Arbuckle
Balloun
Coleman

Gaudineer
Griffin
Laverty

Milligan
Riley
Robinson

Schaben
Thordsen
Van Drie

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

Senator Brownlee took the chair at 12:20 a.m.

Senator Briles moved that the vote by which **Senate File 37** passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate File 584, a bill for an act to appropriate funds from general fund for capital improvements and purchases of land for institutions under the state board of regents.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 588, a bill for an act to provide an appropriation from the general fund to the state board of regents to replace building space and equipment lost through fire at the University of Northern Iowa.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 591, a bill for an act making an appropriation to the Iowa American Revolution Bicentennial Commission.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 30, a bill for an act relating to the inspection of pipeline construction over private property.

WILLIAM R. KENDRICK, Chief Clerk

HOUSE MESSAGE CONSIDERED

House File 30, a bill for an act relating to the inspection of pipeline construction over private property.

Read first time and **passed on file**.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 32, approving the proposed ten-year building program submitted by the state board of regents.

Also: That the House has adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 33, authorizing the state board of regents to complete the carrying out of the projects heretofore approved by the Sixty-third General Assembly.

WILLIAM R. KENDRICK, Chief Clerk

WITHDRAWN

Senator Lamborn asked and received unanimous consent that **Senate File 350** be **withdrawn** from further consideration of the Senate.

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

The Senate resumed session, President Jepsen presiding.

ADOPTION OF SECOND
CONFERENCE COMMITTEE REPORT**House File 724**

Senator Riley submitted the following conference committee report and moved its adoption:

ON HOUSE FILE 724
REPORT OF THE SECOND CONFERENCE COMMITTEE

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the second conference committee appointed to consider the difference between the Senate and the House of Representatives on House File 724, a bill for an act to appropriate funds from the general fund of the state to the state board of regents and institutions under the control of the board, report that the conference committee makes the following recommendations:

1. That the House of Representatives recede from its amendments to the Senate amendments, and the Senate recede from its

amendments, and that House File 724, as amended, passed, and reprinted, be further amended as follows:

2. Page 2, line 17, by striking the figures "140,000.00" and inserting in lieu thereof the figures "143,000.00".

3. Page 2, line 24, by striking the figures "34,410,000.00" and "36,073,000.00" and inserting in lieu thereof the figures "35,688,000.00" and "37,347,000.00".

4. Page 3, line 6, by striking the figures "2,117,000.00" and "2,201,000.00" and inserting in lieu thereof the figures "2,186,000.00" and "2,278,000.00".

5. Page 3, line 11, by striking the figures "755,000.00" and "784,000.00" and inserting in lieu thereof the figures "787,000.00" and "827,000.00".

6. Page 3, line 15, by striking the figures "1,405,000.00" and "1,454,000.00" and inserting in lieu thereof the figures "1,443,000.00" and "1,492,000.00".

7. Page 3, line 20, by striking the figures "1,629,000.00" and "1,702,000.00" and inserting in lieu thereof the figures "1,694,000.00" and "1,779,000.00".

8. Page 3, line 28, by striking the figures "27,108,000.00" and "28,419,000.00" and inserting in lieu thereof the figures "28,685,000.00" and "29,626,000.00".

9. Page 3, line 33, by striking the figures "3,980,000.00" and "4,140,000.00" and inserting in lieu thereof the figures "3,966,000.00" and "4,123,000.00".

10. Page 4A, line 4, by striking the figures "3,097,000.00" and "3,271,000.00" and inserting in lieu thereof the figures "3,351,000.00" and "3,508,000.00".

11. Page 4A, line 11, by striking the figures "10,616,000.00" and "11,129,000.00" and inserting in lieu thereof the figures "11,234,000.00" and "12,095,000.00".

12. Page 4A, line 16, by striking the figures "893,000.00" and "945,000.00" and inserting in lieu thereof the figures "895,000.00" and "936,000.00".

13. Page 4A, line 21, by striking the figures "1,616,000.00" and "1,703,000.00" and inserting in lieu thereof the figures "1,614,000.00" and "1,691,000.00".

14. Page 4A, by striking lines 27 through 35, inclusive.

15. Page 4B, by striking lines 36 through 43, inclusive.

16. Page 5A, by striking lines 1 through 16, inclusive.

17. Page 5B, lines 43 and 44, by striking the words "fees and tuition of Iowa resident undergraduate students" and inserting in lieu thereof the words "basic undergraduate resident student tuition fee".

18. Page 5B, by adding the following new sections after line 50:

Sec. The board of regents may reallocate funds appropriated by paragraph "a" of subsection two (2) of section one (1), paragraph "a" of subsection three (3) of section one (1), and subsection four (4) of section one (1), of this Act among the institutions under its jurisdiction as long as the

reallocation does not exceed the grand total figure appropriated to the board of regents by this Act.

Sec. There is appropriated from the general fund of the state of Iowa to the higher education facilities commission for the biennium beginning July 1, 1971, and ending June 30, 1973, the following amounts, or so much thereof as may be necessary, to be used for the following purpose:

	<u>1971-72</u>	<u>1972-73</u>
	<u>Fiscal Year</u>	<u>Fiscal Year</u>
TUITION GRANT PROGRAM		
To finance tuition grants to full-time resident students attending accredited private institutions of higher education in Iowa under sections two hundred sixty-one point nine (261.9) to two hundred sixty-one point sixteen (261.16), inclusive, of the Code:		
	\$4,000,000.00	\$4,000,000.00

19. Correct the totals and subtotals in accordance with this amendment.

20. Amend the title, page 1, line 3, by inserting after the word "board" the words "and to the higher education facilities commission for the tuition grant program".

On the part of the Senate:

TOM RILEY, Chairman
GEORGE F. MILLIGAN
GENE V. KENNEDY
RUDY VAN DRIE

On the part of the House:

JOHN CAMP, Chairman
DENNIS L. FREEMAN
ROBERT M. KREAMER
VERNON N. BENNETT

The motion prevailed and the conference committee report and the recommendations and amendments contained therein were adopted.

Senator Riley moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 724) the vote was:

Ayes, 42:

Anderson
Balloun
Bass
Briles
Brownlee
Carlson
Coleman
Curran
Davis
DeKoster
Doderer

Ersine
Gaudineer
Gilley
Glenn
Graham
Gross
Keith
Kennedy
Lamborn
Laverty
Miller

Milligan
Neu
Nicholson
Ollenbourg
Palmer
Potgeter
Potter
Rabedeaux
Rhodes
Riley

Robinson
Schaben
Shaff
Shawver
Smith
Stephens
Tapscott
Van Drie
Van Gilst
Walsh

Nays, 4:

Conklin

Hill

Messerly

Mowry

Absent or not voting, 4:

Arbuckle

Griffin

Kyhl

Thordsen

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

Senator Brownlee took the chair at 4.27 a.m.

MOTION TO RECONSIDER

House File 739

Senator Potgeter moved to reconsider the vote by which the Senate failed to recede from divisions 1, 2, 3, 5, 6, 7, 8, 9, 10, 11, 12, 13 and 14 of the Senate amendment to House File 739.

The motion prevailed and the Senate receded from its amendments.

Senator Messerly moved that the bill be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 739) the vote was:

Ayes, 39:

Anderson
Balloun
Bass
Briles
Brownlee
Carlson
Coleman
Conklin
Curran
Davis

Doderer
Erskine
Gilley
Graham
Gross
Keith
Lamborn
Laverty
Messerly
Milligan

Mowry
Neu
Nicholson
Ollenburg
Palmer
Potgeter
Potter
Rabedaux
Rhodes
Riley

Robinson
Schaben
Shaff
Shawver
Smith
Stephens
Tapscott
Van Drie
Walsh

Nays, 3:

DeKoster

Hill

Van Gilst

Absent or not voting, 8:

Arbuckle
Gaudineer

Glenn
Griffin

Kennedy
Kyhl

Miller
Thordsen

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

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has adopted the second conference committee report and amendments contained therein and repassed the following bill in which the concurrence of the House was asked:

House File 724, a bill for an act to appropriate to the state board of regents.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 587, a bill for an act to appropriate funds from the general fund to the state board of regents to reimburse state educational institutions.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 586, a bill for an act to appropriate funds from the general fund to the state board of regents to reimburse state educational institutions.

WILLIAM R. KENDRICK, Chief Clerk

CALL OF THE SENATE

The Chair announced the following Call of the Senate on Senate File 586 and directed the Secretary to call the roll.

MR. PRESIDENT: Pursuant to Rule 19 of the Rules of the Senate of the Sixty-fourth General Assembly, we, the undersigned, do hereby request a Call of the Senate on Senate File 586 and all amendments and motions thereto.

GENE W. GLENN
LEE H. GAUDINEER, JR.
WILLIAM D. PALMER
G. WILLIAM GROSS
C. JOSEPH COLEMAN
JAMES F. SCHABEN
JOHN E. TAPSCOTT
MINNETTE DODERER
CLOYD ROBINSON
BASS VAN GILST

Senator Lamborn moved that the Call of Senate be lifted.

Roll call was requested.

On the question "Shall the Call of the Senate be lifted?" (S.F. 586) the vote was:

Ayes, 30:

Balloun	Erskine	Neu	Riley
Bass	Gilley	Nicholson	Shaff
Briles	Graham	Ollenburger	Shawver
Brownlee	Keith	Potgeter	Smith
Carlson	Lamborn	Potter	Stephens
Conklin	Laverty	Rabedeaux	Van Drie
Davis	Messerly	Rhodes	Walsh
DeKoster	Milligan		

Nays, 8:

Coleman	Gross	Palmer	Schaben
Gaudineer	Hill	Robinson	Van Gilst

Absent or not voting, 12:

Anderson	Doderer	Kennedy	Mowry
Arbuckle	Glenn	Kyhl	Tapscott
Curran	Griffin	Miller	Thordsen

The motion prevailed and the Call of the Senate was lifted.

HOUSE AMENDMENT CONSIDERED

Senate File 586

Senator Lamborn called up for consideration Senate File 586, a bill for an act to appropriate funds from the general fund of the State of Iowa to the state board of regents to reimburse state educational institutions for deficiencies in operating revenues resulting from funds pledged to finance academic and administrative buildings and facilities and utilities services, amended by the House, and moved that the Senate concur in the following amendment:

- 1 Amend Senate File 586 by adding the following new
- 2 section:
- 3 "Chapter two hundred sixty-two A (262A), Code 1971,
- 4 is amended by adding the following new section:
- 5 On and after the taking effect of this Act, the
- 6 board shall issue no more bonds as provided for in
- 7 this chapter. The state of Iowa shall recognize and
- 8 assume all obligations to see that bonds which have
- 9 been issued shall be paid with interest on or before
- 10 maturity date."

Roll call was requested.

On the question "Shall the Senate concur in the House amendment?" (S.F. 586) the vote was:

Ayes, 26:

Bass	Erskine	Ollenburg	Shaff
Briles	Keith	Potgeter	Shawver
Brownlee	Lamborn	Potter	Smith
Carlson	Laverty	Rabedaux	Stephens
Conklin	Milligan	Rhodes	Van Drie
Davis	Neu	Riley	Walsh
DeKoster	Nicholson		

Nays, 11:

Balloun	Gross	Palmer	Tapscott
Coleman	Hill	Robinson	Van Gilst
Gaudineer	Messerly	Schaben	

Voting present, 2:

Gilley	Graham
--------	--------

Absent or not voting, 11:

Anderson	Doderer	Kennedy	Mowry
Arbuckle	Glenn	Kyhl	Thordsen
Curran	Griffin	Miller	

The motion prevailed and the Senate concurred in the House amendment.

Senator Lamborn moved that the bill as amended by the House and concurred in the Senate be read the last time now, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 586) the vote was:

Ayes, 28:

Bass	Erskine	Neu	Riley
Briles	Gilley	Nicholson	Shaff
Brownlee	Graham	Ollenburg	Shawver
Carlson	Keith	Potgeter	Smith
Conklin	Lamborn	Potter	Stephens
Davis	Laverty	Rabedeaux	Van Drie
DeKoster	Milligan	Rhodes	Walsh

Nays, 10:

Balloun	Gross	Robinson	Tapscott
Coleman	Hill	Schaben	Van Gilst
Gaudineer	Palmer		

Absent or not voting, 12:

Anderson	Doderer	Kennedy	Miller
Arbuckle	Glenn	Kyhl	Mowry
Curran	Griffin	Messerly	Thordsen

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

MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has amended and adopted the following concurrent resolution in which the concurrence of House was asked:

Senate Concurrent Resolution 38, adjournment of the first regular session of the Sixty-fourth General Assembly.

WILLIAM R. KENDRICK, Chief Clerk

ADOPTION OF SENATE CONCURRENT RESOLUTION 38

Senator Lamborn called up for consideration **Senate Concurrent Resolution 38**, amended by the House, and moved that the Senate concur in the following amendment:

Amend Senate Concurrent Resolution 38 by striking all after the resolving clause and inserting in lieu thereof the following:

"That when adjournment is had on Saturday, June 19, 1971, it be the final adjournment of the 1971 session of the Sixty-fourth General Assembly."

The motion prevailed and the Senate concurred in the House amendment.

On motion of Senator Lamborn, the resolution as amended was adopted.

EXPLANATION OF VOTE

We, the undersigned Republican Senators, voted "aye" in favor of Senate File 586 despite our opposition to the House amendment. Given the fact the House adjourned prior to Senate vote on concurrence with the House amendment we had the choice of either voting against the bill and defaulting on bond payments or voting for the bill with the expectation and trust that the Governor would exercise his good judgment in striking the amendment by an item veto. We hereby respectfully request said item veto.

TOM RILEY
WILSON DAVIS
GEORGE F. MILLIGAN
CLIFTON C. LAMBORN
JAMES A. POTGETER
ROGER J. SHAFF
JOHN M. WALSH
CHARLES O. LAVERTY
RALPH W. POTTER
ARTHUR A. NEU
A. J. ERSKINE
REINHOLD O. CARLSON
RUDY VAN DRIE
S. J. BROWNLEE
JOHN C. RHODES
FLOYD GILLEY
W. CHARLENE CONKLIN
GEO. L. SHAWVER
LUCAS J. DeKOSTER
MARVIN W. SMITH
WAYNE D. KEITH
H. L. OLLENBURG
EDWARD E. NICHOLSON

SENATE CONCURRENT RESOLUTION 47

By Walsh

Whereas, House File 654 has passed both houses of the General Assembly and has been delivered to the Governor, *Now Therefore*,

Be It Resolved by the Senate, the House Concurring: That House File 654 be recalled from the Governor for further consideration of the General Assembly.

REPORTS FILED

In accordance with chapter 7A, Code of Iowa, a copy of the first Report on Federal Grants-in-Aid in Iowa, Fiscal Year 1970, has been received from the Office for Planning and Programming and placed on file in the office of the Secretary of the Senate.

The report of the Iowa Interstate Cooperation Commission, submitted to the Sixty-fourth General Assembly, has been received and placed on file in the office of the Secretary of the Senate.

EXPLANATION OF VOTE

MR. PRESIDENT: Due to illness which confined me to my home under doctor's orders, I was unable to be present in the Senate between June 7, 1971, and June 16, 1971, inclusive. I feel the public is entitled to know my position on issues voted on during my illness.

Had I been present, I would have voted "nay" on House Files 654, 573, and Senate File 514. I would have voted "aye" on all of the other roll calls. The reason I would have voted "nay" on House File 654 (the tax bill) is that I conducted research in this regard and found that my constituents would have accepted a one cent sales tax increase and no more at this time. I further felt that the recommendations of the Governor's Economy Committee should be first implemented and waste in state government eliminated before imposing a substantial income tax increase on the people.

The reason for voting "nay" on House File 573 is that I feel our license fee is adequate. If the amendment to give special consideration to the elderly on the cost of fishing license had not ultimately been defeated, I could have supported the bill.

On Senate File 514, which increases the tax on beverages containing alcohol, I feel that the prices on alcoholic beverages are adequate. Higher taxes on beer and liquor will encourage bootlegging especially in border cities. It seems like every time we want extra revenue, we pick in liquor and cigarettes and I feel the people are taxed enough on these items, therefore I would have voted "nay" on this bill.

HAROLD A. THORSEN

BILL ASSIGNED TO COMMITTEE

President Jepsen announced the assignment of the following bill to committee:

H. F. 30 Commerce

REPORT OF COMMITTEE

Senator Mowry submitted the following report:

MR. PRESIDENT: Your committee on commerce, to which was referred **House File 30**, a bill for an act relating to the inspection of pipeline construction over private property, begs leave to report it has had the same under consideration and recommends the same **do pass**.

JOHN L. MOWRY, Chairman

Ordered passed on file.

AMENDMENT FILED

- 1 Amend House File 281, page 2, by striking lines 3 through 16,
- 2 inclusive and by inserting in lieu thereof the following:
- 3 "A member of the Iowa National Guard, below the rank of
- 4 warrant officer, shall not include his income received on or
- 5 after January 1, 1970, for performing active state service as
- 6 defined in section twenty-nine A point one (29A.1), subsection
- 7 five (5) of the Code, in respect to public disaster, riot, tumult,

- 8 break of the peace, resistance of process, or whenever the fore-
9 going is threatened, when called upon to aid civil authorities
10 or under martial law, in computing the tax imposed by this section."

LEE H. GAUDINEER, JR.

On motion of Senator Lamborn, the Senate recessed at 6:45 a.m. until the fall of the gavel.

The Senate reconvened, President Jepsen presiding.

COMMITTEE TO NOTIFY THE GOVERNOR

Senator Kyhl moved that a committee of four be appointed by the President of the Senate to notify the Governor that the Senate was ready to adjourn in accordance with Senate Concurrent Resolution 38.

The motion prevailed and the President appointed as such committee Senators Kyhl, Arbuckle, Carlson and Griffin.

COMMITTEE TO NOTIFY THE HOUSE

Senator Lamborn moved that a committee of four be appointed by the President of the Senate to notify the House that the Senate was ready to adjourn in accordance with Senate Concurrent Resolution 38.

The motion prevailed and the President appointed as such committee Senators Lamborn, Rhodes, Coleman and Palmer.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Rhodes, from the joint committee on enrolled bills, submitted the following report and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate Files 37, 199, 503, 510, 514, 544, 550, 555, 556, 557, 565, 571, 572, 573, 574, 576, 577, 579, 581, 582, 583, 584, 586, 587, 588, 589 and 591; Senate Concurrent Resolutions 32 and 33; House Files 129, 182, 225, 236, 271, 330, 386, 503, 537, 546, 573, 666, 675, 704, 709, 713, 724, 729, 730, 732, 735, 736, 738, 739, 741, 742 and 744.

JOHN C. RHODES
Chairman, Senate Committee

ELIZABETH R. MILLER
Chairman, House Committee

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate the following bills: Senate Files 37, 199, 503, 510, 514, 544, 550, 555, 556, 557, 565, 571, 572, 573, 574, 576, 577, 579, 581, 582, 583, 584, 586, 587, 588, 589 and 591; Senate Concurrent Resolutions 32 and 33; House Files 129, 182, 225, 236, 271, 330, 386, 503, 537, 546, 573, 666, 675, 704, 709, 713, 724, 729, 730 732, 735, 736, 738, 739, 741, 742 and 744.

BILLS SENT TO THE GOVERNOR

Senator Rhodes, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 19th day of June, 1971, sent to the Governor for his approval: Senate Files 37, 199, 503, 510, 514, 544, 550, 555, 556, 557, 565, 571, 572, 573, 574, 576, 577, 579, 581, 582, 583, 584, 586, 587, 588, 589 and 591; Senate Concurrent Resolutions 32 and 33.

JOHN C. RHODES, Chairman

Passed on file.

MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 392, a bill for an act relating to the eradication of hog cholera and the control and eradication of the swine diseases.

WILLIAM R. KENDRICK, Chief Clerk

HOUSE AMENDMENT TO SENATE FILE 392

- 1 Amend Senate File 392, as amended, passed, and reprinted
- 2 by the Senate, as follows:
- 3 1. Page 4A, line 1, by inserting after the word "moved"
- 4 the words " , except native Iowa swine raised from birth that
- 5 are purchased at any market for resale as slaughter animals
- 6 or for the production of biological products, and except
- 7 native Iowa swine purchased for any purpose at an Iowa
- 8 auction market operating under a valid Iowa permit,".
- 9 2. Page 4A, by inserting after line 19 the following:
- 10 "All such movements of swine shall be completed within
- 11 seventy-two hours unless an extension of time for movement
- 12 is granted by the department."
- 13 3. Page 4A, line 26, by inserting after the word
- 14 "department" the words "and all native Iowa swine sold
- 15 which are moved directly from farm to farm".
- 16 4. Page 5A, lines 5 and 6, by striking the words
- 17 " , involving not more than two markets,".

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on June 19, 1971, the Governor approved and transmitted to the Secretary of State the following bills:

- S. F. 297—Relating to motor vehicle inspection and safety and relating to registration certificates and containers, and providing penalties for violation of the act.
- S. F. 528—Appropriating funds from the general fund of the state to the higher education facilities commission for the state supported scholarship and medical student tuition loan programs.
- S. F. 551—Appropriating from the general fund of the state of Iowa to the department of public safety for radio equipment for the division of radio communication.
- S. F. 554—Appropriating from the general fund of the state of Iowa to the Iowa state fair board.
- S. F. 558—Making an appropriation from the general fund of the state to the Iowa state commerce commission and its divisions, and providing for the assessment of expenses incurred by the commission.
- S. F. 559—Appropriating and authorizing expenditures from the car dispatcher revolving fund.
- S. F. 560—Relating to state aid for the mentally ill and mentally retarded.
- S. F. 568—Making an appropriation from the primary road fund to the industrial commission for payment of workmen's compensation claims of employees of the state highway commission.
- S. F. 569—Making an appropriation to the state highway commission from the primary road fund for the purpose of making payments for expenses incurred in administering the merit employment system.
- S. F. 570—Appropriating from the general fund of the state for the Iowa commission for the blind.

GOVERNOR'S ITEM VETO MESSAGES

June 19, 1971

The Honorable Roger W. Jepsen
Lieutenant Governor of Iowa
State Capitol
Local

Dear Governor Jepsen:

I have on this date signed and transmitted to the Secretary of State's Office Senate File 545, an appropriation bill, with the exception of Item 3, designated as Section 3 of the said bill which I disapprove.

Pursuant to Amendment 4 of the 1968 Amendments to the Constitution of the State of Iowa, I hereby return to the Senate Item 3, designated as

Section 3 of Senate File 545, being an item of this appropriation bill.

This said item that I am unable to approve reads as follows:

"Sec. 3. Plans and specifications for improvements for which funds are appropriated by this Act shall be submitted by the superintendent of buildings and grounds to the budget and financial control committee except that items commonly known as change orders need not be submitted to the budget and financial control committee unless such change orders actually increase the total cost of that particular project."

I have disapproved this Section because it violates the constitutional separation of the legislative and the executive branches of government. If the Budget and Financial Control Committee performed its duties under this Section and exercised the powers given to it, the committee would be acting in an executive capacity or using delegated legislative powers. In either situation, they would be acting unconstitutionally. (1963 OAG 44, June 14, 1963)

We have been operating under a system whereby the Executive Council approves plans and specifications for improvements for which funds are appropriated by the General Assembly. This is a reasonable and working arrangement with the responsibility resting not only with the departments affected by the appropriation, but also with elected officials in the Executive Branch of Government. These are people whose positions are fulltime and who provide interim safeguards for the system of State Government.

Therefore, I am returning this Item of Senate File 545 to the Senate where this appropriation bill originated pursuant to Amendment 4 of the 1968 Amendments to the Constitution of the State of Iowa.

Sincerely,

ROBERT D. RAY
Governor

The Honorable Roger W. Jepsen
Lieutenant Governor of Iowa
State Capitol
Local

Dear Governor Jepsen:

I have on this date signed and transmitted to the Secretary of State's Office Senate File 561, an appropriation bill, with the exception of Item 2, designated as Section 2 of the said bill which I disapprove.

Pursuant to Amendment 4 of the 1968 Amendments to the Constitution of the State of Iowa, I hereby return to the Senate Item 2, designated as Section 2 of Senate File 561, being an item of this appropriation bill.

This said item that I am unable to approve reads as follows:

"Plans and specifications for improvements for which funds are appropriated by this Act shall be submitted by the State Fair Board to the budget and financial control committee, except that items commonly known as change orders need not be submitted to such committee unless such change orders increase the total cost of that particular project."

I have disapproved this Section because it violates the constitutional separation of the legislative and the executive branches of government. If the Budget and Financial Control Committee performed its duties under this Section and exercised the powers given to it, the Committee would

be acting in an executive capacity or using delegated legislative powers. In either situation, they would be acting unconstitutionally. (1963 OAG 44, June 14, 1963)

We have been operating under a system whereby the Executive Council approves plans and specifications for improvements for which funds are appropriated by the General Assembly. This is a reasonable and working arrangement with the responsibility resting not only with the departments affected by the appropriation, but also with elected officials in the Executive Branch of Government. These are people whose positions are fulltime and who provide interim safeguards for the system of State Government.

Therefore, I am returning this Item of Senate File 561 to the Senate where this appropriation bill originated pursuant to Amendment 4 of the 1968 Amendments to the Constitution of the State of Iowa.

Sincerely,

ROBERT D. RAY

Governor

LEGISLATIVE INTERIM COMMITTEES
SIXTY-FOURTH GENERAL ASSEMBLY

President Jepsen announced the appointment of the following Senators to legislative interim committees:

LEGISLATIVE COUNCIL

James E. Briles, Corning	2-year term
Arthur A. Neu, Carroll	2-year term
S. J. Brownlee, Emmetsburg	2-year term
Eugene M. Hill, Newton	2-year term
William D. Palmer, Des Moines	2-year term

BUDGET AND FINANCIAL CONTROL

Quentin V. Anderson, Beaconsfield.....	4-year term
Charles F. Balloun, Toledo	4-year term
Bass Van Gilst, Oskaloosa	4-year term
Francis L. Messerly, Cedar Falls (holdover)	
C. Joseph Coleman, Clare (holdover)	

IOWA STATE FAIR AND WORLD FOOD EXPOSITION

C. Joseph Coleman, Clare—In accordance with S.J.R. 24, Acts of the Sixty-third General Assembly, First Session

ADVISORY INVESTMENT BOARD OF THE IOWA PUBLIC
EMPLOYEES' RETIREMENT SYSTEM

James W. Griffin, Sr., Council Bluffs	2-year term
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HIGHER EDUCATION FACILITIES COMMISSION

Rudy Van Drie, Ames	4-year term
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COMMISSION ON THE AGING

Tom Riley, Cedar Rapids4-year term
John C. Rhodes, Chariton Unexpired term ending June 30, 1973

MEDICAL ASSISTANCE COUNCIL

Earl G. Bass, Malvern2-year term
Gene V. Kennedy, Dubuque2-year term

COMMITTEE FROM THE HOUSE

A committee from the House appeared and announced that the House was ready to adjourn.

REPORT OF COMMITTEE TO NOTIFY THE HOUSE

Senator Lamborn reported that the committee appointed to notify the House that the Senate was ready to adjourn had performed its duty.

The report was received and the committee discharged.

REPORT OF COMMITTEE TO NOTIFY THE GOVERNOR

Senator Kyhl reported that the committee appointed to notify the office of the Governor that the Senate was ready to adjourn had performed its duty, and that the Governor had sent the following message:

OFFICE OF THE GOVERNOR

State Capitol

Des Moines, Iowa 50319

The Honorable Roger W. Jepsen
President of the Senate
Sixty-fourth General Assembly
State Capitol
Des Moines, Iowa

Honorable Members of the General Assembly:

When I delivered to you my Inaugural Message at the beginning of this Legislative Session, January 14, 1971, I told you that we stood at the crossroads of history and that it is an uncomfortable position because it requires us to make difficult—even hazardous—decisions.

As you wrap up the first session of the Sixty-fourth General Assembly, and as we reflect on the decisions and happenings of this session, it behooves all of us to understand the accomplishments and not just the disappointments and failures.

This Legislature was faced with major problems—the likes of which we have not seen in recent times. But as a result, the legislators were given—

as I mentioned in my Inaugural Address—"the thrilling challenge of leadership in making good choices."

It was my firm opinion then that property taxes in our state were increasing so rapidly that the quality of living for our elderly, low income citizens, farmers, many of our businessmen, and most of our Iowans was being materially and adversely affected. Since approximately 60 percent of property taxes have been for the purpose of financing local schools, it was therefore necessary to face the issue of school spending and the necessity of developing a school aid program that would distribute funds for local education more fairly and more equitably.

I have also continued to oppose the raising of any tax to an extent that was unnecessary.

You, as Legislators, responded to these critical needs. While many advocated raising far more new tax money and while the pressure was on you to impose a local income tax and increase the sales tax as well as take the state income tax to its full rate, I applaud you for resisting the temptation to raise more taxes than were necessary to answer these major and serious problems.

No revenue plan or program could be received with complete satisfaction or approval of any individual, whether he be a legislator, governor, or other citizen. After lengthy and exhaustive debate on the subject of how to distribute aid to our Iowa public schools, the majority of you concluded as I did that the foundation program was superior to the alternatives.

This program not only gives immediate relief to the heavily-burdened property taxpayer, but will continue to be of benefit to them into the future. This distribution plan is designed to do the following:

1. Stop further escalation of already burdensome property taxes paid for school support;
2. Provide reasonable spending restrictions on local schools regardless of the source of the funds;
3. Distribute the aid where the students are, reflecting increases and decreases in student enrollment;
4. Insure equalization of educational opportunity;
5. Eliminate the schools' open-ended access to property tax funds;
6. Establish a school-financing process which recognizes an Iowan's ability to pay;
7. Cease rewarding the inefficient or high-spending school district.

For the first time in our history, the state can guarantee property owners that if the school costs in their districts do not exceed the average in the state, and if any increased rate of spending does not exceed the economic growth of the state, their taxes for local school support will not go beyond what they are now paying. In most school districts, the millage levies for school support will actually drop.

Legislative reapportionment and congressional redistricting are never easy or simple. In this Session you were confronted with both of these problems because it is necessary that our legislators and congressmen represent districts that reflect the population shifts in Iowa as revealed by the 1970 census.

I will not attempt in this communication to itemize all the measures that have or will become law or those that disappointingly did not make the grade. I would choose, however, to touch upon a few of your important ac-

complishments and some unfinished business that I consider part of my program and of prime concern, not only to me, but to the citizens of our state.

You enacted two very vital pieces of legislation that were recommended by the Governor's Economy Committee. I commend you for their passage.

The reorganization of the Iowa Liquor Control Commission will change the structure of this agency allowing it to do a more economical and efficient job and at the same time enable it to respond more adequately to the demands of our citizens.

The creation of the Central Services Administration will mandate centralized purchasing and incorporate business-like procedures that will improve the efficiency of state government.

The members of the Governor's Economy Committee have now been assured that the extensive time and effort they contributed to help their government do a better job have **materialized into constructive change**. Studies and reports so often have been shelved only to collect dust.

This is not the case with the Governor's Economy Report—there is now concrete evidence that private citizens can make a substantial contribution to their government. For this effort, I again publicly extend my thanks to the many who participated in the Governor's Economy Committee.

Pollution, environment, and ecology are all emotion-packed words. They are as important as they are emotional. One of the milestones in the history of our state in this area is the soil conservancy law which you enacted. Left unfinished was my request for an Environmental Quality Control Agency bill—the passage which would have been beneficial in our fight against pollution. It remains alive and it is my hope that this will clear the House early in the next session.

In the matter of human pollution, you wisely adopted the Uniform Drug Control Act which for the most part will be of benefit in our Drug Abuse Program.

You promptly ratified the Constitutional Amendment lowering the voting age to 18. I have long been an advocate of allowing our young people to participate in the affairs of government and the society in which they live. It is not enough that we merely allow these young citizens to vote; we must welcome them enthusiastically into the governmental and political processes, not reluctantly accept them.

This Legislature wisely corrected a deficiency in control laws for the storage, sale and use of dynamite. Also enacted was a trespassing law that will afford a means of protection to people who own property.

While I do not agree with a number of your appropriations adopted including those for the Board of Regents and higher education, I am pleased that you followed my recommendation for the Iowa Tuition Grant Program. The latter affords hundreds of our young people the opportunity to attend colleges of their choice, thus benefiting our students, their parents, our excellent colleges and universities. At the same time this worthwhile program serves to lessen the load on the taxpayer that would be greater were all of these students attending state-supported schools. The Tuition Grant Program works.

Cities and towns will gain from this session of the Legislature substantially beyond any assistance they have received before from state government even though the amount of aid allocated to them was slightly less than my recommendations.

If future legislative sessions are as lengthy as the one you are concluding today, the toll on good legislators will be extremely high.

No session ends without disappointments as well as accomplishments. In that regard this session is no exception.

While it is imperative that the next legislative session be nowhere near as time-consuming as this one, it is important in my judgment that it adopt the Uniform Trial Court System which has passed one house. This measure, one I have long urged, is needed to upgrade our archaic court structure and would go far in restoring much needed respect for law.

The people of this state voted a home rule amendment to our Constitution, a great amount of work has been done by an Interim Committee to develop a home rule bill that would bring the Iowa Code into conformity with that Constitutional Amendment. This bill passed one house and remains to be acted upon by the other. I highly recommend that no more time be allowed to elapse and that this bill receive favorable consideration at the beginning of the next session.

I am still of the opinion that there is need for a collective bargaining procedure which did not receive attention during this session.

Despite repeated urging from this office to the leadership, this Legislature did not enact the billboard and junkyard bills which are needed if Iowa is to be in compliance with the Highway Safety Act.

These bills have been set as a special order of business for the second session; they deserve immediate attention.

It was disappointing that the bill which would have authorized regional correctional facilities did not receive favorable passage in the Senate in spite of support from both major political party platforms, our Social Services Department, the State Crime Commission, Governor's Economy Committee, and my recommendation.

Also, both major political party platforms called for the modernization of our abortion law and surveys established that the majority of the people favored such change, yet it, too, was defeated.

Help was given for our non-public schools which is indeed commendable. Fortunately, this action appears to be within the framework of the Supreme Court of the United States which other recommendations advanced would not have been based upon the Court's decisions of yesterday.

You have just finished a very grueling session of legislation. You experienced many agonizing moments as you had to face impending decisions that were, as I said in my Inaugural Address, "difficult—even hazardous." As a result, many worthwhile accomplishments have resulted.

The people of this state are entitled to know about them. Where there were disappointments, then it is up to you as legislators, me as Governor, and the people of this state as interested parties, to work between now and the next session to achieve the goals that remain unmet.

Thank you.

Sincerely,
ROBERT D. RAY
Governor

The report was received and the committee discharged.

FINAL ADJOURNMENT

By virtue of Senate Concurrent Resolution 38, duly adopted, the day of June 19, 1971, having arrived, President Jepsen declared the First Regular Session (1971) of the Sixty-fourth General Assembly adjourned.

SUPPLEMENT TO THE SENATE JOURNAL

BILLS AND RESOLUTIONS APPROVED SUBSEQUENT TO ADJOURNMENT

The following list shows the bills and resolutions approved by the Governor and transmitted to the Secretary of State after the close of the first regular session:

- S. F. 37—Permitting counties to become associated with the Iowa State Association of Counties. Approved June 30, 1971.
- S. F. 199—Relating to prohibited advertising practices by chiropractors and providing a penalty therefor. Approved June 30, 1971.
- S. F. 503—Relating to the salaries of county officers. Approved June 30, 1971.
- S. F. 510—Relating to sales and use tax, the distribution of revenue therefrom, and providing penalties. Approved June 30, 1971.
- S. F. 514—Increasing the tax on beer. Approved June 30, 1971.
- S. F. 544—Making an appropriation from the general fund of the state to the commission on alcoholism. Approved July 1, 1971, with the exception of Section 1, subsection 3. See Governor's item veto message.
- S. F. 550—Relating to the judicial retirement system. Approved June 30, 1971.
- S. F. 555—Appropriating from the general fund of the state for capital improvements for the Iowa law enforcement academy. Approved June 30, 1971, with the exception of Section 3. See Governor's item veto message.
- S. F. 556—Creating and making an appropriation to the executive council general contingent fund. Approved June 30, 1971, with the exception of Section 1, paragraph 2. See Governor's item veto message.
- S. F. 557—Appropriating from the general of the state to the department of public safety and various divisions thereof. Approved June 30, 1971.
- S. F. 563—Appropriating from the general fund of the state to the state historical society. Approved June 30, 1971.
- S. F. 565—Making an appropriation to the department of social services and divisions thereof, including the board of parole, and providing for a study committee. Approved July 17, 1971, with the exception of Section 12. See Governor's item veto message.
- S. F. 571—Relating to the effective date of the Act regulating motor vehicle odometers. Approved June 30, 1971.
- S. F. 572—Relating to the control and use of state funds, powers and duties of the budget and financial control committee and providing an appropriation. Approved July 17, 1971, with the exception of

Section 3, Section 4 and Section 5. See Governor's item veto message.

- S. F. 573—Appropriating from the primary road fund to the state highway commission, and relating to employees of the state highway commission under the state merit system. Approved June 30, 1971.
- S. F. 574—Relating to the remittance of sales and use tax receipts to the the department of revenue. Approved June 30, 1971.
- S. F. 576—Appropriating from the general fund of the state to various state departments and their divisions, and transferring and appropriating from certain departmental funds. Approved June 30, 1971.
- S. F. 577—Appropriating to the department of public instruction for reimbursements to school districts and county boards of education. Approved June 30, 1971.
- S. F. 578—Making an appropriation to the Iowa development commission. Approved June 30, 1971.
- S. F. 579—Making an appropriation to the supreme court and district courts. Approved June 30, 1971.
- S. F. 580—Relating to an appropriation for payment of certain damages occasioned by the nonnegligent operation of an Iowa highway safety patrol vehicle. Approved June 30, 1971.
- S. F. 581—Making an appropriation from the general fund of the state to the executive council for a training facility for family practitioners at Broadlawns Polk County Hospital. Approved June 30, 1971.
- S. F. 582—Appropriating from the general fund of the state to the department of public instruction for driver's training aid and providing for administrative expenses. Approved June 30, 1971.
- S. F. 583—Establishing the salary rate for the superintendent of the department of public instruction. Approved June 30, 1971.
- S. F. 584—Appropriating funds from the general fund of the state for capital improvements and purchases of land for institutions under the state board of regents including construction of new buildings, repairs, improvements, land purchases, replacements, or alterations, and providing for joint control of the expenditure thereof by the board of regents, the governor, and the state comptroller. Approved June 30, 1971.
- S. F. 586—Appropriating funds from the general fund of the state to the **state board of regents to reimburse state educational institutions** for deficiencies in operating revenues resulting from funds pledged to finance academic and administrative buildings and facilities and utilities services. Approved July 2, 1971, with the **exception of Section 5. See Governor's item veto message.**
- S. F. 587—Appropriating funds from the general fund of the state to the state board of regents to reimburse state educational institutions

for deficiencies in operating revenues resulting from funds pledged to finance academic and administrative buildings and facilities and utilities services. Approved June 30, 1971.

- S. F. 588—Providing an appropriation from the general fund of the state to the state board of regents to replace building space and equipment lost through fire at the University of Northern Iowa. Approved June 30, 1971.
- S. F. 589—Making appropriations to members of the committee on child labor for per diem and expense claims for services rendered. Approved June 30, 1971.
- S. F. 591—Making an appropriation to the Iowa American Revolution Bicentennial Commission. Approved June 30, 1971.
- S.C.R. 32—Relating to state board of regents bonding authorization. Approved June 30, 1971.
- S.C.R. 33—Relating to state board of regents bonding authorization. Approved June 30, 1971.
- H. F. 46—Relating to slow-moving vehicle warning devices. Approved June 30, 1971.
- H. F. 129—Creating a department of general services, transferring services presently performed by designated state agencies to the department of general services, eliminating the performance of certain duties, and providing penalties. Approved July 13, 1971.
- H. F. 164—Relating to the adoption of children. Approved June 30, 1971.
- H. F. 182—Providing a relocation advisory assistance program and relocation payments to persons displaced by highway projects. Approved June 30, 1971.
- H. F. 225—Relating to municipal judges. Approved June 30, 1971.
- H. F. 236—Relating to the establishment of rest areas or rest area buildings on interstate highways. Approved June 30, 1971.
- H. F. 271—Requiring that railway employees be provided adequate sanitation and shelter. Approved June 30, 1971.
- H. F. 317—Relating to supervision of local budget preparation. Approved June 30, 1971.
- H. F. 330—Relating to the right-of-way rules of vessel traffic. Approved June 30, 1971.
- H. F. 386—Relating to travel trailers. Approved July 15, 1971.
- H. F. 393—Relating to waiver of right to jury trial in indictable misdemeanor cases. Approved June 30, 1971.
- H. F. 466—Authorizing counties operating county public hospitals to issue revenue bonds. Approved June 30, 1971.
- H. F. 503—Relating to levee and drainage districts. Approved June 30, 1971.

- H. F. 537—Relating to the age requirement for marriage. Approved June 30, 1971.
- H. F. 546—Relating to contempt actions in paternity cases. Approved June 30, 1971.
- H. F. 565—To legalize and validate the proceedings of the city council of the City of Windsor Heights and the city council of the City of Clive, in the county of Polk, state of Iowa, in adopting an intergovernmental corporation boundary agreement and establishing a portion of their common corporation boundary line and in taking action in reliance thereon. Approved June 30, 1971.
- H. F. 573—Relating to fish and game licenses and fees. Approved June 30, 1971.
- H. F. 625—Relating to city and town ordinances. Approved June 30, 1971.
- H. F. 654—Providing state aid to schools, school district property taxes, imposing a school district income tax, relating to the state individual and corporate income tax, sales and use tax exemptions, property tax relief for the elderly and disabled, taxation of municipal interstate toll bridges, and providing aid to cities, towns and counties. Approved June 30, 1971.
- H. F. 666—Relating to salaries, vacation, and sick leave for state employees. Approved June 30, 1971.
- H. F. 675—Relating to the payment of court costs. Approved June 30, 1971.
- H. F. 692—Appropriating administration and educational and training aid funds from the general fund of the state to the department of public instruction. Approved June 30, 1971.
- H. F. 693—Appropriating from moneys received by the Iowa aeronautics commission. Approved June 30, 1971.
- H. F. 696—Appropriating from the Iowa public employees' retirement system fund to the employment security commission for costs of the administration of the Iowa public employees' retirement system. Approved June 30, 1971.
- H. F. 700—Appropriating from moneys received by certain commissions, boards and departments. Approved June 30, 1971.
- H. F. 701—Appropriating from the general fund of the state to various state departments and their divisions. Approved June 30, 1971.
- H. F. 703—Appropriating from the general fund of the state to the Iowa reciprocity board. Approved June 30, 1971.
- H. F. 704—To extend and improve the federal-state unemployment compensation program. Approved June 30, 1971.
- H. F. 705—Appropriating to the department of history and archives. Approved June 30, 1971.
- H. F. 708—Appropriating to the commission on aging. Approved June 30, 1971.
- H. F. 709—Appropriating from the general fund of the state to the depart-

ment of public instruction and relating to renewal fees for certificates. Approved June 30, 1971.

- H. F. 710—Relating to sewage treatment projects and appropriating from the general fund of the state for the sewage works construction fund. Approved June 30, 1971.
- H. F. 713—Relating to the election laws. Approved June 30, 1971.
- H. F. 716—To legalize and validate the procedures followed by the Poweshiek County board of supervisors in contracting for the repair and remodeling of Poweshiek County jail at Montezuma, Iowa. Approved June 30, 1971.
- H. F. 719—Appropriating funds transferred to the marine fuel tax fund to the state conservation commission. Approved June 30, 1971.
- H. F. 720—To appropriate the fish and game protection fund for use by the state conservation commission. Approved June 30, 1971, with the exception of Section 7. See Governor's item veto message.
- H. F. 721—Relating to the administration fund of the state conservation commission. Approved June 30, 1971.
- H. F. 722—Appropriating from the general fund of the state to the state conservation commission. Approved June 30, 1971.
- H. F. 723—Appropriating from the general fund of the state to the state conservation commission for carrying out specific projects. Approved June 30, 1971, with the exception of Section 4. See Governor's item veto message.
- H. F. 724—Appropriating funds from the general fund of the state to the state board of regents and institutions under the control of the board and to the higher education facilities commission for the tuition grant program. Approved June 30, 1971.
- H. F. 728—Appropriating from the general fund of the state to the department of agriculture and its various divisions. Approved June 30, 1971.
- H. F. 729—Relating to the appointment of notaries public by the secretary of state. Approved June 30, 1971.
- H. F. 730—Making an appropriation from the general fund of the state for the state department of health and its divisions. Approved June 30, 1971.
- H. F. 731—Appropriating from the general fund of the state to the higher education facilities commission. Approved June 30, 1971.
- H. F. 732—Establishing the composition of the general assembly and providing for election of the members thereof. Approved June 30, 1971.
- H. F. 735—Authorizing the state highway commission to acquire existing interstate bridges, including partially constructed interstate bridges, to complete, improve, repair, remodel, or reconstruct interstate bridges and to issue revenue bonds therefor. Approved June 30, 1971.

- H. F. 736—Making an appropriation from the general fund of the state to the Iowa liquor control commission for capital improvements. Approved June 30, 1971.
- H. F. 738—Appropriating from the general fund of the state to the educational radio and television facility board. Approved June 30, 1971.
- H. F. 739—Setting the salary rate for state officials and designated employees of the state. Approved June 30, 1971.
- H. F. 741—Relating to payment of general school aid to merged areas, and providing an appropriation. Approved June 30, 1971.
- H. F. 742—Authorizing and directing the issuance of a patent to certain real estate by the governor and secretary of state to the United States of America. Approved June 30, 1971.
- H. F. 744—Making an appropriation to merged Area I for the purpose of implementing the provisions of law requiring an area vocational attendance center. Approved June 30, 1971.

GOVERNOR'S ITEM VETO MESSAGES

June 30, 1971

The Honorable Melvin D. Synhorst
Secretary of State
State Capitol
Local

Dear Mr. Synhorst:

I hereby transmit Senate File 555, an act to provide an appropriation from the General Fund of the State for capital improvements for the Iowa Law Enforcement Academy.

Senate File 555 is approved June 30, 1971, with the following exception: I am unable to approve Item 3 designated as Section 3 in the Act which reads as follows:

Sec. 3. Plans and specifications for improvements for which funds are appropriated by this Act shall be submitted to the budget and financial control committee for approval, except that items commonly known as change orders need not be submitted to the budget and financial control committee unless such change orders actually increase the total cost of the project."

I have disapproved this Item because it violates the constitutional separation of the legislative and the executive branches of government. If the Budget Financial Control Committee performed its duties under this Item and exercised the powers given to it, the committee would be acting in an executive capacity or using delegated legislative powers. In either situation, they would be acting unconstitutionally. (1963 OAG 44, June 14, 1963)

I hereby disapprove this Item as provided for in the Amendment to the Constitution of the State of Iowa adopted in 1968. All other Items of Senate File 555 are hereby approved this date.

Sincerely,

ROBERT D. RAY
Governor

June 30, 1971

The Honorable Melvin D. Synhorst
Secretary of State
State Capitol
Local

Dear Mr. Synhorst:

I hereby transmit Senate File 556, an act creating and making an appropriation to the Executive Council General Contingent Fund.

Senate File 556 is approved June 30, 1971, with the following exception: I am unable to approve that Item designated as the second paragraph of Section 1 which reads as follows:

"Before any of the funds appropriated by this Act shall be allocated, a written recommendation shall first be obtained from the state comptroller and the executive council shall determine that the proposed allocation shall be for the best interest of the state. Any allocation in excess of thirty-five thousand dollars must be approved by the budget and financial control committee. The executive council shall not spend any money out of the contingent fund while the legislature is in session."

I have disapproved this Item because it violates the constitutional separation of the legislative and the executive branches of government. If the Budget Financial Control Committee performed its duties under this part of Section 1 and exercised the powers given to it, the committee would be acting in an executive capacity or using delegated legislative powers. In either situation, they would be acting unconstitutionally. (1963 OAG 44, June 14, 1963)

In addition, the Executive Council is composed of state officials elected by people of the entire State of Iowa; if they are competent to handle a contingent fund when the legislature is not in session, then they are certainly competent to handle the same fund when the legislature is in session.

I hereby disapprove this Item as provided for in the Amendment to the Constitution of the State of Iowa adopted in 1968. All other Items of Senate File 556 are hereby approved this date.

Sincerely,
ROBERT D. RAY
Governor

June 30, 1971

The Honorable Melvin D. Synhorst
Secretary of State
State Capitol
Local

Dear Mr. Synhorst:

I hereby transmit House File 720, an act to appropriate the Fish and Game Protection Fund for use by the State Conservation Commission.

House File 720 is approved June 30, 1971, with the following exception: I am unable to approve Item 7 designated as Section 7 in the Act which reads as follows:

"Sec. 7. When the state conservation commission has approved a capital improvement project to be financed from the state fish

and game protection fund, a description of the project and estimated cost shall be reported to the budget and financial control committee for approval. Upon approval by the budget and financial control committee, the project shall be reported to the governor and state comptroller for allocation of funds."

I have disapproved this section because it violates the constitutional separation of the legislative and executive branches of government. If the Budget Financial Control Committee performed its duties under this section and exercised the powers given to it, the committee would be acting in an executive capacity or using delegated legislative powers. In either situation, they would be acting unconstitutionally. (1963 OAG 44, June 14, 1963)

I hereby disapprove this item as provided for in the Amendment to the Constitution of the State of Iowa adopted in 1968. All other items of House File 720 are hereby approved this date.

Sincerely,

ROBERT D. RAY
Governor

June 30, 1971

The Honorable Melvin D. Synhorst
Secretary of State
State Capitol
Local

Dear Mr. Synhorst:

I hereby transmit House File 723, an act to appropriate from the General Fund of the State of Iowa to the State Conservation Commission for carrying out specific projects.

House File 723 is approved June 30, 1971, with the following exception: I am unable to approve Item 4 designated as Section 4 in the Act which reads as follows:

"Sec. 4. When the state conservation commission has approved a project to be financed with funds appropriated by section one (1) of this Act, a description of the project and estimated cost shall be reported to the budget and financial control committee for approval. Upon approval by the budget and financial control committee the project shall be reported to the governor and state comptroller for allocation of funds."

I have disapproved this section because it violates the constitutional separation of the legislative and the executive branches of government. If the Budget Financial Control Committee performed its duties under this Section and exercised the powers given to it, the committee would be acting in an executive capacity or using delegated legislative powers. In either situation, they would be acting unconstitutionally. (1963, OAG 44, June 14, 1963)

I hereby disapprove this item as provided for in the Amendment to the Constitution of the State of Iowa adopted in 1968. All other items of House File 723 are hereby approved this date.

Sincerely,

ROBERT D. RAY
Governor

July 1, 1971

The Honorable Melvin D. Synhorst
Secretary of State
State Capitol
Local

Dear Mr. Synhorst:

I hereby transmit Senate File 544, an act making an appropriation from the general fund of the State to the Commission on Alcoholism.

Senate File 544 is hereby approved July 1, 1971, with the following exception: I am unable to approve the Item designated as subsection 3 of Section 1, which reads as follows:

"No part of the appropriation provided for the treatment of alcoholism in subsection two (2) of this section shall be used for salaries, support and maintenance of the commission on alcoholism, excluding individuals employed by local alcoholism or detoxification units. No local alcoholism or detoxification facility shall be allocated more than fifteen percent of the appropriation provided for the treatment of alcoholism in subsection two (2) of this section."

This subsection imposes a specific limitation on the amount of financial support that the Alcoholism Commission can provide for any alcoholism or detoxification facility regardless of its success in treating and rehabilitating alcoholics, its record of performance, or the need for its existence. This subsection destroys the very concept for which we established a fund in 1969 for the first time to provide state funds to help our citizens who found themselves losing jobs, their families, self-respect and hope because of a drinking problem.

There existed at that time two facilities which were designed and in operation to directly treat and aid the alcoholic. They were the Harrison and Oakdale Treatment Centers. Each was a proven and established success. Neither was exclusively a local center and both were available and, by the law enacted, became treatment centers for alcoholics from any and all counties of our state. The Harrison Treatment Center has been of service to patients from all ninety-nine counties and treats all or nearly all of the patients from a number of counties at the present time. The Harrison Treatment Center is closely oriented to Alcoholics Anonymous, which was a pioneer in the successful rehabilitation of alcoholics and continues to be a prominent factor in helping these people.

Our original program of state participation in fighting alcoholism allowed for sufficient flexibility to permit the Commission to use some of its funds for service centers. There was no intent for the state to be a main source of finances for these centers. They were recognized as being able to perform a very valuable service in local communities. They do not serve in the same capacity or in the same manner as the Harrison and Oakdale Treatment Centers, however. They do call for extensive participation from community-minded people, which is basically their strength. It is imperative that the state recognize the importance of these service centers. It is also, however, important that we not allow the Harrison Treatment Center, which serves our entire state, to deteriorate or go out of business.

This provision of limitation could well cause such a result. This would be tragic. I do not feel I can let this happen.

I hereby disapprove this said subsection as provided for in the Amendment to the Constitution of the State of Iowa adopted in 1968. All other items of Senate File 544 are hereby approved this date.

Sincerely,

ROBERT D. RAY
Governor

July 2, 1971

The Honorable Melvin D. Synhorst
Secretary of State
State Capitol
Local

Dear Mr. Synhorst:

I hereby transmit Senate File 586, an act to appropriate funds from the general fund of the State of Iowa to the State Board of Regents to reimburse state educational institutions for deficiencies in operating revenues resulting from funds pledged to finance academic and administrative buildings and facilities and utilities services.

Senate File 586 is approved July 2, 1971 with the following exception: I am unable to approve Item 5 designated as Section 5 in the Act which reads as follows:

"Sec. 5. Chapter two hundred sixty-two A (262A), Code 1971, is amended by adding the following new section: On and after the taking effect of this Act, the board shall issue no more bonds as provided for in this chapter. The state of Iowa shall be paid with interest on or before maturity date."

I have disapproved this Item because it effectively repeals Chapter 262A, 1971 Code of Iowa, authorizing the Board of Regents to issue and sell revenue bonds for construction of academic and related facilities.

It would also rescind the actions of this very same legislature in its passage of Senate Concurrent Resolution 33, which specifically authorized the issuance of \$18,933,000 in new academic revenue bonding authority as well as reauthorizing \$3,435,000 in bonding authority by the first session of the last General Assembly for the veterinary medicine facility at Iowa State University, Ames.

The first session of the Sixty-Fourth General Assembly, in addition to the passage of Senate Concurrent Resolution 33, passed three other measures declaring its intent to provide that certain academic facilities at our universities be financed by bonding authority as provided in Chapter 262A.

This Item was added in the closing moments of the session, and is in direct conflict with previous measures passed during the same session. Therefore, I can only conclude that many legislators were not fully aware of the consequences of the inclusion of this section. On the other hand, many members of the Senate were concerned enough to vote a resolution requesting that I exercise my right of Item Veto to prevent the repeal of 262A.

This Item would effectively prohibit the Board of Regents from providing matching funds for federal grants for the construction of the \$25.5 million veterinary medicine facility at Iowa State University. I believe this prohibition would be detrimental to the interests, both economic and educationally, of the state of Iowa.

The long-range financing of needed classroom, laboratory and other aca-

demc facilities has been established so that planning at our universities can extend beyond the present and so sound business practices can be used in planning and construction.

I hereby disapprove Item 5, designated as Section 5 in the Act, as provided for in the Amendment to the Constitution of the State of Iowa adopted in 1968. All other Items of Senate File 586 are hereby approved this date.

Sincerely,

ROBERT D. RAY
Governor

July 17, 1971

The Honorable Melvin D. Synhorst
Secretary of State
State Capitol
Local

Dear Mr. Synhorst:

I hereby transmit Senate File 565, an act making an appropriation to the Department of Social Services and divisions thereof, including the Board of Parole, and providing for the administration thereof and providing for a study committee.

Senate File 565 is approved July 17, 1971, with the following exception: I am unable to approve Item 12 designated as Section 12 in the Act which reads as follows:

"No person shall be admitted on a voluntary basis to a mental health institute under the control of the department of social services for the treatment of alcoholism unless he has been admitted to a facility defined in section one hundred twenty-three B point one (123B.1) of the Code, and referred by the facility to the mental health institute."

This vetoed Item, if allowed to stand, could effectively prevent alcoholics from obtaining care and treatment at the time when they need it the most.

While I recognize that this Provision could in some cases lead an alcoholic to a service center where he could be helped, avoiding admittance to a mental health institution, the hardships that this Provision creates could adversely affect care, treatment, rehabilitation and the future of many other alcoholics. The disadvantages outweigh the advantages.

When an alcoholic seeks help, it is imperative that we provide him with the easiest access possible to the treatment services available.

Section 12 of this bill would deny an alcoholic the privilege of voluntarily appearing at one of our mental health hospitals for treatment unless referred. Nearly 75 percent of the alcoholics treated at our mental health hospitals are there voluntarily. Requiring an individual badly in need of immediate treatment, or who is in a frame of mind to accept such treatment, to go to a third party for admittance could greatly hinder alcoholic rehabilitation and could irreparably damage individuals seeking help.

While not all alcoholics are cured by the treatment they receive from our mental health hospitals or from any other facility, it is not only humane to make available voluntary treatment, but it is also economically wise. It

makes good sense to have different types of services available to those who seek and need assistance in overcoming drinking problems.

But if we are serious about helping those who have the problem, then we should provide easy access to the facilities available. We should not discourage the alcoholic from seeking help by making it more complicated and difficult to get into a hospital.

The provision requires that a person be referred by a facility defined in Section 123B.1 of the Code, but such facilities do not exist in every county. As a matter of fact, there exists only eighteen county programs or facilities, including Oakdale and the Harrison Detoxification Center. Section 12 of this bill would require an alcoholic seeking help through one of our mental health hospitals to first obtain permission from one of these facilities—that might be a considerable distance from his home—before he could be admitted into the hospital. By the time approval is obtained, the patient could easily become discouraged and resist any help to overcome his alcoholism.

Many general hospitals in the state discourage the admittance of alcoholic patients since they have no program for this type of health care. We should encourage voluntary commitment where alcoholism treatment programs do exist.

This Item also runs counter to the approach of Alcoholics Anonymous, the largest alcoholic volunteer service in the state of Iowa, which has worked with alcoholics on a person to person basis and has encouraged voluntary commitment to our state hospitals. The requirement in this act making a referral by a third party mandatory would, in many instances, reduce the effectiveness of Alcoholics Anonymous in encouraging and following through on voluntary commitments.

This Section would also eliminate the referrals by the Office of Economic Opportunity's funded alcoholism programs, which are not connected with the State Alcoholism Commission-funded agencies. This Provision also would prevent a patient who wishes to and could pay for the services of a mental hospital, or who could have the services paid for by insurance, without having him first go through the red tape of obtaining approval of a third party facility. In effect, the patient's right to free choice of treatment would be curtailed.

This Provision refers to "a facility" handling the referral, yet does not establish who the person or persons would be to represent that facility and what their requirements would be. Even though alcoholism is generally recognized as a disease, there is no requirement that anyone making the referral have any specialized training, medical or otherwise, in judging to where the referral should be made.

For these reasons, and because this Section would tend to impose undue hardship on the sick alcoholic who requires prompt treatment and asks for it, I hereby disapprove said Item as provided in the amendment to the Constitution of the State of Iowa adopted in 1968. All other Items of Senate File 565 are hereby approved this date.

Sincerely,

ROBERT D. RAY
Governor

July 17, 1971

The Honorable Melvin D. Synhorst
Secretary of State
State Capitol
Local

Dear Mr. Synhorst:

I hereby transmit Senate File 572, an act relating to the control and use of state funds, powers and duties of the Budget and Financial Control Committee and providing an appropriation.

Senate File 572 is approved July 17, 1971, with the following exceptions:

I am unable to approve Item 3 designated as Section 3 in the Act which reads as follows:

"Sec. 3. Section two hundred eighteen point ninety-four (218.94), unnumbered paragraph one (1), Code 1971, is amended as follows:

The commissioner of the department of social services shall have full power, subject to the approval of the executive council *and after receiving the recommendation of the budget and financial control committee* to secure options to purchase real estate and to acquire and sell real estate for the proper use of said institutions. Real estate shall be acquired and sold upon such terms and conditions as the commissioner may recommend subject to the approval of the executive council *and after receiving the recommendation of the budget and financial control committee*. Upon sale of such real estate, the proceeds thereof shall be deposited with the treasurer of the state and credited to a *special trust fund to be held in such fund for the department of social services until the general assembly appropriate such funds.*"

I am unable to approve Item 4 designated as Section 4 in the Act which reads as follows:

"Sec. 4. CAPITAL IMPROVEMENTS. Before expending any funds for the construction of new buildings, repairs, improvements, replacements, or alterations, or any other capital expenditures, the contracts, plans and specifications, or plan of operation for improvements, shall be submitted to the budget and financial control committee for its recommendation."

I am unable to approve Item 5 designated as Section 5 in the Act which reads as follows:

"Sec. 5. Section two hundred sixty-two point nine (262.9), subsection five (5), Code 1971, is amended as follows:

5. With the approval of the executive council, acquire real estate for the proper uses of said institutions, and dispose of real estate belonging to said institutions when not necessary for their purposes. A disposal of such real estate shall be made upon such terms, conditions and consideration as the board may recommend and subject to the approval of the executive council *and after receiving the recommendation of the budget and financial control committee*. The proceeds of such sale shall be deposited with the treasurer of the state and credited to a *special trust fund to be held in such fund for the board of regents until the general assembly appropriates such funds*. All transfers shall be by state patent in the manner provided by law."

With these provisions stricken the Commissioner of the Department of Social Services and the Board of Regents are charged with the responsibility to purchase, acquire and sell property subject to the approval of the Executive Council. This provides a safeguard in the spending and use of funds for such purposes. Adding the requirement of a recommendation of the Budget Financial Control Committee not only creates a conflicting situation between the legislative and executive branches of government, but also would add a burden to necessary transactions that could affect the efficiency of the business conducted by the Board of Regents and Department of Social Services.

These Items being vetoed tend to diffuse the responsibility of the Department of Social Services and the Board of Regents, and could well result in delays and uncertainties regarding many projects. They provide no minimum size for improvements or transactions and a project consisting of only a few dollars would have to be submitted to the Budget and Financial Control Committee for its recommendation.

These Provisions also create a distinct time problem inasmuch as there is no limit set for the Budget and Financial Control Committee providing when it must act in making its recommendation. It further fails to provide a course of action in the event the Budget and Financial Control Committee fails to act.

Item 5 which affects the Board of Regents, would require some delay in providing benefits to students or to universities because the funds would be frozen in a special fund in the Office of the State Treasurer until the General Assembly could act.

There could be a reluctance to sell property if there is no assurance that the proceeds of the sale would be deposited in the original fund from which the purchase was made.

This Section would also tend to discourage real estate transaction beneficial to the state wherein a state agency or institution disposes of land of no further benefit to the state in exchange for funds to be used for the purchase of other land of potentially greater use.

For these reasons I hereby disapprove these three Items as provided in the amendment to the Constitution of the State of Iowa adopted in 1968. All other Items of Senate File 572 are hereby approved this date.

Sincerely,

ROBERT D. RAY
Governor

COMMUNICATIONS FROM THE SECRETARY OF STATE

June 28, 1971

Mr. Carroll Lane
Secretary of the Senate
State Capitol Building
Des Moines, Iowa 50309

I hereby certify that House File 66 was published in The Telegraph-Herald, Dubuque, Iowa, June 18, 1971, and in The Cascade Pioneer-Advertiser, Cascade, Iowa, June 24, 1971.

I further certify that House File 347 was published in The Cedar Rapids Gazette, Cedar Rapids, Iowa, June 14, 1971, and in The Telegraph-Herald, Dubuque, Iowa, June 14, 1971.

I further certify that House File 373 was published in The Telegraph-Herald, Dubuque, Iowa, June 17, 1971, and in The Cedar Rapids Gazette, Cedar Rapids, Iowa, June 15, 1971.

I further certify that Senate File 326 was published in The Albia Union-Republican, Albia, Iowa, May 27, 1971, and in The Knoxville Journal, Knoxville, Iowa, May 25, 1971.

Respectfully submitted,

MELVIN D. SYNHORST
Secretary of State

June 29, 1971

Mr. Carroll Lane
Secretary of the Senate
State Capitol Building
Des Moines, Iowa 50319

I hereby certify that House File 707 was published in The Daily Gate City, Keokuk, Iowa, June 24, 1971, and in the Evening Democrat, Fort Madison, Iowa, June 19, 1971.

Respectfully submitted,

MELVIN D. SYNHORST
Secretary of State

August 3, 1971

Mr. Carroll Lane
Secretary of the Senate
State Capitol Building
Des Moines, Iowa 50319

I hereby certify that House File 466 was published in the Algona Kossuth County Advance, Algona, Iowa, July 12, 1971, and in The Spirit Lake Beacon, Spirit Lake, Iowa, July 15, 1971.

I further certify that House File 515 was published in The Altoona Herald, Altoona, Iowa, June 3, 1971, and in the Lee Town News, Des Moines, Iowa, June 3, 1971.

I further certify that House File 565 was published in The West Des Moines Express, West Des Moines, Iowa, July 8, 1971, and in The Des Moines Register, Des Moines, Iowa, July 8, 1971.

I further certify that House File 686 was published in the Patriot-Chronicle, What Cheer, Iowa, June 17, 1971, and in The Colfax Tribune, Colfax, Iowa, June 17, 1971.

I further certify that House File 716 was published in The Montezuma Republican, Montezuma, Iowa, July 8, 1971, and in The Brooklyn Chronicle, Brooklyn, Iowa, July 8, 1971.

Respectfully submitted,

MELVIN D. SYNHORST
Secretary of State

LEGISLATIVE COUNCIL

(Section 2.49—Code 1971)

Lt. Governor Roger W. Jepsen, ex officio
 Speaker William H. Harbor
 Senator Vernon H. Kyhl, President Pro Tempore
 Senator Clifton Lamborn, Senate Majority Leader**
 Representative Andrew Varley, House Majority Leader*
 Senator Lee Gaudineer, Jr., Senate Minority Leader
 Representative Dale Cochran, House Minority Leader
 Senator James E. Briles
 Senator Arthur Neu
 Senator S. J. Brownlee
 Senator Eugene M. Hill
 Senator William D. Palmer
 Representative Dennis L. Freeman
 Representative Ed Skinner
 Representative Nathan Sorg
 Representative Delwyn Stromer
 Representative Michael T. Blouin
 *Chairman **Vice-Chairman

DEPARTMENTAL RULES REVIEW COMMITTEE

(Chapter 17A—Code 1971—4-year Term)

Representative Charles Grassley, Chairman (Term ending April 30, 1975)
 Senator John L. Mowry, Vice-Chairman (Term ending April 30, 1973)
 Senator Wayne D. Keith (Term ending April 30, 1975)
 Senator James F. Schaben (Term ending April 30, 1975)
 Representative Elizabeth Shaw (Term ending April 30, 1973)
 Representative D. Vincent Mayberry (Term ending April 30, 1973)

BUDGET AND FINANCIAL CONTROL COMMITTEE

(Section 2.41—Code 1971—4-year Term)

Representative Elmer H. Den Herder, Chairman
 (Term ending January 31, 1975)
 Senator Quentin V. Anderson (Term ending January 31, 1975)
 Senator Charles F. Balloun (Term ending January 31, 1975)
 Senator Bass Van Gilst (Term ending January 31, 1975)
 Senator Francis L. Messerly (Term ending January 31, 1973)
 Senator C. Joseph Coleman (Term ending January 31, 1973)
 Representative Richard M. Radl (Term ending January 31, 1973)
 Representative Keith Dunton (Term ending January 31, 1973)
 Representative Alfred Nielsen (Term ending January 31, 1973)
 Representative Edgar Holden (Term ending January 31, 1975)

CAPITOL PLANNING COMMISSION

(Chapter 18A—Code 1971—4-year Term)

Senator Wilson L. Davis (Term ending April 30, 1975)
 Senator James A. Potgeter (Term ending April 30, 1973)
 Representative Don D. Alt (Term ending April 30, 1973)
 Representative Luvern W. Kehe (Term ending April 30, 1975)

HIGHER EDUCATION FACILITIES COMMISSION

(Section 261.1—Code 1971)

Senator Rudy Van Drie (Term ending June 30, 1975)
 Representative Willard Hansen (Term ending June 30, 1975)

IOWA AMERICAN REVOLUTION BICENTENNIAL COMMISSION

(Chapter 1286, Sixty-Third General Assembly, Second Session)

Senator Charles Laverty
 Senator Lee H. Gaudineer, Jr.
 Representative Don D. Alt
 Representative Charles E. Knoblauch

INTERSTATE COOPERATION COMMISSION

(Chapter 28B—Code 1971)

Senator Vernon H. Kyhl (Term ending April 30, 1973)
 Senator James F. Schaben (Term ending April 30, 1973)
 Senator John M. Walsh (Term ending April 30, 1973)
 Senator James A. Potgeter (Term ending April 30, 1973)
 Senator James W. Griffin, Sr. (Term ending April 30, 1973)
 Representative Vernon N. Bennett (Term ending April 30, 1973)
 Representative John Camp (Term ending April 30, 1973)
 Representative Harold O. Fischer (Term ending April 30, 1973)
 Representative Joan Lipsky (Term ending April 30, 1973)
 Representative Dale Tieden (Term ending April 30, 1973)

COMMISSION ON THE AGING

(Chapter 249B—Code 1971—4-year Term)

Senator Bass Van Gilst (Term ending June 30, 1973)
 Senator Tom Riley (Term ending June 30, 1975)
 Senator John C. Rhodes (Term ending June 30, 1973)
 Representative A. Gordon Stokes (Term ending June 30, 1975)
 Representative Clair Strand (Term ending June 30, 1975)
 Representative Tom Dougherty (Term ending June 30, 1973)

IOWA STATE FAIR AND WORLD FOOD
EXPOSITION STUDY COMMITTEE

(S. J. R. 24—Sixty-third General Assembly, First Session, Chapter 329)

President of the Senate
 Speaker of the House
 Senator C. Joseph Coleman
 Representative Norman G. Rodgers
 Chris Wagler, President, Iowa State Fair Board, Bloomfield
 L. B. Liddy, Secretary of Agriculture, State House
 Robert H. Lounsberry, Director Marketing Division, Department of Agriculture, State House
 Dr. W. Robert Parks, President, Iowa State University
 Chad Wymer, Director, Iowa Development Commission
 Kenneth R. Fulk, Secretary, Iowa State Fair Board

**ADVISORY INVESTMENT BOARD OF THE
IOWA PUBLIC EMPLOYEES' RETIREMENT SYSTEM**

(Section 97B.8—Code 1971)

Senator James W. Griffin, Sr. (Term ending June 30, 1973)
Representative Leonard C. Andersen (Term ending June 30, 1973)

LAW ENFORCEMENT ACADEMY COUNCIL

(Chapter 80B—Code 1971—4-year Term)

Senator Harold A. Thordsen (Term ending August 14, 1975)
Representative Perry L. Christensen (Term ending August 14, 1973)

MEDICAL ASSISTANCE COUNCIL

(Section 249A.4(8)—Code 1971)

Senator Earl G. Bass (Term ending June 30, 1973)
Senator Gene V. Kennedy (Term ending June 30, 1973)
Representative Joan Lipsky (Term ending June 30, 1973)
Representative Hallie Sargisson (Term ending June 30, 1973)

**FUNCTIONAL CLASSIFICATION OF
HIGHWAYS ADVISORY COMMITTEE**

(Chapter 1126—Acts of Sixty-third General Assembly, Second Session)

Senator Lucas J. DeKoster
Senator Francis L. Messerly
Representative Perry L. Christensen
Representative Theodore R. Ellsworth

IN MEMORIAM

Senate

ELIJAH, EARL	Nov. 29, 1887—Jan. 31, 1971
EVANS, KENNETH A.	Nov. 9, 1898—Dec. 11, 1970
FORSLING, LINUS B.	Mar. 23, 1890—May 2, 1970
HULTMAN, OSCAR N.	Nov. 2, 1887—Sep. 14, 1969
MILLHONE, PAUL LAMBERT	Dec. 8, 1892—June 26, 1970
PATTERSON, GEORGE W.	Sep. 4, 1887—Feb. 25, 1971
SULLIVAN, CHARLES K.	Aug. 14, 1908—Feb. 13, 1971
THURSTON, LLOYD	Mar. 27, 1880—May 7, 1970

EARL ELIJAH

MR. PRESIDENT: Your committee, appointed to prepare a suitable resolution commemorating the life, character and public service of the late Honorable Earl Elijah, begs leave to submit the following memorial:

Earl Elijah was born on a farm near Clarence, Iowa, on November 29, 1887. He was graduated from the Clarence High School, Cornell College and Iowa State University, where he was a member of the Adelante fraternity and the Alpha Zeta honorary scholastic fraternity. On December 25, 1913, he was married to Murl Greer. They had two sons, Robert and Richard, both of whom are farming in the Clarence area. Mr. Elijah began farming in 1913 and was selected a Master Farmer in 1928. He was president of the Clarence Savings Bank from 1931 until his death.

He served as President of the Clarence School Board for six years, the County Farm Bureau for three years, and the Iowa Swine Producers Association. He was a member of the State Soil Conservation Committee for eight years and served officially with many local, state and national agricultural organizations.

He was active in the Methodist Church, where he served as trustee of three conference institutions, as lay leader of the North Iowa Conference, and as a delegate to two general conferences.

Earl Elijah served the State of Iowa as Senator from Cedar, Jones, Jackson and Muscatine Counties during the Fifty-fifth, Fifty-sixth, Fifty-seventh, Fifty-eight, Fifty-ninth, Sixtieth and Sixtieth Extra General Assemblies.

He died on January 31, 1971.

Survivors include his wife, Murl; two sons, Robert and Richard; a sister, Mrs. Irving Finger, and six grandchildren.

Therefore, Be It Resolved by the Senate of the Sixty-fourth General Assembly of Iowa: That in the passing of the Honorable Earl Elijah, the state has lost an honored citizen and a faithful and useful public servant, and the Senate by this resolution would express its appreciation of his services to his community, state and nation and tender its sympathy and kindest regards to the members of his family.

Be It Further Resolved: That a copy of this resolution be spread upon the Journal of the Senate, and that the Secretary of the Senate be directed to forward an enrolled copy to the family of the deceased.

CLIFTON C. LAMBORN, Chairman
W. R. RABEDAUX
ROGER J. SHAFF

Committee

The resolution was unanimously adopted.

KENNETH A. EVANS

MR. PRESIDENT: Your committee, appointed to prepare a suitable resolution commemorating the life, character and public service of the late Honorable Kenneth A. Evans, begs leave to submit the following:

Kenneth A. Evans was born at Emerson, Iowa, November 9, 1898, and died at Red Oak, Iowa, December 11, 1970. He attended the Emerson public schools, St. James School at Faribault, Minnesota, Mercersburg Academy at Mercersburg, Pennsylvania, and the University of Illinois. He was a member of Phi Kappa Psi fraternity, all Masonic bodies, Shrine and American Legion. He was a Director of the Central Life Assurance Company for several years. He was a member of the town council at Emerson for ten years and served as chairman of the Republican Central Committee of Mills County for two years.

He was a member of the Iowa Senate in the Forty-seventh, Forty-eighth, Forty-ninth, Fiftieth and Fiftieth Extra General Assemblies, elected Lieutenant Governor in 1944 and reelected in 1946 and 1948.

He was engaged in the operation and management of farms in Iowa. He was married to Elsie B. Sharp, who preceded him in death. He is survived by three children, Robert L. Evans, Davenport, Iowa; Rosalie Belt, Red Oak, Iowa; Commander Arnold A. Evans, serving in the Navy, and eleven grandchildren.

Therefore, Be It Resolved by the Senate of the Sixty-fourth General Assembly of the State of Iowa: That, in the passing of the Honorable Kenneth A. Evans, the state has lost an honored citizen and a faithful and useful public servant and the Senate by this resolution would express its appreciation of his services to his community, state and nation and tender its sympathy and kindest regards to the members of his family.

Be It Further Resolved: That a copy of this resolution be spread upon the Journal of the Senate, and that the Secretary of the Senate be directed to forward an enrolled copy to the family of the deceased.

EARL G. BASS, Chairman
JAMES E. BRILES
JAMES F. SCHABEN

Committee

The resolution was unanimously adopted.

LINUS B. FORSLING

MR. PRESIDENT: Your committee, appointed to prepare a suitable resolution commemorating the life, character and public service of the late Honorable Linus B. Forsling, begs leave to submit the following memorial:

Linus B. Forsling was born in Sioux City, Iowa, on March 23, 1890. He attended grade and high schools in Sioux City and was graduated in law from Cumberland University. He began the general practice of law in 1915, and became a police judge of Sioux City in 1918.

Mr. Forsling had a long and successful career in the Iowa legislature.

He was first elected a state representative in 1920 and was reelected in 1922, 1924, 1926, 1928 and 1930. He was then elected to the Senate in 1938. Senator Forsling was a key legislator in 1939 in the successful drive for adoption of Governor George A. Wilson's extensive state reorganization plan. The Governor asked for and obtained consolidation of all state law enforcement agencies and the state motor vehicle division into the present Iowa Department of Public Safety. Prior to that time the highway patrol, the state bureau of investigation, the state fire marshal's office and the motor vehicle division were scattered under other state jurisdictions or were independent entities. Senator Forsling skillfully guided the plan to adoption by the Senate.

On January 14, 1937, he was married to Edith V. Cover.

From 1940 to 1958 Mr. Forsling served as a District Judge in the Fourth Judicial District (Monona and Woodbury Counties).

Therefore, Be It Resolved by the Senate of the Sixty-fourth General Assembly of Iowa: That in the passing of the Honorable Linus B. Forsling, on May 2, 1970, the State has lost an honorable citizen and a faithful and useful servant, and the Senate by this resolution would express its appreciation of his service, and tender its sympathy to the members of his family.

Be It Further Resolved: That a copy of this resolution be spread upon the Journal of the Senate and that the Secretary of the Senate be directed to forward an enrolled copy to the family of the deceased.

ALDEN J. ERSKINE, Chairman
JAMES SCHABEN
J. WESLEY GRAHAM

Committee

The resolution was unanimously adopted.

OSCAR N. HULTMAN

MR. PRESIDENT: Your committee, appointed to prepare a suitable resolution commemorating the life, character, and public service of the late Honorable Oscar N. Hultman, begs leave to submit the following memorial:

Oscar N. Hultman was born in Stanton, Iowa, November 2, 1887 of Swedish descent.

Mr. Hultman graduated from the Stanton High School and began his business career as a clerk in a general store and later accepted a position as assistant manager of a retail lumber business of which he became the manager, and later the owner. At the time of his death, Mr. Hultman had owned and operated his lumber business for forty years.

On June 8, 1935, he married Lola S. Johnson and to this marriage two sons were born; Donald Napoleon and Calvin Oscar.

Mr. Hultman was a member of the Mamerlund Lutheran Church of Stanton, Iowa, and was chairman of the building committee when the new church was built.

He was active in the Republican Party and served in the House of Representatives in the Forty-fifth, Forty-fifth Extra, Forty-sixth, Forty-sixth Extra, Forty-seventh, Forty-eighth and Fifty-sixth sessions of the General Assembly. He was elected to the Senate in 1944 and served there in the Fifty-first, Fifty-second, Fifty-third and Fifty-fourth sessions of the General Assembly. He was a Pioneer Lawmaker and served as vice president of this organization.

Mr. Hultman served as mayor and councilman of Stanton, was vice-president of the Houghton State Bank of Red Oak, Iowa; he served in the army in World War I and was a Charter and Fifty-year member of the Ernie Johnson American Legion Post; he was a member of the Za-Ga-Zig Shrine Temple; a thirty-second degree Mason and had been a Mason for fifty years; he was also a member of Knights of Pythias.

Mr. Hultman passed away September 14, 1969 at his summer home, a ranch near Moose, Wyoming. He is survived by his widow; two sons, Donald of Bellevue, Washington, and Calvin of Red Oak, Iowa, and three granddaughters.

Therefore, Be It Resolved by the Senate of the Sixty-fourth General Assembly of Iowa: That in the passing of the Honorable Oscar N. Hultman, the state has lost an honorable citizen and a faithful and useful public servant, and the Senate by this resolution would express its appreciation of his service, and tender its sympathy to the members of his family.

Be It Further Resolved: That a copy of this resolution be spread upon the Journal of the Senate and that the Secretary of the Senate be directed to forward an enrolled copy to the family of the deceased.

EARL G. BASS, Chairman
JAMES W. GRIFFIN, SR.
JAMES E. BRILES

Committee

The resolution was unanimously adopted.

PAUL LAMBERT MILLHONE

MR. PRESIDENT: Your committee, appointed to prepare a suitable resolution commemorating the life, character and public service of the late Honorable Paul Lambert Millhone, begs leave to submit the following memorial:

Paul Lambert Millhone was born in rural Page County, Iowa, on December 8, 1892, the son of Isaac Newton and Flora Wymore Millhone.

In 1931 he was one of the few Republicans elected to the House of Representatives. He was a member of the House until 1934, at which time he was elected Senator from Page and Fremont Counties, and continued to serve in the Senate until 1938.

Paul Millhone was a long time Clarinda attorney. During his lifetime, he was a leader in his community and throughout the State. His death occurred on June 26, 1970.

For nearly a half century he practiced law in Page County. He initially started the practice of law with the firm of Wilson & Keenan in Shenandoah

in 1922, and in 1925, when he was elected Page County Attorney, he moved to Clarinda, where he lived for the remainder of his life.

As a legislator and attorney, it was his conviction that the purpose of the law was to serve the people. He lived his life with the same conviction. He served his community and his state with a constant effort to maintain the welfare of the people in that community and state.

He was for many years a member of the School Board of the Clarinda Community School District. He also served for many years as a director of the Municipal Hospital in Clarinda.

Upon graduating from Simpson College, Mr. Millhone taught two years during World War I at Kemper Military School in Missouri. In 1922 he graduated from Western Reserve University Law School, Cleveland, Ohio, with a Juris Doctor Degree.

On June 26, 1926, he was married to Margaret Griffith of Des Moines, Iowa. Five children were born to this union. At the time of his death, Mr. Millhone was survived by his wife, Margaret; his brother, Frank, of Clarinda; three daughters, Martha Mary Smeltzer of Carmichael, California; Margie Ruth Williams of Cody, Wyoming; and Alice D. Fountain of Worthington, Ohio; two sons, John Paul of Des Moines, and James N. of Clarinda; and seven grandchildren, Paul, Kirk and Mark Millhone, Peter and David Williams, and Robert and Patricia Fountain.

Therefore, Be It Resolved by the Senate of the Sixty-fourth General Assembly of Iowa: That in the passing of the Honorable Paul Lambert Millhone, the State has lost an honored citizen and a faithful and useful public servant, and the Senate by this resolution would express its appreciation of his service, and tender its sympathy to the members of his family.

Be it Further Resolved: That a copy of this resolution be spread upon the Journal of the Senate and that the Secretary of the Senate be directed to forward an enrolled copy to the family of the deceased.

EARL G. BASS, Chairman
JAMES W. GRIFFIN, SR.
JAMES E. BRILES

Committee

The resolution was unanimously adopted.

GEORGE W. PATTERSON

MR. PRESIDENT: Your committee, appointed to prepare a suitable resolution commemorating the life, character and public service of the late Honorable George W. Patterson, begs leave to submit the following memorial:

George W. Patterson, son of George and Elizabeth McKay Patterson, was born in Burt, Iowa, on September 4, 1887, where he maintained his residence throughout his lifetime.

He graduated from Burt High School in 1901, and held a B. S. degree in agriculture from Iowa State University, Ames.

He married Eva Stensrud at Lake Mills, Iowa, on December 28, 1913.

Mr. Patterson was engaged in farming and ranching operations in Iowa and Montana and was very active in local, state and national politics his entire life.

Mr. Patterson served as a Republican in the House of Representatives in the Fortieth, Fortieth Extra, and Forty-first sessions, and as State Senator in the Forty-second, Forty-second Extra, Forty-third, Forty-fourth, Forty-fifth, Forty-fifth Extra and Forty-sixth sessions.

He served as a member of the State Appeal Board of the Selective Service System from 1939 to March 31, 1947. He also served as a director of the Burt Savings Bank from its inception, and was honorary vice president of the bank. He was a lifelong member of the Burt Presbyterian Church.

Mr. Patterson passed away on February 25, 1971. Surviving him are his widow, Eva; two sons, Donald of Burt, and Kenneth of Swea City; a daughter, Mrs. James (Virginia) Appleyard of Saratoga, California; a brother, Howard Patterson of Missoula, Montana; a sister, Mrs. Mary Dowd Zigrang of Los Angeles, California, and nine grandchildren.

Therefore, Be It Resolved by the Senate of the Sixty-fourth General Assembly of Iowa: That in the passing of the Honorable George W. Patterson, the state has lost an honored citizen and a faithful and useful public servant, and the Senate by this resolution would express its appreciation of his service, and tender its sympathy to the members of his family.

Be It Further Resolved: That a copy of this resolution be spread upon the Journal of the Senate and the Secretary of the Senate be directed to forward an enrolled copy to the family of the deceased.

WAYNE D. KEITH, Chairman
H. L. OLLENBURG
S. J. BROWNLEE

Committee

The resolution was unanimously adopted.

CHARLES K. SULLIVAN

MR. PRESIDENT: Your Senate committee, appointed to prepare a suitable resolution commemorating the life, character and public service of the late Honorable Charles K. Sullivan, begs leave to submit the following memorial:

Charles K. Sullivan was born in Clifford, Indiana, on August 14, 1908. He was graduated from Township High School there and then studied law for two years in Indianapolis, Indiana.

On March 10, 1940, he was married to Madeline Scott in the Little Brown Church in Nashua, Iowa. To them were born a son, John, and a daughter, Mrs. Milton Rosio.

Mr. Sullivan served the State of Iowa in many ways. He was a former investigator for the Woodbury County Attorney's office and once worked

for the Iowa Tax Commission. In 1941 he served as the President of the Young Republicans. In 1968 he was elected to the Iowa Senate after having served one term in the House of Representatives.

Therefore, Be It Resolved by the Senate of the Sixty-fourth General Assembly of Iowa: That in the passing of the Honorable Charles K. Sullivan, on February 13, 1971, the State has lost an honored citizen and a faithful and useful servant, and the Senate by this resolution would express its appreciation of his service, and tender its sympathy to the members of his family.

Be it Further Resolved: That a copy of this resolution be spread upon the Journal of the Senate and that the Secretary of the Senate be directed to forward an enrolled copy to the family of the deceased.

ALDEN J. ERSKINE, Chairman
JOHN L. MOWRY
HAROLD A. THORSEN
Committee

The resolution was unanimously adopted.

LLOYD THURSTON

MR. PRESIDENT: Your committee, appointed to prepare a suitable resolution commemorating the life, character and public service of the late Honorable Lloyd Thurston, begs leave to submit the following memorial:

Lloyd Thurston was born in Osceola, Iowa, March 27, 1880, the son of Soloman and Margaret Malloy Thurston, received his formal education in the schools of Clarke County and was graduated from the University of Iowa Law School in 1902. On graduation he began practicing law in Osceola, and on January 13, 1910, he married Louella Bolibagh.

He was well known in state circles for his active participation in politics both at the state and national levels and as National Commander of the Spanish-American War Veterans.

An active Republican, he served as Clarke County Attorney for four years before entering state politics. He was elected to the Iowa Senate in 1919 and served during the Thirty-ninth, Fortieth and Fortieth Extra General Assemblies. He was elected to the United States Congress in 1925 and served in that capacity until 1939.

He was a veteran of the Spanish-American War, Philippine Insurrection and World War I. He was active in the American Legion, the Veterans of Foreign Wars, Rotary, Barracks, and National Commander of the Spanish-American War Veterans.

Mr. Thurston served on the Osceola Library Board for fifty years. He was affiliated with the Methodist Church, and was a member of the Iowa State Bar Association.

He passed away at the Veteran's Hospital in Des Moines, May 7, 1970, following an extended illness. Surviving him are his widow, Louella of Osceola; a nephew, Jim Wade of Osceola; a great niece and a great nephew.

Therefore, Be It Resolved by the Senate of the Sixty-fourth General Assembly of Iowa: That in the passing of the Honorable Lloyd Thurston, the state has lost an honored citizen and a faithful and useful public servant, and the Senate by this resolution would express its appreciation of his services to his community, state and nation and tender its sympathy and kindest regards to the members of his family.

Be It Further Resolved: That a copy of this resolution be spread upon the Journal of the Senate, and that the Secretary of the Senate be directed to forward an enrolled copy to the family of the deceased.

CHARLES O. LAVERTY, Chairman
QUENTIN V. ANDERSON
JOHN C. RHODES

Committee

The report was unanimously adopted.

SENATE-HOUSE COMPANION BILLS

"S" indicates the bills are Similar and/or Same Subject Matter

S.J.R.	H.J.R.	S.F.	H.F.	S.F.	H.F.	S.F.	H.F.	S.F.	H.F.
1	1	67	87	152	114	245	194	364,	
3	8	69	86	154	316	246	275	446	S
7	15	70	97	155	232	249	377	365,	
9	16	71	83	158	198	250	296	338	396
S.F.	H.F.	72	235 S	161	191	253	196	367	502
1	1	73	146	164	231 S	254	318	368	449
2,		74	179	166	459	255	350	374	545 S
427,	3 S	75	248,	168	199	259	315	380	448
3	41		238 S	172	165	262	461 S	381	420,
4	10	76	106	178	241	266	361		298 S
5	33	77	111	180	368	267	150 S	382	487
6	28	78	92	181	264	269	329	384	430
7	8	79	133	182	93 S	274	64	386	541 S
8	27	80	113	184	239	278,		387,	
9	31	81	427	185	321	458 S		52	366 S
10	14	82	107	186	242	279	139	397	574 S
11	12	84	212	187	119	283	180 S	399	480
12	11	85	269	188	155 S	287	437	401	466
13	5	87	129	189	314 S	289	578	404	513
14	4	88,		190	351	290	369	407	482
15	34	504	147	192,		293	262 S	413	467
16	23	89	136	221 S		296	349	415,	
17	13	92	224	193	277	298	74	454 S	
18	30	93	125	194	292	299	530 S	417	409 S
19	26	95	410	195	305 S	300	435,	418,	
20	24	96	138	196	309		659 S	60 S	
21	29	97	144	199	303	301	380	419	518
22	25	98	186	203,		308,		421	433
23	32	102	168	30 S		244	322 S	423,	
24	21	104	135	204	295	309	337	496	645 S
27	15	110,		205	257	310	122	424	618
80,		550	286	207	272	313	473 S	426	555
203 S		111	220	208	244	314	386	427,	
31	53	114	134	209	333	322	375 S	2	3 S
32	6	115	230	212	169	325	397	430	586
36	84	116	202	213	200	328	123	435	389
38	85	117,		214	247	329	270	436	517
41	131	566	156	215	187	334	681 S	437	540
44	7	118	94	216	206	335	496 S	441	347
45	18	120	162	220	105	338,		443	674
46	19	121	98	221,		365	396	444	222,
47	16	122	157	192 S		339	416		436 S
48	2	125,		223	562 S	341	100	446,	
49	9	590	221 S	226	226	342	271	364 S	
50	17	128	339	228	177	343	95	448	664
51	22	131	188 S	229	300	346	422,	450	585
52,		132	276	230	145		577 S	452	575
387	366 S	135	201	231	454	347	434	454,	
53	77	139	143	232	338	348	413	415 S	
55	172 S	140	209	233	141 S	350,		458,	
56	96	141	182	236	312	591		278 S	
57	70	142	284	239	525	352	425	469	557
58	249 S	143	170	241	163 S	353	181 S	470	613
60,		144	217	242	320	355	519	474	660
418 S		145	121	243	334	360	374	479	682
61	73	150	216	244,		362	381 S	483,	
63	103	151	120 S	308	322 S	363	465 S	580	

S.F.	H.F.	S.F.	H.F.	S.F.	H.F.	S.F.	H.F.	S.F.	H.F.
488	648	88	147	537	629	550,		483	
489	627	507	649	538	707	110	286	585	615
490	643	523,		540,		566,		590,	
496,		540	426,	523	426,	117	156	125	221 S
423	645 S		727 S		727 S	575	733 S	591,	
498	456	530	621	546	704	580,		350	
504,		531	690	548	717 S				

RECORD OF SENATE BILLS IN SENATE

SENATE JOINT RESOLUTIONS AND SENATE FILES PASSED AND APPROVED—147

S. J. R. 10

S. F.

1, 3, 8, 28, 36, 37, 38, 40, 41, 59, 63, 65, 70, 76, 78, 83,
89, 103, 105, 118, 120, 122, 129, 133, 138, 146, 147, 148, 149, 155, 156, 157,
158, 160, 170, 171, 179, 183, 188, 190, 199, 201, 204, 205, 209, 210, 217, 225,
236, 249, 250, 256, 257, 269, 277, 280, 289, 296, 297, 302, 308, 312, 325, 326,
332, 345, 347, 348, 349, 353, 355, 361, 365, 386, 389, 402, 417, 425, 426, 433,
442, 444, 449, 460, 461, 462, 468, 469, 473, 474, 484, 485, 487, 500, 502, 503,
507, 509, 510, 514, 518, 526, 528, 530, 533, 542, 543, 544, 545, 550, 551, 552,
553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 568, 569, 570,
571, 572, 573, 574, 576, 577, 578, 579, 580, 581, 582, 583, 584, 586, 587, 588,
589, 591.

SENT TO SECRETARY OF STATE

S. J. R. 10

ITEM VETO ON BILLS APPROVED BY THE GOVERNOR

S. F. 543, 544, 545, 555, 556, 561, 565, 572, 586

S. J. R.	Page	S. J. R.	Page
1 By Constitutional Amendments and Reapportionment. A joint resolution making application to the United States Congress to call a convention for the purpose of proposing to states a constitutional amendment providing that a portion of taxes levied on income by Congress shall be made available to state governments.		against lotteries in order that they may be regulated by the General Assembly.	
Introduced, passed on file	33	Introduced, passed on file	202
H. J. R. 1 substituted	87	Referred to constitutional amendments and reapportionment	204
Withdrawn	88	4 By Tapscott (Gluba). A joint resolution proposing an amendment to the Constitution of the State of Iowa relating to qualifications of electors.	
2 By Stephens. A joint resolution proposing an amendment to the Constitution of the State of Iowa relating to property tax levies for school district general fund expenditures.		Introduced, passed on file	336
Introduced, passed on file	104	Referred to constitutional amendments and reapportionment	358
Referred to constitutional amendments and reapportionment	104	5 By Gaudineer. A joint resolution proposing to amend article nine (IX) of the Constitution of the State of Iowa to empower the General Assembly to appropriate state funds to, and provide for the use of public funds by, private schools.	
3 By Walsh. A joint resolution proposing an amendment to the Constitution of the State of Iowa repealing the prohibition		Introduced, passed on file	453
		Referred to constitutional amendments and reapportionment ...	471
		6 By Doderer and Gaudineer. A joint resolution to establish	

S. J. R.

Page

a constitutional revision commission to study the need for a constitutional convention and to recommend possible revision of the constitution and to make an appropriation therefor.	
Introduced, passed on file	538
Referred to constitutional amendments and reapportionment	539
7 By Gaudineer, Kennedy, Laverty, Carlson, Robinson, Coleman, Schaben, Miller, Erskine, Potter, Walsh, Griffin, Potgeter, Lamborn, Van Drie, DeKoster, Stephens, Conklin, Brownlee, Van Gilst, Briles, Graham, Keith, Neu, Davis, Tapscott, Riley, Nicholson, Rabedaux, Shawver, Gross, Gilley, Rhodes, Milligan and Glenn (Cochran, Gluba, Priebe, Larson, Willits, Uban, Duntun, Norpel, Kinley, Ewell, McCormick, Knoblauch, Wyckoff, Mayberry, Wells, Franklin, Skinner, Middleswart, Small, Doyle, Blouin, Husak and Kennedy). A joint resolution ratifying a proposed amendment to the Constitution of the United States relating to extending the right to vote to citizens eighteen years of age or older.	
Introduced, passed on file	605
Referred to constitutional amendments and reapportionment	612
Withdrawn	663
8 By Milligan. A joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the duties of the lieutenant governor.	
Introduced, passed on file	624
Referred to constitutional amendments and reapportionment ...	625
9 By Lamborn, Davis, Gaudineer, Conklin and Schaben (Alt, Kehe, Duntun, Miller and Rodgers). A joint resolution authorizing the executive council to acquire the Hubbell mansion known as Terrace Hill.	
Introduced, passed on file	898
Referred to state government	900
Amendment filed	960
Committee report	1033
Recommended passage	1033
Committee report adopted	1152
H. J. R. 16 substituted	1153
Withdrawn	1153
10 By Appropriations. A joint resolution establishing legislative compensation to be paid because of a vacancy resulting in the Senate membership.	
Introduced, placed on calendar ...	1126
Passed Senate. Ayes 44, nays none	1175
Reported correctly enrolled	1431
Signed by President	1432
Sent to Governor	1432
Signed by Governor	1506

S. F.

Page

1 By Mowry, Gaudineer, Khyll and Potgeter (Millen, Hansen, Johnston and Sorg). A bill for an act relating to the regulation and control of certain drugs and other substances affecting the public health, herein designated and controlled substances, and providing procedures for enforcement and penalties.	
Introduced, passed on file	20
Referred to law enforcement	23
Committee report	30
Recommended passage	30
Amendments filed	50
Committee report adopted	52
Amendment lost	53
Amendment lost	54
Amendment filed	54
Amendments filed	55
Amendments adopted	55
Amendment lost	55
Amendments lost	56
Amendments filed	56
Amendments adopted	56
Amendment lost	57
Amendment filed	57
Amendment adopted	57
Passed Senate. Ayes 44, nays 5 ...	57
Message from House	146
Amendments filed	199
Amendment adopted	199
Motion filed to reconsider vote ...	199
Motion to reconsider vote prevailed	199
Amendment withdrawn	199
Amendment adopted	200
Amendment filed	200
Amendment withdrawn	200
Amendments filed	201
Amendments adopted	201
Amendment lost	201
Senate concurred	201
Passed Senate. Ayes 48, nays 2 ...	201
Reported correctly enrolled	415
Signed by President	416
Sent to Governor	416
Signed by Governor	444
2 By Smith, Kennedy, Curran, Thordsen, Milligan and Neu (Drake, Mayberry, and Shaw). A bill for an act relating to the establishment of regional correction centers, their construction and programs, coordination of programs of regional correction centers with other institutions under the control of the department of social services, and providing for amendment of certain penal statutes presently provided by law.	
Introduced, passed on file	21
Referred to judiciary	44
3 By Brownlee (Middleswart and Freeman). A bill for an act relating to blood donors.	
Introduced, passed on file	21
Referred to judiciary	44
Committee report	83
Recommended passage	83
Committee report adopted	102
Passed Senate. Ayes 49, nays none	102
Reported correctly enrolled	120

SENATE RECORD OF SENATE BILLS

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Signed by President	120
Sent to Governor	120
Signed by Governor	155
4 By Briles, Ollenburg, Griffin and Potgeter (Holden, Stromer, Priebe, Fischer of Grundy, Cochran, Rex, Dougherty and Winkelman). A bill for an act relating to the maintenance of access roads.	
Introduced, passed on file	21
Referred to commerce	44
5 By Briles, Ollenburg, and Griffin (Holden, Stromer, Priebe, Fischer of Grundy and Dougherty). A bill for an act relating to distance requirements for pipeline regulation.	
Introduced, passed on file	21
Referred to commerce	44
6 By Briles, Ollenburg and Griffin (Holden, Stromer, Priebe, and Fischer of Grundy). A bill for an act relating to the use of eminent domain by county boards of supervisors for any secondary road or stream, watercourse, or dry run.	
Introduced, passed on file	21
Referred to commerce	44
7 By DeKoster and Tapscott (Alt, McCormick and Dougherty). A bill for an act to change the name and expand the duties of the governor's committee on employment of the handicapped to include housing and services.	
Introduced, passed on file	21
Referred to human and industrial relations	44
Committee report	626
Recommended passage	626
Steering recommends calendar	1527
Committee report adopted	1656
Failed to pass Senate. Ayes 23, nays 15	1657
Motion filed to reconsider vote	1659
Motion to reconsider vote pre- vailed	2016
Placed on calendar under unfin- ished business	2016
8 By Briles, Ollenburg, Griffin and Potgeter (Holden, Stromer and Priebe). A bill for an act relating to the acquisition of bridges.	
Introduced, passed on file	21
Referred to commerce	44
Committee report	116
Recommended passage	116
Committee report adopted	157
Passed Senate. Ayes 38, nays 1	157
Reported correctly enrolled	507
Signed by President	507
Sent to Governor	540
Signed by Governor	555
9 By Briles, Ollenburg, Griffin, Potgeter and Smith (Holden, Stromer, Priebe and Fischer of Grundy). A bill for an act re-	

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lating to the condemnation of existing utility facilities by cities and towns.	
Introduced, passed on file	22
Referred to commerce	45
Withdrawn	563
10 By Curran and Kennedy (Shaw, Drake and Fisher of Greene). A bill for an act relating to the leasing of property by the state conservation commission.	
Introduced, passed on file	22
Referred to conservation and recreation	45
Committee report	191
Recommended passage	191
Committee report adopted	223
Amendment filed	227
Placed on calendar under unfin- ished business	228
Referred to state government	228
Withdrawn	980
11 By Curran, Smith and Neu (Drake, Fisher of Greene and Shaw). A bill for an act relating to motor vehicle fees collected by county treasurers, and to the amount of such fees retained by the county.	
Introduced, passed on file	22
Referred to county government	45
Withdrawn	438
12 By Curran and Neu (Welden, Fisher of Greene and Drake). A bill for an act relating to the hiring of state employees.	
Introduced, passed on file	22
Referred to state government	45
13 By Curran and Neu (Welden, Drake, Fisher of Greene and Shaw). A bill for an act relating to the receipt by state employees of advances to cover expenses while performing state work.	
Introduced, passed on file	22
Referred to state government	45
14 By Curran and Neu (Welden, Drake and Fisher of Greene). A bill for an act relating to the governor-elect expense fund.	
Introduced, passed on file	22
Referred to state government	45
15 By Thorsden, Kennedy, Smith, Curran and Neu (Drake, Fisher of Greene, and Shaw). A bill for an act relating to the prohibition of lecturers of the highway commission.	
Introduced, passed on file	31
Referred to transportation	45
16 By Briles, Ollenburg, Griffin and Potgeter (Holden, Stromer, Priebe, Fischer of Grundy and Dougherty). A bill for an act relating to the definition of pipeline and pipeline company.	
Introduced, passed on file	31
Referred to commerce	45
Withdrawn	1472

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17 By Briles, Ollenburg and Griffin (Holden, Stromer, Priebe, and Fischer of Grundy). A bill for an act relating to the selection of the compensation commissioners.		dy). A bill for an act to remove references to the granting of a franchise to an electric utility company by the county board of supervisors.	
Introduced, passed on file	31	Introduced, passed on file	32
Referred to commerce	45	Referred to commerce	45
Committee report	116	Withdrawn	256
Recommended passage	116		
Committee report adopted	157	24 By Briles, Ollenburg, Griffin, Potgeter and Smith (Holden, Stromer, Priebe and Fischer of Grundy). A bill for an act relating to the use of eminent domain for individual drainage rights.	
H. F. 13 substituted	157	Introduced, passed on file	32
Withdrawn	158	Referred to commerce	45
18 By Briles, Ollenburg, Griffin, Potgeter and Smith (Holden, Stromer, Priebe, Cochran, Rex, Rodgers and Winkelman). A bill for an act relating to the inspection of pipeline construction over private property.		25 By Griffin. A bill for an act relating to the tax on motor fuel and special fuel, creating a grade separation fund and appropriating and allocating funds.	
Introduced, passed on file	31	Introduced, passed on file	32
Referred to commerce	62	Referred to ways and means	45
19 By Briles, Ollenburg, Griffin and Potgeter (Holden, Stromer, Priebe, and Fischer of Grundy). A bill for an act relating to the use of eminent domain for the development or utilization of water or water power for manufacturing, power, industrial and recreational purposes.		26 By Glenn. A bill for an act to enhance public confidence in state officials and judges by requiring disclosure of income and investments.	
Introduced, passed on file	32	Introduced, passed on file	33
Referred to commerce	45	Referred to state government	45
Withdrawn	949		
20 By Briles, Ollenburg and Griffin (Holden, Stromer, Priebe, and Fischer of Grundy). A bill for an act to exempt certain electric utility projects from petition requirements.		27 By Smith, Curran, Thorsen and Neu (Drake, Mayberry, Fisher of Greene and Shaw). A bill for an act relating to eligibility of welfare recipients.	
Introduced, passed on file	32	Introduced, passed on file	41
Referred to commerce	45	Referred to social services	45
Withdrawn	948	Committee report	129
		Recommended passage	129
		Amendment filed	143
		Placed on calendar	297
		Committee report adopted	461
		H. F. 15 substituted	461
		Withdrawn	463
21 By Briles, Ollenburg, Griffin an Potgeter (Holden, Stromer, Priebe, Fischer of Grundy, Cochran, Rex, Dougherty and Winkelman). A bill for an act relating to the payment of subsequent damages to property owners.		28 By Curran. A bill for an act relating to public recreation on private lands.	
Introduced, passed on file	32	Introduced, passed on file	41
Referred to commerce	45	Referred to conservation and recreation	45
Committee report	116	Committee report	141
Recommended passage	116	Recommended passage	141
Committee report adopted	158	Committee report adopted	161
H. F. 29 substituted	158	Passed Senate. Ayes 39, nays none	161
Withdrawn	159	Reported correctly enrolled	415
		Signed by President	416
		Sent to Governor	416
		Signed by Governor	455
22 By Briles, Ollenburg, Griffin and Potgeter (Holden, Stromer, Priebe and Fischer of Grundy). A bill for an act relating to a description of land remaining after condemnation or purchase in lieu of condemnation.		29 By Mowry. A bill for an act relating to the standard of proof for termination of the parent-child relationship.	
Introduced, passed on file	32	Introduced, passed on file	41
Referred to commerce	45	Referred to judiciary	45
Withdrawn	528	Committee report	83
		Recommended passage	83
		Committee report adopted	102
		Passed Senate. Ayes 49, nays none	193
23 By Briles, Griffin, Ollenburg and Smith (Holden, Stromer, Priebe and Fischer of Grundy).			

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30 By Mowry. A bill for an act relating to administrative rules and regulations.	
Introduced, passed on file	41
Referred to judiciary	45
31 By Mowry. A bill for an act relating to the interest rates on judgments and decrees.	
Introduced, passed on file	41
Referred to judiciary	45
Committee report	100
Recommended passage	100
Committee report adopted	106
Passed Senate. Ayes 40, nays 4...	107
32 By Griffin, Schaben, Arbuckle and Potgeter (Camp, Mayberry and Lawson). A bill for an act to establish a state building code, provide for its administration, and provide a penalty for violation of the Code or orders issued thereunder.	
Introduced, passed on file	41
Referred to commerce	45
33 By Griffin. A bill for an act to place a moratorium on millage levies for the year 1971 by all taxing districts in Iowa.	
Introduced, passed on file	51
Referred to ways and means	62
34 By Glenn. A bill for an act requiring certain disclosures by persons and organizations engaged in lobbying activities.	
Introduced, passed on file	51
Referred to state government	62
Amendment filed	105
35 By County Government. A bill for an act relating to the rates of interest and interest penalty for the redemption of real property.	
Introduced, placed on calendar ..	51
Amendments filed	90
Amendment withdrawn	94
Amendments filed	94
Amendment lost	94
Amendment adopted	94
Point of order raised	95
Passed Senate. Ayes 27, nays 19...	95
Explanation of vote	100
36 By County Government. A bill for an act to increase cost of filing of a mechanic's lien.	
Introduced, placed on calendar ..	51
Passed Senate. Ayes 42, nays 4...	95
Reported correctly enrolled	120
Signed by President	120
Sent to Governor	120
Signed by Governor	155
37 By County Government. A bill for an act to permit counties to become associated with the Iowa State Association of Counties.	
Introduced, placed on calendar ...	51
Amendment filed	96
Amendment lost	96
Passed Senate. Ayes 28, nays 17...	97
Message from House	2023
Amendment filed	2025
Amendment lost	2026
Amendment filed	2026

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Point of order raised	2026
Senate concurred	2026
Passed Senate. Ayes 26, nays 12...	2026
Motion filed to reconsider vote ..	2027
Motion to reconsider vote laid on table prevailed	2027
Reported correctly enrolled	2037
Signed by President	2038
Sent to Governor	2038
Signed by Governor	2047
38 By County Government. A bill for an act relating to fees charged by county recorders.	
Introduced, placed on calendar ..	52
Passed Senate. Ayes 44, nays 5 ...	101
Reported correctly enrolled	120
Signed by President	120
Sent to Governor	120
Signed by Governor	155
39 By Ollenburg. A bill for an act relating to aid for local historical society.	
Introduced, passed on file	53
Referred to county government ..	62
Amendment filed	84
Committee report	142
Recommend passage	142
Amendment filed	155
Committee report adopted	161
Amendment withdrawn	161
Amendment lost	161
Failed to pass Senate. Ayes 17, nays 22	162
Motion filed to reconsider vote ...	164
Amendment filed	179
Motion to reconsider vote failed..	183
40 By Van Gilst. A bill for an act relating to the notification of mobile homeowners of tax assessments and providing certain penalties.	
Introduced, passed on file	53
Referred to county government...	62
Committee report	192
Recommended amendment, passage	192
Committee amendment	192
Amendments filed	221
Committee report adopted	223
Amendment filed	223
Amendment adopted	223
Committee amendment adopted...	224
Amendments adopted	224
Passed Senate. Ayes 46, nays none	224
Reported correctly enrolled	631
Signed by President	631
Sent to Governor	631
Signed by Governor	696
41 By Briles. A bill for an act relating to the authorization of assistant county attorneys and salaries therefor.	
Introduced, passed on file	53
Referred to county government...	62
Committee report	260
Recommended passage	260
Amendment filed	272
Committee report adopted	300
Amendment adopted	300
Placed on calendar under unfinished business	300
Amendment filed	303
Amendment filed	317
Amendment adopted	322
Amendment withdrawn	322

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Passed Senate. Ayes 35, nays 7...	322	50 By Neu and Curran (Drake, Fisher of Greene and Shaw). A bill for an act relating to the Iowa development commission corporation.	
Explanation of vote	352	Introduced, passed on file	75
Message from House	416	Referred to Iowa development ..	89
Senate concurred	449	Withdrawn	291
Passed Senate. Ayes 33, nays 8...	449		
Explanation of vote	472	51 By Neu, Curran and Smith (Fisher of Greene, Drake and Shaw). A bill for an act relating to the state entomologist.	
Reported correctly enrolled	507	Introduced, passed on file	75
Signed by President	507	Referred to agriculture	89
Sent to Governor	540	Withdrawn	231
Signed by Governor	555		
42 By Conklin. A bill for an act relating to computation of old age assistance grants.			
Introduced, passed on file	53	52 By Nicholson, Gaudineer, Coleman, Riley, Potter, Shaff, Conklin, Sullivan, Keith, Van Gilst, Neu, Doderer and Walsh. A bill for an act relating to collective bargaining in public employment.	
Referred to social services	62	Introduced, passed on file	76
		Referred to human and industrial relations	104
43 By Stephens. A bill for an act relating to violation of the beer and liquor laws by minors.			
Introduced, passed on file	61	53 By Nicholson, Van Gilst, Thordsen, Kennedy and Sullivan (Holden, Shaw and Bray). A bill for an act relating to a penalty for unauthorized entry into public buildings and the misuse of property.	
Referred to law enforcement	62	Introduced, passed on file	76
Committee report	142	Referred to law enforcement	89
Recommended passage	142	Amendment filed	117
Committee report adopted	173	Committee report	220
Re-referred to law enforcement..	173	Recommended passage	220
		Committee report adopted	253
44 By Curran, Thorsden and Neu (Shaw, Fisher of Greene and Drake). A bill for an act relating to the regulation of industrial loan companies and the composition of the state banking board.		Placed on calendar under unfinished business	270
Introduced, passed on file	72	Amendment filed	272
Referred to commerce	89	Withdrawn	1394
45 By Curran, Smith and Neu (Welden, Drake, Fisher of Greene and Shaw). A bill for an act relating to notaries public.			
Introduced, passed on file	72	54 By Kennedy. A bill for an act relating to obscenity and providing punishment for violations thereof.	
Referred to judiciary	89	Introduced, passed on file	86
Withdrawn	176	Referred to law enforcement	89
46 By Curran, Smith and Neu (Welden, Drake, Fisher of Greene and Shaw). A bill for an act relating to out of state travel expenses for state employees.			
Introduced, passed on file	72	55 By Curran and Neu (Drake, Fisher of Greene and Shaw). A bill for an act relating to a reorganization of the Iowa liquor control commission; creating an Iowa beer and liquor control department; providing for the appointment of an Iowa beer and liquor control council and a director of beer and liquor control and designating their powers and duties; amending provisions concerning liquor control licenses, special liquor permits, beer permits, and fees charged therefor; abolishing special distributors; altering liquor sales disclosure provisions and dram shop liability; declaring certain acts to be unlawful and providing penalties for violations; and otherwise amending current statutory provisions relating to the sale and possession of alcoholic liquor and beer in this state.	
Referred to state government	89		
47 By Neu and Curran (Fisher of Greene, Drake and Shaw). A bill for an act relating to qualifications of certain state libraries.			
Introduced, passed on file	75		
Referred to state government	89		
Withdrawn	230		
48 By Neu, Curran and Smith (Fisher of Greene, Drake and Shaw). A bill for an act relating to warehouse inspection fees.			
Introduced, passed on file	75		
Referred to commerce	89		
49 By Neu and Smith (Fisher of Greene, Shaw and Drake). A bill for an act relating to the governor's committee on employment of the handicapped.			
Introduced, passed on file	75		
Referred to social services	89		

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Introduced, passed on file	88	state, and to control of water pollution.	
Referred to state government	89	Introduced, passed on file	93
Withdrawn	1030	Referred to environmental preservation	99
56 By Curran, Smith and Neu (Drake, Fisher of Greene and Shaw). A bill for an act relating to the late vehicle registration penalty.		Committee report	472
Introduced, passed on file	89	Recommended amendment, passage	472
Referred to transportation	89	Committee amendment	472
57 By Milligan (Kreamer and Hill). A bill for an act relating to district court bailiffs.		Committee report adopted	1043
Introduced, passed on file	90	H. F. 73 substituted	1043
Referred to judiciary	99	Withdrawn	1069
Amendment filed	155	62 By Hill and Neu. A bill for an act to abolish the budget and financial control committee and to create the office of legislative fiscal director.	
Committee report	170	Introduced, passed on file	93
Recommended passage	170	Referred to state government	99
Amendment filed	180	63 By County Government. A bill for an act relating to the dates of settlement with county treasurers and boards of supervisors.	
Committee report adopted	185	Introduced, placed on calendar ..	93
Placed on calendar under unfinished business	185	Passed Senate. Ayes 40, nays none	107
Amendments adopted	196	Reported correctly enrolled	177
Amendment withdrawn	196	Signed by President	177
Passed Senate. Ayes 40, nays 3 ..	196	Sent to Governor	177
Motion filed to reconsider vote ..	202	Signed by Governor	210
Motion to reconsider vote prevailed	202	64 By County Government. A bill for an act relating to the deposit of receipts from the taxation of real estate transfers.	
Motion filed to reconsider vote ..	202	Introduced, placed on calendar ..	97
Motion to reconsider vote prevailed	202	Referred to appropriations	104
Amendment withdrawn	202	65 By County Government. A bill for an act relating to taxation of mobile homes.	
Amendment filed	203	Introduced, placed on calendar ...	98
Amendment filed	205	Placed on calendar under unfinished business	112
Amendment filed	211	Passed Senate. Ayes 28, nays 18 ..	131
Amendment filed	272	Reported correctly enrolled	507
Amendments withdrawn	311	Signed by President	507
Amendment adopted	313	Sent to Governor	540
Passed Senate. Ayes 29, nays 16 ..	313	Signed by Governor	553
Explanation of vote	352	66 By County Government. A bill for an act relating to the effective date of certification of payment of taxes.	
58 By Shaff. A bill for an act relating to the definition of indictable misdemeanors as contained in the Iowa constitution.		Introduced, placed on calendar ...	98
Introduced, passed on file	92	Placed on calendar under unfinished business	112
Referred to judiciary	99	Amendments filed	144
59 By Shaff. A bill for an act relating to teachers pension systems.		Amendment filed	165
Introduced, passed on file	92	Amendment adopted	166
Referred to schools	99	Amendment lost	167
Committee report	129	Amendment adopted	167
Recommended passage	129	Failed to pass Senate. Ayes 19, nays 29	167
Committee report adopted	160	67 By County Government. A bill for an act relating to notification of property owners regarding assessment rolls.	
Passed Senate. Ayes 41, nays none	160	Introduced, placed on calendar ...	98
Reported correctly enrolled	415	H. F. 87 substituted	121
Signed by President	416	Withdrawn	122
Sent to Governor	416	68 By County Government. A bill for an act relating to motor vehicle title fees.	
Signed by Governor	444		
60 By Tapscott. A bill for an act relating to veteran's benefits in state employment.			
Introduced, passed on file	92		
Referred to human and industrial relations	99		
61 By Laverty, Erskine, Curran, Smith, Potgeter and Schaben (Varley, Lawson, Blouin, Kennedy, Cochran, Miller, Rodgers, Rex, McCormick and Winkelman). A bill for an act relating to conservation of soil and water resources of the			

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Introduced, placed on calendar ..	98
Amendment filed	110
Placed on calendar	377
Withdrawn	438
69 By County Government. A bill for an act relating to deposits of public funds.	
Introduced, placed on calendar ..	98
H. F. 86 substituted	123
Withdrawn	123
70 By Briles, Lamborn and Gaudineer (Anania and Fischer of Grundy). A bill for an act relating to eligibility of unemployment compensation for veterans.	
Introduced, passed on file	98
Referred to human and industrial relations	99
Committee report	142
Recommended passage	142
Committee report adopted	173
Passed Senate. Ayes 49, nays none	173
Reported correctly enrolled	256
Signed by President	256
Sent to Governor	256
Signed by Governor	271
Became law by publication	430
71 By Shaff (Camp). A bill for an act to legalize and validate the proceedings of the city council of the city of DeWitt, Iowa, in connection with an election for the issuance of swimming pool bonds and declaring the validity of said election and that bonds issued pursuant to and authorized thereby shall constitute valid and binding obligations of said city.	
Introduced, passed on file	98
Referred to judiciary	99
Proof of publication certified	104
Committee report	170
Recommended passage	170
Committee report adopted	186
H. F. 83 substituted	186
Withdrawn	186
72 By Neu, Curran, Smith and Thordsen (Shaw, Fisher of Greene and Drake). A bill for an act relating to rehearing and appeal procedures from Iowa state commerce commission action on decisions.	
Introduced, placed on file	103
Referred to judiciary	105
Committee report	697
Recommended passage	697
73 By Neu, Smith and Curran (Shaw and Drake). A bill for an act relating to the internal structure of the department of agriculture.	
Introduced, passed on file	103
Referred to agriculture	105
74 By Neu, Smith and Thordsen (Shaw, Drake and Fisher of Greene. A bill for an act relating to state libraries and the department of history and archives.	

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Introduced, passed on file	103
Referred to state government ..	105
Amendment filed	283
75 By Stephens. A bill for an act to repeal the local property tax levy for operation of area vocational schools and area community colleges.	
Introduced, passed on file	104
Referred to ways and means ..	105
76 By Ollenburg (Stromer). A bill for an act relating to temporary registration of snowmobiles.	
Introduced, passed on file	104
Referred to transportation ..	105
Committee report	360
Recommended passage	360
Committee report adopted	566
Passed Senate. Ayes 35, nays none	566
Reported correctly enrolled	1431
Signed by President	1432
Sent to Governor	1432
Signed by Governor	1506
77 By Tapscott (Bray). A bill for an act relating to referendum for approval of low-rent housing projects.	
Introduced, passed on file	104
Referred to cities and towns ..	105
Committee report	678
Recommended amendment, passage	678
Committee amendment	678
Motion for special order	1129
Motion for special order failed ..	1130
Steering recommends calendar ..	1161
Amendment filed	1491
Committee report adopted	1524
Call of the Senate requested	1525
Call of the Senate	1525
Call of the Senate lifted	1525
Placed on calendar under unfinished business	1525
Amendment adopted	1532
Committee amendment adopted ..	1533
Passed Senate. Ayes 33, nays 11 ..	1533
Motion filed to reconsider vote ..	1533
Motion to reconsider vote laid on table prevailed	1533
78 By Tapscott, Walsh, Potgeter and Robinson (Mayberry, Holden, Jesse, and Lipsky.) A bill for an act to establish a program to permit doctors' assistants to work under a doctor's supervision.	
Introduced, passed on file	104
Referred to social services	105
Amendment filed	117
Committee report	235
Recommended passage	235
Amendment filed	288
Amendment filed	304
Committee report adopted	325
Amendment adopted	325
Amendments filed	326
Amendments adopted	326
Amendment adopted	327
Passed Senate. Ayes 44, nays none	327
Message from House	787
Senate concurred	801
Passed Senate. Ayes 44, nays none	801
Reported correctly enrolled	936
Signed by President	936

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Sent to Governor	937
Signed by Governor	1004
Became law by publication	1257

79 By Miller, Kennedy, Griffin and Thordsen (Monroe, Tieden, Schmeiser, Dunton and Fischer of Grundy). A bill for an act relating to hunting-safety education and providing a penalty.	
Introduced, passed on file	106
Referred to conservation and recreation	115
Committee report	359
Reported without recommendation	360
Amendment filed	473
Committee report adopted	567
Amendment filed	567
Amendment adopted	567
Amendment adopted	568
Motion filed to reconsider vote ..	571
Motion to reconsider vote failed..	595
Passed Senate. Ayes 32, nays 15..	595
Motion filed to reconsider vote ..	605
Motion to reconsider vote failed..	1041

80 By Milligan and Carlson (Alt, Hill and Kreamer). A bill for an act relating to the establishment of a municipal tax relief fund.	
Introduced, passed on file	106
Referred to cities and towns	115
Committee report	431
Recommended passage	431
Committee report adopted	535
Amendment filed	535
Amendment adopted	535
Placed on calendar under unfinished business	536

81 By Van Gilst and Briles (Strand and Dougherty). A bill for an act relating to the use of school buses.	
Introduced, passed on file	110
Referred to schools	115

82 By Van Gilst and Sullivan (Stokes and Dougherty). A bill for an act relating to the use of school lunch facilities by senior citizen organizations.	
Introduced, passed on file	110
Referred to schools	115

83 By Van Drie. A bill for an act relating to the auditing committee of a credit union.	
Introduced, passed on file	112
Referred to commerce	115
Committee report	178
Recommended passage	178
Committee report adopted	216
Passed Senate. Ayes 46, nays 1..	216
Reported correctly enrolled	507
Signed by President	507
Sent to Governor	540
Signed by Governor	555

84 By Van Drie, Walsh, Doderer and Arbuttle. A bill for an act relating to salaries of the State Highway Commission and other state employees and making an appropriation.	
Introduced, passed on file	112

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Referred to state government	115
Referred to appropriations	330
Committee report	331
Recommend passage	331

85 By Laverty, Erskine, Curran, Milligan and Smith (Varley, Blouin, Cochran, Miller, McCormick, Dougherty, Rodgers and Lawson). A bill for an act creating a department of environmental quality, specifying its powers, duties, and functions, and providing penalties for violations thereof.	
Introduced, passed on file	112
Referred to state government	115
Amendment filed	588
Committee report	748
Reported without recommendation	748
Referred to appropriations	747
Amendment filed	885
Amendment filed	960
Committee report	973
Recommended amendment, passage	973
Committee amendment	973
Amendment filed	1070
Amendment filed	1146
Steering recommends calendar ..	1161
Amendment filed	1163
Amendment filed	1239
Committee reports adopted	1281
Committee amendment adopted ..	1281
Amendment adopted	1282
Amendment filed	1282
Amendment lost	1283
Amendment adopted	1283
Motion filed to reconsider vote ..	1283
Motion filed to reconsider vote ..	1283
Amendment filed	1285
Amendment filed	1286
Motion to reconsider vote prevailed	1574
Motion to reconsider vote withdrawn	1574
Amendment lost	1575
Amendments withdrawn	1575
Amendments filed	1600
Amendments filed	1636
Amendment adopted	1638
Amendments filed	1639
Amendments adopted	1639
Amendment withdrawn	1640
Amendment adopted	1640
Amendment filed	1641
Point of order raised	1641
Amendments adopted	1641
Amendment withdrawn	1641
Passed Senate. Ayes 30, nays 13..	1642
Motion filed to reconsider vote ..	1642
Motion to reconsider vote laid on table	1642
Motion to reconsider vote laid on table prevailed	1642

86 By Doderer. A bill for an act to repeal the procedure for establishment of a convention to ratify amendments to the Constitution of the United States.	
Introduced, passed on file	112
Referred to constitutional amendments and reapportionment	115

87 By Curran, Smith, Milligan and Neu (Welden, Fisher of Greene, Drake and Shaw). A bill for an act to create a de-	
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partment of general services, transferring services presently performed by designated state agencies to the department of general services, eliminating the performance of certain duties, and providing penalties.		93 By Kennedy (Doyle). A bill for an act relating to penalties for unlawfully transporting intoxicating liquors.	
Introduced, passed on file	112	Introduced, passed on file	113
Referred to state government ...	115	Referred to law enforcement	116
Withdrawn	1211		
88 By Neu and Curran (Shaw). A bill for an act relating to the marketing division of the department of agriculture.		94 By Kennedy. A bill for an act relating to the death of persons resulting from the operation of motor vehicles, and imposing penalties therefor.	
Introduced, passed on file	113	Introduced, passed on file	114
Referred to agriculture	115	Referred to law enforcement	116
89 By Neu, Curran and Thordsen (Shaw, Drake and Fisher of Greene). A bill for an act relating to the issuance of certificates of convenience and necessity to motor vehicle carriers.		95 By Kennedy, Smith and Thordsen (Shaw and Drake). A bill for an act relating to state land bordering on streams or lakes.	
Introduced, passed on file	113	Introduced, passed on file	114
Referred to commerce	115	Referred to conservation and recreation	116
Committee report	234	Committee report	1051
Recommended amendment, passage	235	Recommended passage	1051
Committee amendment	235	Amendment filed	1703
Amendment filed	261		
Committee report adopted	279	96 By Curran and Neu (Shaw). A bill for an act relating to registration fees for motor-boats.	
Amendment filed	279	Introduced, passed on file	118
Amendment withdrawn	280	Referred to conservation and recreation	140
Committee amendment adopted ..	280		
Amendment adopted	280	97 By Curran (Shaw, Drake and Fisher of Greene). A bill for an act relating to the board of educational examiners.	
Passed Senate. Ayes 41, nays none	280	Introduced, passed on file	119
Message from House	1498	Referred to schools	140
Senate concurred	1516		
Passed Senate. Ayes 47, nays none	1516	98 By Curran, Neu, Smith and Kennedy (Shaw, Fisher of Greene and Drake). A bill for an act relating to fees charged by the Bureau of Labor for certificates of inspection.	
Reported correctly enrolled	1588	Introduced, passed on file	119
Signed by President	1588	Referred to human and industrial relations	140
Sent to Governor	1588	Committee report	1132
Signed by Governor	1720	Recommends passage	1132
90 By County Government. A bill for an act to authorize the consolidation of counties.			
Introduced, placed on calendar ..	113	99 By Van Drie, Smith, Tapscott, Coleman, Ollenburg, Thordsen, Graham, Balloun, Potter, Keith, Rhodes, Gaudineer, Erskine, Stephens, Sullivan, Arbuckle, DeKoster, Carlson, Griffin, Brownlee, Rabe-deaux, Walsh, Schaben, Palmer, Miller and Briles. A bill for an act relating to the scheduling of football games between the State University of Iowa and Iowa State University of Science and Technology.	
Amendment filed	159	Introduced, passed on file	119
Amendment adopted	160	Referred to higher education	140
Placed on calendar under unfinished business	160	Amendment filed	205
Amendments filed	165		
Amendments withdrawn	168	100 By Anderson and Schaben. A bill for an act relating to the issuance of liquid transport carrier certificates.	
Amendment filed	168	Introduced, passed on file	119
Amendments adopted	168	Referred to commerce	140
Amendment lost	168	Re-referred to transportation	155
Passed Senate. Ayes 39, nays 9...	168		
91 By Riley. A bill for an act relating to the appointment of a treasurer of a joint county school system.			
Introduced, passed on file	113		
Referred to schools	116		
92 By Mowry. A bill for an act relating to dog license fees and disposition of dogs by counties.			
Introduced, passed on file	113		
Referred to county government	116		
Committee report	823		
Recommended passage	823		
Committee report adopted	1084		
Passed Senate. Ayes 36, nays 7...	1085		

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101 By Schaben. A bill for an act making an appropriation for the reimbursement of the city of Harlan, Iowa, for expenses incurred at the request of the Board of Regents in regard to a site for the proposed western Iowa college.	
Introduced, referred to appropriations	119
102 By Potter. A bill for an act relating to tax receipts.	
Introduced, passed on file	125
Referred to county government ..	141
103 By Gaudineer. A bill for an act relating to excuse of jurors.	
Introduced, passed on file	125
Referred to judiciary	141
Committee report	220
Recommended amendment, passage	220
Committee amendment	220
Committee report adopted	253
Committee amendment adopted ..	253
Passed Senate. Ayes 44, nays none	253
Message from House	493
Senate concurred	506
Passed Senate. Ayes 41, nays none	507
Reported correctly enrolled	543
Signed by President	543
Sent to Governor	543
Signed by Governor	571
104 By Milligan, Glenn, DeKoster, Rabedaux and Potgeter (Andersen, Kennedy, McCormick and Lawson). A bill for an act to provide for the establishment of a metropolitan service corporation.	
Introduced, passed on file	125
Referred to cities and towns	141
Amendment filed	361
105 By Shaff. A bill for an act making the embezzlement of secured interests in collateral a crime and providing a penalty therefor.	
Introduced, passed on file	125
Referred to judiciary	141
Committee report	192
Recommended amendment, passage	192
Committee amendment	192
Committee report adopted	225
Committee amendment withdrawn	225
Amendment filed	225
Amendment adopted	225
Passed Senate. Ayes 47, nays none	225
Reported correctly enrolled	507
Signed by President	507
Sent to Governor	540
Signed by Governor	555
106 By Miller. A bill for an act to equate insurance proceeds payable to medical practitioners.	
Introduced, passed on file	125
Referred to social services	141
107 By Miller. A bill for an act relating to property tax exemptions for veterans.	
Introduced, passed on file	125
Referred to ways and means	141

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108 By Kennedy. A bill for an act relating to institutions under the management of the department of social services and providing penalties for violations.	
Introduced, passed on file	125
Referred to social services	141
Amendment filed	165
109 By Riley. A bill for an act relating to minimum limits for compliance with the motor vehicle responsibility law.	
Introduced, passed on file	126
Referred to judiciary	141
Committee report	360
Recommended passage	360
Committee report adopted	567
Placed on calendar under unfinished business	567
Amendment filed	572
Amendment filed	590
Amendments adopted	608
Passed Senate. Ayes 34, nays 5...	608
110 By Mowry and Gaudineer. A bill for an act relating to the judicial retirement system.	
Introduced, passed on file	126
Referred to appropriations	141
Committee report	1110
Recommended passage	1110
111 By Neu, Curran and Thorsen (Shaw, Fisher of Greene and Drake). A bill for an act relating to subdivided lands and to provide penalties for violations.	
Introduced, passed on file	126
Referred to commerce	141
Amendment filed	155
112 By Hill and Potter. A bill for an act relating to annual budgeting and reporting for state departments, agencies, boards, and commissions.	
Introduced, passed on file	141
Referred to state government ...	154
113 By Smith, Sullivan, Balloun, Lamborn, Thorsen, Potgeter, Messerly, Rhodes and Bass. A bill for an act relating to the recovery of the cost of maintaining an inmate at a state training school from a person legally liable for the inmate's support.	
Introduced, passed on file	141
Referred to social services	154
114 By Conklin (Moffitt, Hill, Radl, Willits, Alt, Miller, Pelton, Campbell, and Pierson). A bill for an act relating to, and providing criminal penalties for, the illegal termination of a pregnancy.	
Introduced, passed on file	153
Referred to judiciary	154
115 By Rabedaux. A bill for an act relating to election precincts.	
Introduced, passed on file	153
Referred to county government ..	154

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Amendment filed	180	Sent to Governor	981
Committee report	303	Signed by Governor	1050
Recommended amendment, pas- sage	303	121 By Potgeter (Welden). A bill for an act limiting payment of state aid to schools.	
Committee report adopted	463	Introduced, passed on file	162
H. F. 230 substituted	463	Referred to schools	164
Withdrawn	485		
116 By Conservation and Recrea- tion. A bill for an act relating to the penalty for violation of the snowmobile regulations.		122 By Higher Education. A bill for an act relating to academ- ic and administrative buildings and facilities and utilities serv- ices for such buildings and fa- cilities and the financing by the state board of regents.	
Introduced, placed on calendar ...	154	Introduced, referred to appropria- tions	163
Amendment filed	165	Amendment filed	193
Amendment filed	184	Committee report	315
Amendments adopted	184	Recommended passage	315
Passed Senate. Ayes 45, nays 1...	185	Committee report adopted	549
117 By Thordsen, Sullivan, Ken- edy, Van Drie and Walsh (Ells- worth, Holden, Skinner, Shaw and Doyle). A bill for an act relating to private employment agency fees and appeals from decisions of the labor commis- sioner.		Amendment adopted	550
Introduced, passed on file	154	Amendment filed	550
Referred to human and industrial relations	154	Amendment lost	551
Amendment filed	180	Passed Senate. Ayes 31, nays 12..	551
118 By Van Drie and DeKoster (Alt, Dougherty, Stokes, Edelen and Dunton). A bill for an act relating to savings and loan associations.		Message from House	611
Introduced, passed on file	154	Senate concurred	629
Referred to commerce	155	Passed Senate. Ayes 42, nays 2...	629
Committee report	219	Reported correctly enrolled	790
Recommended passage	219	Signed by President	790
Committee report adopted	254	Sent to Governor	790
Amendment filed	257	Signed by Governor	901
Amendment adopted	257	Became law by publication	1032
Passed Senate. Ayes 43, nays 1...	257		
Reported correctly enrolled	507	123 By Judiciary. A bill for an act relating to supreme and district court judges' expenses.	
Signed by President	507	Introduced, placed on calendar ...	163
Sent to Governor	540	Point of order raised	215
Signed by Governor	555	Passed Senate. Ayes 31, nays 16..	215
119 By Gaudineer, Riley, Ken- nedy and Van Drie. A bill for an act relating to the salary of municipal court judges.		124 By Riley. A bill for an act to encourage consolidation of county offices.	
Introduced, passed on file	154	Introduced, passed on file	163
Referred to cities and towns ...	155	Referred to county government ..	164
Amendment filed	205		
Committee report	679	125 By Smith, Erskine, Sullivan, Coleman, Conklin, Doderer and Schaben, Roorda, Holden, and Gluba). A bill for an act re- lating to a renal disease pro- gram and to provide an appro- priation therefor.	
Recommended amendment, pas- sage	679	Introduced, referred to appropria- tions	163
Committee amendment	679	Amendment filed	171
Committee report adopted	1059		
Committee amendment adopted ..	1059	126 By Smith, Sullivan, Balloun, Lamborn, Thordsen, Potgeter and Messerly. A bill for an act relating to recovering the cost of institutionalization at the state training schools from in- mate's income.	
Amendment withdrawn	1059	Introduced, passed on file	163
Passed Senate. Ayes 29, nays 18..	1060	Referred to social services	164
120 By Higher Education. A bill for an act relating to the con- trol of vehicles at institutions under the jurisdiction of the state board of regents.		127 By Walsh, Van Drie, Nichol- son, Van Gilst, Miller and Ken- nedy. A bill for an act relating to the limitation of certain damage actions arising out of improvements or work upon real property.	
Introduced, placed on calendar ...	154	Introduced, passed on file	163
Amendment filed	180	Referred to judiciary	164
Amendment adopted	214	Committee report	220
Passed Senate. Ayes 46, nays 1...	214		
Message from House	883		
Senate concurred	894		
Passed Senate. Ayes 44, nays 1...	894		
Reported correctly enrolled	981		
Signed by President	981		

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Recommended amendment, passage	220	compensation of appointive jury commissioners.	
Committee amendment	220	Introduced, passed on file	169
Committee report adopted	254	Referred to county government ..	170
Placed on calendar under unfinished business	254	Committee report	747
Amendment filed	288	Recommended passage	748
Amendment filed	291		
Amendment withdrawn	291	133 By Judiciary. A bill for an act relating to the establishment of a second grand jury and to the appointment of additional clerks of the grand jury.	
Committee amendment adopted ..	291	Introduced, placed on calendar ...	169
Amendment adopted	292	Amendment filed	180
Passed Senate. Ayes 28, nays 15 ..	292	Amendment adopted	216
		Passed Senate. Ayes 41, nays 7 ..	216
128 By Walsh, Thordsen and Palmer (Ellsworth, Freeman, Drake, Wells, Taylor, and Waugh). A bill for an act relating to the taxation of coin-operated laundries.		Message from House	605
Introduced, passed on file	163	Senate concurred	630
Referred to ways and means	164	Passed Senate. Ayes 35, nays 8 ..	630
Committee report	407	Reported correctly enrolled	790
Recommended passage	407	Signed by President	790
Amendment filed	733	Sent to Governor	790
Steering recommends calendar ...	1527	Signed by Governor	901
129 By Bass (Harbor). A bill for an act to legalize and validate the proceedings of the city council of Red Oak, in the county of Montgomery, Iowa, in the purchase of lot No. 6 and the west half of lot No. 5 in block No. 28 in the city of Red Oak for the purpose of constructing off-street parking facilities in accordance with chapter 390 of the 1966 Code of Iowa.		134 By Potter, Conklin, Keith, Van Gilst, Coleman, Shaff, Sullivan and Nicholson. A bill for an act relating to free distribution of the Code of Iowa to members of Iowa's congressional delegation.	
Introduced, passed on file	169	Introduced, passed on file	169
Proof of publication certified	170	Referred to appropriations	204
Referred to judiciary	170	Committee report	1111
Committee report	220	Recommended passage	1111
Recommended passage	220		
Committee report adopted	254	135 By Arbuckle (Campbell). A bill for an act relating to hearings for the mentally ill.	
Passed Senate. Ayes 42, nays none	255	Introduced, passed on file	176
Reported correctly enrolled	675	Referred to judiciary	204
Signed by President	675		
Sent to Governor	675	136 By Sullivan. A bill for an act relating to public utility regulation.	
Signed by Governor	696	Introduced, passed on file	176
Became law by publication	1032	Referred to commerce	204
130 By Gaudineer, Robinson, Tapscott, Coleman, Palmer, Van Gilst, Hill, Glenn, Schaben, Doderer, Kennedy and Miller. A bill for an act to appropriate funds for each year of the biennium to the office of governor to establish pilot programs for drug abuse, treatment, rehabilitation, education.		137 By Keith. A bill for an act relating to improvements in drainage and levee districts.	
Introduced, referred to appropriations	169	Introduced, passed on file	177
		Referred to agriculture	204
131 By Potgeter, Ollenburger, Riley, Arbuckle, Coleman, DeKoster, Neu and Walsh (Rex, Mayberry, Drake, Nystrom, Dunton, Lipsky, Middleswart, Ellsworth and Priebe). A bill for an act relating to support of the mentally ill.		138 By Miller. A bill for an act to establish a chiropractic examining board fund and to increase the fee for renewal of a license to practice chiropractic.	
Introduced, passed on file	169	Introduced, passed on file	177
Referred to social services	170	Referred to commerce	204
		Committee report	923
		Recommended amendment, passage	923
		Committee amendment	923
		Committee report adopted	1102
		Committee amendment adopted ..	1102
		Passed Senate. Ayes 37, nays none	1102
		Reported correctly enrolled	1482
		Signed by President	1482
		Sent to Governor	1422
		Signed by Governor	1559
132 By Curran and Messerly. A bill for an act relating to the		139 By Sullivan and Van Gilst (Stokes and Strand). A bill for an act relating to identification	

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cards for persons sixty-five years of age or older.	
Introduced, passed on file	187
Referred to social services	204
Amendment filed	211
140 By Sullivan and Van Gilst (Dougherty and Stokes). A bill for an act relating to county and city programs for senior citizens.	
Introduced, passed on file	187
Referred to county government...	204
Withdrawn	1194
141 By Briles, Ollenburg and Griffin (Holden, Stromer, Priebe and Fischer of Grundy). A bill for an act relating to compensation for refinancing costs where property is acquired for a public use.	
Introduced, passed on file	187
Referred to commerce	204
142 By Briles and Miller (Mendenhall, Rex, Dunton and Pellett). A bill for an act to provide state aid to counties or groups of counties for purchase of mental health services from community mental health centers, and making an appropriation.	
Introduced, referred to appropriations	188
143 By Milligan, Lamborn, Baloun, Rabedaux, Smith, Anderson, Mowry, Van Drie and Miller (Tieden, Pellett, Christensen, Dunton and Mayberry). A bill for an act relating to the enucleating of eyes by funeral directors or embalmers.	
Introduced, passed on file	188
Referred to social services	204
Withdrawn	711
144 By Thordsen, Schaben, Kennedy, Sullivan and Rabedaux (Den Herder, Radl and Doyle). A bill for an act relating to the board of parole.	
Introduced, passed on file	188
Referred to social services	204
Committee report	260
Recommended passage	260
Amendment filed	273
Committee report adopted	327
Amendment adopted	327
Point of order raised	327
Referred to state government	328
Committee report	406
Recommended amendment, passage	406
Committee amendment	406
Steering recommends calendar	1527
145 By Ways and Means. A bill for an act to provide limitations on the property tax levy for general fund expenditures of school corporations, county boards of education, and joint boards of education and to make an appropriation to the department of public instruc-	

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tion for allocation to school districts.	
Introduced, placed on calendar...	188
Withdrawn	581
146 By State Government. A bill for an act relating to the disposal of certain used state motor vehicles.	
Introduced, placed on calendar ...	188
Amendment filed	226
Amendment adopted	226
Passed Senate. Ayes 45, nays none	226
Reported correctly enrolled	507
Signed by President	507
Sent to Governor	540
Signed by Governor	555
147 By Conservation and Recreation. A bill for an act relating to the use of trotlines.	
Introduced, placed on calendar ...	188
Passed Senate. Ayes 46, nays none	226
Reported correctly enrolled	507
Signed by President	507
Sent to Governor	540
Signed by Governor	555
148 By Conservation and Recreation. A bill for an act relating to the state park and institutional road system.	
Introduced, placed on calendar ...	188
Passed Senate. Ayes 44, nays none	227
Reported correctly enrolled	507
Signed by President	507
Sent to Governor	540
Signed by Governor	555
149 By Conservation and Recreation. A bill for an act relating to the imposition of a general criminal penalty for violations of the fish and game conservation laws.	
Introduced, placed on calendar ...	189
Re-referred to conservation and recreation	228
Committee report	421
Recommended passage	421
Committee report adopted	532
Passed Senate. Ayes 38, nays none	532
Reported correctly enrolled	1091
Signed by President	1091
Sent to Governor	1091
Signed by Governor	1160
150 By Erskine, Palmer, Carlson and Briles (Willits, Tieden, Drake, Skinner and Cochran). A bill for an act relating to administrative and maintenance facilities for county conservation boards.	
Introduced, passed on file	189
Referred to conservation and recreation	204
Committee report	421
Recommended passage	421
Steering recommends calendar ...	1354
Committee report adopted	1554
H. F. 216 substituted	1554
Withdrawn	1556
151 By Sullivan. A bill for an act relating to deductions of federal tax payments by corporations in computing their Iowa income tax.	

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Introduced, passed on file	189
Referred to ways and means	204
152 By Agriculture. A bill for an act relating to specifications and standards for cheese and cheese products.	
Introduced, placed on calendar ...	189
H. F. 114 substituted	229
Withdrawn	229
153 By Gaudineer. A bill for an act relating to the powers and duties of the budget and financial control committee.	
Introduced, passed on file	189
Referred to state government.....	204
154 By Walsh, Kyhl, Potgeter and Schaben (Tieden, Camp, Fischer of Grundy, and Harbor). A bill for an act relating to the establishment of a regional medical education board and providing an appropriation.	
Introduced, passed on file	189
Referred to appropriations	204
Amendment filed	1203
155 By Arbuckle (Campbell). A bill an act relating to findings of the commission of hospitalization.	
Introduced, passed on file	195
Referred to social services	204
Committee report	371
Recommended passage	371
Amendment filed	371
Committee report adopted	528
Amendment withdrawn	528
Placed on calendar under unfinished business	528
Amendment filed	540
Amendment filed	572
Amendment withdrawn	633
Amendment adopted	633
Passed Senate. Ayes 45, nays none	633
Reported correctly enrolled	1121
Signed by President	1121
Sent to Governor	1121
Signed by Governor	1181
156 By Commerce. A bill for an act relating to the renewal of automobile insurance.	
Introduced, placed on calendar ...	195
Amendments filed	232
Amendment lost	232
Amendment withdrawn	232
Passed Senate. Ayes 39, nays 5	232
Motion filed to reconsider vote	234
Motion to reconsider vote withdrawn	295
Reported correctly enrolled	631
Signed by President	631
Sent to Governor	631
Signed by Governor	696
157 By Commerce. A bill for an act relating to conflicts of interest of officers and directors of insurance companies.	
Introduced, placed on calendar ...	195
Passed Senate. Ayes 44, nays none	249
Reported correctly enrolled	507
Signed by President	507
Sent to Governor	540
Signed by Governor	555

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158 By Conservation and Recreation. A bill for an act relating to the use of firearms on state preserves.	
Introduced, placed on calendar ...	195
Passed Senate. Ayes 47, nays none	249
Reported correctly enrolled	415
Signed by President	416
Sent to Governor	416
Signed by Governor	455
159 By Conservation and Recreation. A bill for an act relating to water safety regulations.	
Introduced, placed on calendar ..	195
Passed Senate. Ayes 46, nays none	250
160 By Conservation and Recreation. A bill for an act to allow black bass to be bought, sold, bartered, or offered for sale.	
Introduced, placed on calendar ...	195
Passed Senate. Ayes 48, nays none	250
Reported correctly enrolled	631
Signed by President	631
Sent to Governor	631
Signed by Governor	696
161 By Erskine. A bill for an act to require annual inspection of motor vehicles as a condition of registering or renewing registration of such motor vehicles and providing a penalty.	
Introduced, passed on file	195
Referred to transportation	204
Amendment filed	211
Amendment filed	521
162 By Erskine. A bill for an act to provide financial sources for the development and maintenance of recreational facilities of the state.	
Introduced, passed on file	195
Referred to ways and means	205
163 By Cities and Towns. A bill for an act relating to retirement systems for policemen and firemen.	
Introduced, placed on calendar ...	203
Amendment filed	288
Amendment adopted	298
Amendment filed	298
Point of order raised	298
Amendment lost	298
Passed Senate. Ayes 30, nays 18 ..	298
164 By Van Drie. A bill for an act relating to incentive awards for state employees.	
Introduced, passed on file	203
Referred to state government	205
Amendment filed	211
Withdrawn	531
165 By Coleman. A bill for an act relating to expenses of members of local boards of health.	
Introduced, passed on file	203
Referred to cities and towns	205
166 By Walsh. A bill for an act to exempt certain industrial materials and equipment from retail sales and use taxes.	
Introduced, passed on file	203
Referred to ways and means	205

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167 By Gaudineer. A bill for an act relating to juror fees.	
Introduced, passed on file	203
Referred to county government ..	205
Committee report	924
Recommended passage	924
Steering recommends calendar ...	1527
168 By Conklin (Ewell and Schwieger). A bill for an act relating to the use of flashing signal lights and stop arms by school buses in cities and towns.	
Introduced, passed on file	203
Referred to cities and towns	205
169 By Thordsen, Nicholson, Rabedeaux, Shawver, Brownlee, Griffin, Robinson, Davis, Miller, Sullivan, Coleman, Kennedy, Walsh and Tapscott. A bill for an act relating to the time during which alcoholic liquor and beer may be delivered, sold, and consumed.	
Introduced, passed on file	207
Referred to law enforcement	210
170 By State Government. A bill for an act relating to the appointment and tenure of the commissioner of public safety.	
Introduced, placed on calendar ...	212
Amendment filed	261
Amendment lost	278
Passed Senate. Ayes 41, nays 3...	278
Message from House	552
Senate concurred	584
Passed Senate. Ayes 43, nays none	585
Reported correctly enrolled	631
Signed by President	631
Sent to Governor	631
Signed by Governor	696
Became law by publication	900
171 By Appropriations. A bill for an act making an appropriation from the primary road fund and road use tax fund to the state highway commission to pay for deficiencies in funds appropriated for field operations and to pay for certain special assessments against property owned by the state.	
Introduced, placed on calendar ...	212
Amendment filed	235
Amendment filed	261
Placed on calendar under unfinished business	270
Amendment filed	317
Amendment adopted	323
Amendments adopted	324
Motion filed to reconsider vote ...	324
Motion to reconsider vote failed..	324
Passed Senate. Ayes 38, nays 6...	324
Message from House	435
Senate concurred	448
Passed Senate. Ayes 37, nays 4...	448
Motion filed to reconsider vote ...	449
Motion filed to reconsider vote ...	455
Motion to reconsider vote withdrawn	459
Motion to reconsider vote withdrawn	459
Explanation of vote	472
Reported correctly enrolled	507
Signed by President	507

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Sent to Governor	540
Signed by Governor	555
Became law by publication	792
172 By Erskine (Andersen). A bill for an act authorizing cities, towns, counties, and school corporations to impose local taxes, making such taxes subject to applicable provisions of the Code, including penalties, and establishing a penalty for violation of a local vehicle tax ordinance.	
Introduced, passed on file	213
Referred to ways and means	219
173 By Stephens. A bill for an act relating to conflicts of interest of officers and employees of political subdivisions of this state and to provide a penalty for violation.	
Introduced, passed on file	213
Referred to county government ..	219
174 By Stephens and Coleman. A bill for an act relating to the merger of county school systems by action of county boards of education.	
Introduced, passed on file	213
Referred to schools	219
175 By Stephens. A bill for an act relating to conflicts of interest by officials, employees, legislative employees, and members of the General Assembly.	
Introduced, passed on file	213
Referred to state government ...	219
176 By Stephens. A bill for an act relating to trespass and prescribing a penalty.	
Introduced, passed on file	213
Referred to judiciary	219
177 By Shaff, Miller, Mowry, Davis and Thordsen. A bill for an act relating to exemption from sales and use tax on tangible personal property used as railroad rolling stock or materials or parts thereof.	
Introduced, passed on file	217
Referred to ways and means	219
178 By Shaff, Van Gilst and Stephens (Andersen, Grassley, Roorda, Nielsen and Holden). A bill for an act relating to the penalties imposed for driving while under the influence of alcoholic beverages or drugs, and amending the implied consent law.	
Introduced, passed on file	217
Referred to law enforcement	219
179 By Appropriations. A bill for an act relating to the expenditure and appropriation of state funds.	
Introduced, placed on calendar ...	217
Amendment filed	235
Amendment adopted	238
Amendment filed	238
Amendment withdrawn	239

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Amendments filed	239	Without recommendation, but with	
Amendment adopted	239	amendment	808
Amendment adopted	240	Committee amendment	808
Amendment filed	240	Amendments filed	1052
Amendment lost	241	Amendment filed	1096
Amendments filed	241	Steering recommends calendar	1354
Amendments adopted	241	Amendment filed	1529
Passed Senate. Ayes 46, nays 1	242	Committee report adopted	1567
Message from House	523	Amendment lost	1568
Senate concurred	546	Committee amendment adopted	1568
Passed Senate. Ayes 46, nays 1	547	Amendment adopted	1569
Reported correctly enrolled	607	Amendment lost	1569
Signed by President	607	Placed on calendar under unfin-	
Sent to Governor	607	ished business	1569
Signed by Governor	664	Amendment filed	1577
Became law by publication	900		
180 By Griffin. A bill for an act		185 By Miller, Briles, Thordsen	
relating to attorney's fees.		and Doderer (Shaw, Holden,	
Introduced, passed on file	217	Lawson, Sorg, Ellsworth, Dun-	
Referred to judiciary	219	ton, Rex, Egenes, Mendenhall,	
Committee report	360	Pellett and Lipsky). A bill for	
Recommended passage	360	an act to combine the present	
Committee report adopted	581	county fund for mental health	
Placed on calendar under unfin-		with the state institution fund,	
ished business	581	redesignating the latter as the	
Amendment filed	665	county mental health and in-	
Re-referred to judiciary	674	stitutions fund, prescribing the	
		purposes for which such fund	
		may be used, and authorizing	
		a levy therefor.	
181 By Arbuckle, Glenn, Miller		Introduced, passed on file	218
and Briles (Campbell, Schwartz		Referred to county government ..	219
and Rex). A bill for an act re-		Committee report	1216
lating to the liability of the		Recommended passage	1216
commission of hospitalization		Steering recommends calendar....	1527
and the clerk of the district			
court for certain acts.		186 By Tapscott (Kinley). A bill	
Introduced, passed on file	218	for an act relating to the date	
Referred to county government ..	219	on which interest accrues on	
Committee report	924	delinquent real property taxes.	
Recommended passage	924	Introduced, passed on file	218
Steering recommends calendar	1239	Referred to ways and means	219
Committee report adopted	1250		
Passed Senate. Ayes 34, nays		187 By Potgeter (Drake). A bill	
none	1250	for an act relating to election	
		precincts.	
182 By Anderson. A bill for an		Introduced, passed on file	218
act relating to permits for		Referred to state government	219
hunting on private land and		Withdrawn	451
providing penalties.			
Introduced, passed on file	218	188 By Judiciary. A bill for an	
Referred to conservation and re-		act to define criminal trespass	
creation	219	and to prescribe the penalty	
		for such trespass.	
183 By Balloun. A bill for an act		Introduced, placed on calendar ...	222
relating to disposal of unneeded		Committee amendment filed	261
documents.		Amendment filed	273
Introduced, passed on file	218	Amendment filed	288
Referred to state government	219	Amendment filed	292
Committee report	406	Amendments filed	304
Recommended passage	406	Amendment filed	317
Committee report adopted	530	Amendment filed	335
Passed Senate. Ayes 39, nays none	530	Amendment filed	361
Reported correctly enrolled	1091	Amendment filed	371
Signed by President	1091	Committee amendment adopted ..	378
Sent to Governor	1091	Amendment lost	378
Signed by Governor	1160	Amendment lost	379
		Point of order raised	380
184 By Nicholson, Sullivan,		Amendments filed	384
Walsh, Miller and Thordsen		Motion filed to reconsider vote ..	395
(Lawson, Knoblauch, Grassley,		Amendment filed	396
Millen and Hamilton). A bill		Made special order	411
for an act relating to licensing		Amendment filed	423
and regulation of hearing aid		Special order	478
dealers, appropriating license		Committee amendment withdrawn	479
fees for purposes of adminis-		Motion to reconsider vote pre-	
tration, and providing penalties		vailed	479
for a violation.		Amendments adopted	480
Introduced, passed on file	218	Amendment adopted	481
Referred to state government	219	Amendments withdrawn	481
Committee report	808		

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Point of order raised	482	Passed Senate. Ayes 33, nays 12 ..	478
Call of the Senate requested	483	Message from House	912
Call of the Senate	483	Senate concurred	946
Call of the Senate lifted	485	Passed Senate. Ayes 35, nays 7 ..	946
Motion filed to reconsider vote ..	485	Reported correctly enrolled	1091
Amendment filed	486	Signed by President	1091
Amendments adopted	486	Sent to Governor	1091
Amendment adopted	487	Signed by Governor	1160
Point of order raised	487	Became law by publication	1721
Amendment adopted	488		
Point of order raised	488	191 By Judiciary. A bill for an	
Amendment lost	488	act relating to the dissolution	
Amendment filed	488	of marriage docket.	
Amendments filed	489	Introduced, placed on calendar ...	238
Amendments lost	489	Passed Senate. Ayes 45, nays none	300
Point of order raised	489		
Amendments filed	490	192 By Graham. A bill for an act	
Amendments adopted	490	relating to the state tort	
Amendments filed	500	claims act.	
Amendment adopted	510	Introduced, passed on file	238
Amendment lost	510	Referred to judiciary	260
Amendment adopted	511		
Amendment withdrawn	511	193 By Milligan, Walsh, Riley,	
Amendment filed	511	Carlson and Potgeter (Kream-	
Point of order raised	511	er, Alt and Hill). A bill for	
Amendment filed	512	an act relating to party state	
Amendments lost	512	central committees.	
Amendment adopted	513	Introduced, passed on file	239
Passed Senate. Ayes 38, nays 4 ..	514	Referred to state government ...	260
Motion filed to reconsider vote ...	515		
Motion to reconsider vote laid on		194 By Kennedy, Graham and	
table prevailed	515	Thordsen (Knoblauch). A bill	
Message from House	768	for an act relating to the regu-	
Senate refused to concur	802	lation of assemblages of per-	
Conference committee appointed ..	885	sons, declaring certain acts to	
Conference committee report	1003	be unlawful, and providing	
Conference committee report		penalties for violations.	
adopted	1061	Introduced, passed on file	239
Passed Senate. Ayes 32, nays 15 ..	1063	Referred to judiciary	260
Motion filed to reconsider vote ...	1070		
Motion to reconsider vote failed ...	1159	195 By Walsh, Davis, Griffin, Ar-	
Reported correctly enrolled	1252	buckle, Curran and DeKoster	
Signed by President	1252	(Winkelman, Roorda, Tieden, Mol-	
Sent to Governor	1252	lett, Sorg, Nielsen, Stanley, Strand,	
Signed by Governor	1354	Curtis and Kelly). A bill for	
Became law by publication	1721	an act to provide for sales and	
		use tax exemptions on expendi-	
		tures for air and water pollu-	
		tion control.	
		Introduced, passed on file	246
		Referred to ways and means	260
		Amendment filed	719
189 By Briles, Ollenburg, Griffin		196 By Walsh, Davis, Griffin, Ar-	
and Potgeter (Holden, Strom-		buckle, Curran and DeKoster	
er, Priebe, Fischer of Grundy		(Winkelman, Roorda, Tieden,	
and Dougherty). A bill for an		Mollett, Sorg, Nielsen, Stanley	
act relating to the acquisition		and Kelly). A bill for an act to	
of property by public bodies,		exempt facilities used to control	
corporations and individuals.		air and water pollution	
Introduced, passed on file	233	from property taxation.	
Referred to commerce	260	Introduced, passed on file	246
Amendment filed	407	Referred to ways and means	260
Amendment filed	408		
		197 By Balloun. A bill for an act	
190 By Tapscott, Mowry, Gaudi-		relating to printing by state	
neer, DeKoster, Milligan and		agencies.	
Robinson (Jesse, Hill, Frank-		Introduced, passed on file	258
lin and Knoke). A bill for an		Referred to state government ...	260
act relating to the transfer of			
persons committed to jail.		198 By Miller. A bill for an act	
Introduced, passed on file	238	relating to the waiver of the	
Referred to judiciary	260	basic science examination.	
Committee report	303	Introduced, passed on file	258
Recommended amendment, pas-		Referred to social services	260
sage	303		
Committee amendment	303		
Amendment filed	371		
Amendment filed	408		
Committee report adopted	464		
Amendment filed	466		
Amendment adopted	466		
Amendment adopted	467		
Amendment filed	473		
Amendments adopted	478		
Committee amendment withdrawn	478	199 By Coleman, Miller and	
		Thordsen (Cochran, Schroeder	
		and McCormick). A bill for an	

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act relating to prohibited advertising practices by chiropractors and providing a penalty therefor.		Signed by President	631
Introduced, passed on file	258	Sent to Governor	631
Referred to commerce	260	Signed by Governor	696
Amendment filed	756		
Committee report	923	205 By Neu (Cochran). A bill for	
Recommended amendment, passage	923	an act relating to assessments	
Committee report adopted	1103	levied by drainage and levee	
Committee amendment adopted	1104	districts and to interest rates.	
Passed Senate. Ayes 43, nays none	1104	Introduced, passed on file	259
Reported correctly enrolled	2037	Referred to cities and towns	260
Signed by President	2038	Committee report	679
Sent to Governor	2038	Recommended passage	679
Signed by Governor	2047	Amendment filed	1005
		Amendment filed	1052
200 By Potgeter. A bill for an		Steering recommends calendar	1239
act relating to destruction of		Committee report adopted	1297
food products.		Amendment adopted	1298
Introduced, passed on file	258	Amendment adopted	1299
Referred to agriculture	260	Passed Senate. Ayes 44, nays 2	1299
		Reported correctly enrolled	1520
201 By County Government. A		Signed by President	1520
bill for an act relating to the		Sent to Governor	1520
issuance of marriage licenses.		Signed by Governor	1559
Introduced, placed on calendar	258	Became law by publication	1934
Passed Senate. Ayes 40, nays 3	328		
Explanation of vote	352	206 By Neu, Mowry and Glenn. A	
Reported correctly enrolled	675	bill for an act relating to post	
Signed by President	675	conviction procedure.	
Sent to Governor	675	Introduced, passed on file	259
Signed by Governor	696	Referred to judiciary	260
202 By County Government. A		207 By Neu, Palmer, Riley and	
bill for an act relating to		Walsh (Hansen, Jesse, Chris-	
changing of names by individ-		tensen and Lipsky). A bill for	
uals.		an act relating to per diem and	
Introduced, placed on calendar	259	expenses for the members of	
Amendment filed	304	the state educational radio and	
Amendment withdrawn	356	television facility board and	
Passed Senate. Ayes 46, nays 1	356	the state communications ad-	
		visory council.	
203 By County Government. A		Introduced, passed on file	259
bill for an act relating to ad-		Referred to appropriations	260
ministrative rules and regula-			
tions.		208 By Neu, Walsh, Doderer and	
Introduced, placed on calendar	259	Gaudineer. A bill for an act to	
Amendment filed	317	authorize purchase of tax-shel-	
Amendment lost	356	tered annuities for employees	
Amendment filed	356	of the state educational radio	
Amendment withdrawn	357	and television facility board.	
Amendment filed	361	Introduced, passed on file	259
Amendments lost	364	Referred to school	260
Amendment filed	364	Committee report	571
Amendments filed	365	Recommended passage	571
Amendments adopted	365	Committee report adopted	702
Amendment lost	365	Passed Senate. Ayes 28, nays 5	702
Motion filed to reconsider vote	366		
Motion to reconsider vote pre-		209 By Van Drie, Rabedaux,	
valled	366	Messery, Doderer and Gaudi-	
Amendments lost	366	neer. A bill for an act relating	
Passed Senate. Ayes 37, nays 10	366	to dissolution of credit unions.	
		Introduced, passed on file	259
204 County Government. A bill		Referred to commerce	260
for an act relating to board of		Committee report	316
supervisor approval of the sal-		Recommended passage	316
aries for the staff of probation		Committee report adopted	524
officers.		Passed Senate. Ayes 38, nays none	524
Introduced, placed on calendar	259	Explanation of vote	540
Amendment filed	384	Reported correctly enrolled	790
Amendment adopted	403	Signed by President	790
Passed Senate; ayes 34, nays 14	403	Sent to Governor	790
Message from House	569	Signed by Governor	901
Senate concurred	594		
Passed Senate. Ayes 41, nays 2	594	210 By Van Drie, Gaudineer,	
Reported correctly enrolled	631	Rabedaux, Messery and Do-	
		derer. A bill for an act relat-	
		ing to the conversion of credit	
		union charters.	
		Introduced, passed on file	259
		Referred to commerce	260

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Committee report	316	Amendment filed	304
Recommended passage	316	Amendment filed	374
Committee report adopted	524	Amendment lost	440
Passed Senate. Ayes 34, nays none	525	Amendment withdrawn	440
Explanation of vote	540	Amendment adopted	440
Reported correctly enrolled	936	Passed Senate. Ayes 33, nays 14	440
Signed by President	936	Message from House	919
Sent to Governor	937	Senate refused to concur	1026
Signed by Governor	1004	Motion filed to reconsider vote	1026
211 By Commerce. A bill for an act relating to the licensing of insurance adjusters and providing penalties for the violations thereof.		Motion to reconsider vote laid on table	1026
Introduced, placed on calendar	263	Motion to reconsider vote laid on table prevailed	1026
Amendment filed	288	Conference committee appointed	1069
Amendment filed	289	Conference committee report	1202
Amendments filed	317	Conference committee report adopted	1428
Amendments withdrawn	412	Passed Senate. Ayes 42, nays 2	1429
Amendments adopted	412	Reported correctly enrolled	1500
Amendment filed	413	Signed by President	1500
Amendment lost	413	Sent to Governor	1500
Amendment adopted	413	Signed by Governor	1559
Passed Senate. Ayes 29, nays 19	413	218 By Potgeter. A bill for an act regulating the issuance of special deer hunting licenses to the spouse of landlords and tenants.	
212 By Miller (Mayberry). A bill for an act relating to county homes.		Introduced, passed on file	275
Introduced, passed on file	263	Referred to conservation and recreation	282
Referred to county government	282	219 By Stephens. A bill for an act relating to tort liability of governmental subdivisions.	
213 By Erskine (Andersen). A bill for an act relating to the maximum net income persons sixty-five years of age or older and totally disabled persons may have to qualify for an additional homestead credit.		Introduced, passed on file	275
Introduced, passed on file	263	Referred to judiciary	282
Referred to ways and means	282	220 By Stephens. A bill for an act relating to the tort liability of school districts and other governmental subdivisions.	
214 By Erskine, Sullivan, Curran, Potgeter, Potter, Keith, Carlson, Kyhl, Ollenburg, Meserly, Griffin, Lamborn and Balloun (Andersen). A bill for an act relating to the liability for costs resulting in the contest of election results.		Introduced, passed on file	275
Introduced, passed on file	264	Referred to schools	282
Referred to state government	282	Committee report	732
Committee report	792	Recommended passage	732
Recommended amendment, passage	792	221 By Stephens. A bill for an act relating to the state tort claims act.	
Committee amendment	792	Introduced, passed on file	275
215 By Milligan (Alt, Hill and Kreamer). A bill for an act relating to public employment practices.		Referred to judiciary	282
Introduced, passed on file	264	222 By Stephens. A bill for an act relating to real estate transactions and to eliminate the tax on such transactions and provide a penalty.	
Referred to state government	282	Introduced, passed on file	275
216 By County Government. A bill for an act relating to fees collected by the county recorder for hunting and fishing duplicate licenses.		Referred to ways and means	282
Introduced, placed on calendar	264	223 By Briles. A bill for an act relating to licenses for professional boxing and wrestling matches.	
H. F. 206 substituted	438	Introduced, passed on file	275
Withdrawn	439	Referred to commerce	282
217 By State Government. A bill for an act relating to compensating state employees for the use of their motor vehicles.		Committee report	500
Introduced, placed on calendar	275	Recommended passage	500
Amendment filed	289	Amendment filed	556
		Amendment filed	733
		Steering recommends calendar	1527
		224 By Social Services. A bill for an act relating to the qualifications of the commissioner of public health.	
		Introduced, placed on calendar	275

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Amendment filed	441
Amendment adopted	441
Passed Senate. Ayes 32, nays 13..	442
225 By Gaudineer. A bill for an act relating to the definition of a nonresident for the purpose of making service of process.	
Introduced, passed on file	275
Referred to judiciary	282
Committee report	360
Recommended passage	360
Committee report adopted	526
Passed Senate. Ayes 36, nays none	527
Explanation of vote	540
Reported correctly enrolled	936
Signed by President	936
Sent to Governor	937
Signed by Governor	1005
226 By Miller and Kennedy (Monroe, Knoblauch, Schmeisser, Wyckoff, Scott, Miller and Patton). A bill for an act relating to the probationary period of city patrolmen.	
Introduced, passed on file	281
Referred to cities and towns ..	282
227 By Miller, Coleman and Rabedaux. A bill for an act relating to the denial of a property tax exemption.	
Introduced, passed on file	281
Referred to judiciary	282
228 By Ways and Means. A bill for an act to increase the tax on cigarettes.	
Introduced, placed on calendar ..	281
H. F. 177 substituted	296
Withdrawn	297
229 By Griffin, Van Drie and Ollenburg (Kehe, Rex and Knoblauch). A bill for an act relating to retention from payments on public contracts and escrow agreements.	
Introduced, passed on file	281
Referred to judiciary	282
230 By Coleman (Rex and Hansen). A bill for an act to provide an excise tax on the sale of turkeys and providing a penalty for certain violations of this act.	
Introduced, passed on file	281
Referred to agriculture	282
231 By Coleman. A bill for an act relating to motor vehicle registration cards.	
Introduced, passed on file	281
Referred to law enforcement	282
232 By Mowry (Grassley, Nielsen and Schroeder). A bill for an act to establish the office of district attorney.	
Introduced, passed on file	281
Referred to judiciary	282
233 By Judiciary. A bill for an act relating to disclosure of information learned during the	

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preparation of income tax returns and providing penalties for violations.	
Introduced, placed on calendar ..	281
Amendment filed	361
H. F. 141 substituted	460
Withdrawn	461
234 By Van Gilst. A bill for an act providing for a public conservator.	
Introduced, passed on file	282
Referred to county government..	282
235 By Gaudineer. A bill for an act relating to appeals in criminal cases and providing a penalty for violations.	
Introduced, passed on file	282
Referred to judiciary	282
236 By Constitutional Amendments and Reapportionment. A bill for an act relating to congressional districts.	
Introduced, placed on calendar ..	282
Point of order raised	302
Rule suspended	302
Made special order	302
Amendment filed	304
Amendments filed	305
Special order	308
Amendment adopted	309
Amendment withdrawn	309
Amendment lost	310
Passed Senate. Ayes 37, nays 11..	310
Explanation of vote	352
Reported correctly enrolled	415
Signed by President	416
Sent to Governor	416
Signed by Governor	455
237 By Conklin. A bill for an act to provide that the unauthorized possession of credit cards or other credit devices is a crime.	
Introduced, passed on file	294
Referred to law enforcement	315
Amendment filed	397
Committee report	808
Recommended amendment, passage	808
Amendment filed	1146
238 By Balloun. A bill for an act relating to weight, size and load restrictions on the transportation of certain machinery.	
Introduced, passed on file	295
Referred to transportation	315
Amendment filed	556
239 By Doderer and Messerly. A bill for an act to authorize and regulate nonprofit corporations which provide prepaid comprehensive health care.	
Introduced, passed on file	295
Referred to commerce	315
Amendment filed	925
Committee report	941
Recommended passage	941
240 By Messerly, Balloun, Lamborn, Stephens, Keith, Van Gilst, Shawver, Curran, Gilley, Anderson, Graham, Griffin,	

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Coleman, Rabedaux, Carlson, Erskine, Arbuckle, Bass Thordsen, Rhodes, Potter, Briles, Smith, Nicholson, Walsh and Lavery. A bill for an act relating to the powers and duties of the state board of regents and its authority to employ and discharge faculty members.		248 By Van Drie. A bill for an act relating to the registration fee for buses owned by a religious organization and used exclusively for its purposes.	
Introduced, passed on file	295	Introduced, passed on file	314
		Referred to transportation	315
241 By Van Drie and Doderer. A bill for an act relating to the registration of psychologists and establishing a psychology examining board.		249 By Van Drie, Gaudineer, Rabedaux, Doderer and Messerly. A bill for an act relating to federal share insurance for credit unions.	
Introduced, passed on file	295	Introduced, passed on file	314
Referred to state government ...	315	Referred to commerce	315
		Committee report	455
242 By Hill (Radl). A bill for an act relating to the corporation income tax.		Recommended passage	456
Introduced, passed on file	295	Committee report adopted	536
Referred to ways and means	315	Passed Senate. Ayes 39, nays none	536
		Reported correctly enrolled	790
243 By County Government. A bill for an act relating to deposit and investment of public funds.		Signed by President	790
Introduced, placed on calendar ..	301	Sent to Governor	790
H. F. 334 substituted	547	Signed by Governor	901
Withdrawn	549		
244 By Coleman, Miller, Tapscott, Gaudineer, Doderer, Kennedy and Robinson (Monroe, Norpel, Knoblauch, Small, Uban, Scott, Blouin, Cochran, Wells, Husak, Anania, Doyle, Wyckoff, Patton, Gluba, McCormick, Middleswart, Willits, Rodgers, Sargisson, Mayberry, Schwartz, Jesse, Johnston, Bray, Larson, Dougherty, Dunton, Ewell, Kinley, Schmeiser, Franklin, Skinner, Priebe, Kennedy and Bennett). A bill for an act relating to qualifications of persons voting at precinct caucuses.		250 By Kyhl (Nystrom). A bill for an act relating to the changing and regulation of mileage measurements contained on motor vehicle odometers and providing penalties for violating the act.	
Introduced, passed on file	301	Introduced, passed on file	314
Referred to county government ..	315	Referred to commerce	315
		Committee report	456
245 By County Government. A bill for an act relating to county contingent funds.		Recommended amendment, passage	456
Introduced, placed on calendar ..	301	Committee amendment	456
H. F. 194 substituted	484	Amendment filed	521
Withdrawn	562	Committee report adopted	537
		Amendment withdrawn	537
246 By Robinson (Wells). A bill for an act relating to property exempt from execution.		Committee amendment adopted ..	537
Introduced, passed on file	301	Passed Senate. Ayes 37, nays 1 ..	537
Referred to judiciary	315	Reported correctly enrolled	746
		Signed by President	746
247 By Stephens. A bill for an act relating to state income taxes, establishing a property tax replacement fund, and appropriating the moneys in the fund to the various school districts in the state.		Sent to Governor	746
Introduced, passed on file	301	Signed by Governor	807
Referred to ways and means ...	315		
		251 By Kennedy. A bill for an act relating to penalties for violation of certain motor vehicle laws.	
		Introduced, passed on file	314
		Referred to law enforcement	315
		252 By Griffin and Potgeter. A bill for an act relating to the taxation of property of non-profit religious organizations, institutions, and societies.	
		Introduced, passed on file	314
		Referred to ways and means	315
		Amendment filed	409
		253 By Nicholson, Messerly, Carlson, Thordsen, Coleman, Gaudineer and Van Gilst. A bill for an act to exempt a portion of annuities received from the United States civil service retirement trust fund from state income tax.	
		Introduced, passed on file	314
		Referred to ways and means	315
		254 By Van Gilst (Dunton). A bill for an act relating to statewide property tax levy.	
		Introduced, passed on file	314
		Referred to ways and means	315

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255 By Coleman (Rex). A bill for an act to provide an excise tax on the sale of eggs and providing a penalty for violations.	
Introduced, passed on file	314
Referred to ways and means	315
256 By Cities and Towns. A bill for an act authorizing cities and towns to acquire land by lease for park purposes, and to finance the acquisition or improvement of the leased land by issuing general obligation bonds.	
Introduced, placed on calendar ...	315
Amendment filed	525
Amendment adopted	525
Passed Senate. Ayes 37, nays none	525
Explanation of vote	540
Reported correctly enrolled	1121
Signed by President	1121
Sent to Governor	1121
Signed by Governor	1181
Became law by publication	1721
257 By Conservation and Recreation. A bill for an act relating to fish which may be taken with licensed commercial fishing gear.	
Introduced, placed on calendar ...	320
Passed Senate. Ayes 35, nays none	526
Explanation of vote	540
Reported correctly enrolled	936
Signed by President	936
Sent to Governor	937
Signed by Governor	1005
258 By Tapscott and Carlson. A bill for an act relating to the minimum age of taxicab drivers.	
Introduced, placed on calendar ...	321
Referred to commerce	330
259 By Erskine (Shaw). A bill for an act relating to the imposition of an annual registration fee upon all motorboats and sailboats in lieu of personal property taxes and providing penalties for violations.	
Introduced, passed on file	321
Referred to ways and means	330
Committee report	407
Recommended passage	407
Amendment filed	614
Amendment filed	615
Amendment filed	665
Amendments filed	680
Amendment filed	698
Amendment filed	733
Amendment filed	829
Amendment filed	903
Committee report adopted	916
Amendments adopted	917
Amendment withdrawn	917
Amendment filed	918
Amendment lost	918
Motion filed to reconsider vote	918
Motion to reconsider vote failed	918
Amendment filed	921
Amendment adopted	921
Failed to pass Senate. Ayes 21, nays 20	921
Motion filed to reconsider vote	922
Motion to reconsider vote prevailed	1040

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Placed on calendar under unfinished business	1040
Amendment filed	1053
Amendment filed	1096
Motion filed to reconsider vote	1174
Motion to reconsider vote prevailed	1174
Amendment filed	1179
Amendments adopted	1179
Amendment withdrawn	1179
Passed Senate. Ayes 30, nays 14	1179
260 By Briles. A bill for an act relating to weather modification in counties.	
Introduced, passed on file	321
Referred to county government ..	330
Committee report	360
Recommended passage	360
Amendment filed	590
Committee report adopted	609
Amendment adopted	609
Failed to pass Senate. Ayes 23, nays 18	609
Motion filed to reconsider vote ..	612
Motion to reconsider vote prevailed	673
Passed Senate. Ayes 27, nays 16 ..	673
261 By Potgeter, Potter and Walsh. A bill for an act relating to the state board of tax review.	
Introduced, passed on file	321
Referred to state government	330
262 By Walsh and Griffin. A bill for an act establishing a radiation control program, providing penalties for violation of provisions of this Act, and making an appropriation therefor.	
Introduced, passed on file	336
Referred to environmental preservation	358
Committee report	625
Recommended amendment, passage	625
Committee amendment	625
Referred to appropriations	625
Amendment filed	698
Committee report	858
Recommended amendment, passage	858
Committee amendment	858
Amendment filed	1007
Committee report adopted	1086
Committee amendment adopted	1086
Amendment filed	1086
Amendment adopted	1086
Amendment adopted	1087
Amendment withdrawn	1087
Amendments lost	1087
Passed Senate. Ayes 42, nays none	1087
263 By Keith. A bill for an act to legalize and validate the proceedings of the board of directors of Iowa lakes community college of the counties of Emmet, Dickinson, Clay, Palo Alto, and Kossuth, Iowa (merged area III) and the Estherville community school district of the counties of Emmet and Dickinson, Estherville, Iowa, in regard to the transfer of buildings, real estate,	

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equipment, books and the re- payment of operational costs necessary in the transfer of the existing Estherville junior col- lege operated by the Esther- ville community school district to the Iowa lakes community college (merged area III) and to authorize and etc.		Committee report	421
Introduced, passed on file	336	Recommended passage	421
Proof of publication certified	351	Committee report adopted	533
Referred to judiciary	358	Passed Senate. Ayes 39, nays none	533
Committee report	422	Message from House	1031
Recommended passage	422	Senate concurred	1064
Committee report adopted	532	Passed Senate. Ayes 49, nays none	1064
Amendment filed	533	Reported correctly enrolled	1121
Amendment adopted	533	Signed by President	1121
Passed Senate. Ayes 40, nays none	533	Sent to Governor	1121
		Signed by Governor	1181
264 By Gaudineer, Tapscott and Palmer. A bill for an act re- lating to fees for the issuance of permits to carry concealed weapons.		270 By Pogeter. A bill for an act relating to the election of pres- idential electors.	
Introduced, passed on file	340	Introduced, passed on file	350
Referred to law enforcement	358	Referred to state government ...	359
265 By Gaudineer and Palmer. A bill for an act relating to the salary of the county attorney in counties over two hundred thousand population.		271 By Smith and Kennedy. A bill for an act relating to the practice of chiropractic.	
Introduced, passed on file	340	Introduced, passed on file	350
Referred to county government ..	359	Referred to social services	359
266 By Robinson and Doderer (Ewell, Schwieger, Willits and Wells). A bill for an act relat- ing to leaves of absence for persons elected to public office.		272 By Potgeter, Potter and Walsh. A bill for an act relat- ing to administrative rules and regulations.	
Introduced, passed on file	340	Introduced, passed on file	350
Referred to state government ...	359	Referred to state government ...	359
267 By Erskine, Griffin, Walsh, Kennedy, Nicholson, Mowry, Rabedeaux and Thordsen. A bill for an act relating to va- cancies in district court judge- ships.		Amendment filed	615
Introduced, passed on file	340	273 By Mowry, Briles, Balloun, Anderson, Nicholson, Stephens, Arbuckle, Thordsen, Smith, Messerly, Graham, Erskine, Shawver, Van Drie, Rhodes, Keith, Kyhl, Lamborn, Gilley, Rabedeaux, Conklin, Shaff, Brownlee and Ollenburg. A bill for an act relating to the merit system.	
Referred to judiciary	359	Introduced, passed on file	350
268 By DeKoster and Griffin. A bill for an act to forbid the use of the highways of this state to habitual offenders of the traffic laws, and to provide punishment for those who vio- late the provisions of this Act.		Referred to state government ...	359
Introduced, passed on file	349	274 By Riley (Dougherty, Stokes, Strand, Priebe and Schmeiser). A bill for an act relating to age discrimination in employment.	
Referred to law enforcement	359	Introduced, passed on file	350
Committee report	456	Referred to human and industrial relations	359
Recommended amendment, pas- sage	456	275 By Riley. A bill for an act to permit county officers to be combined and made appointive.	
Committee amendment	456	Introduced, passed on file	350
Amendment filed	556	Referred to county government ..	359
269 By Miller, Kennedy, Briles and Gilley (Schmeiser, Rex, Monroe, Scott, Roorda, Priebe, Knoblauch, Middleswart and Schroeder). A bill for an act to provide that expenditures of funds by the county board of supervisors to replace prop- erty acquired by another gov- ernmental body need not be submitted to the voters.		276 By Lamborn. A bill for an act relating to the filing for the homestead tax credit and the disabled veterans tax cred- it.	
Introduced, passed on file	349	Introduced, passed on file	350
Referred to county government ..	359	Referred to ways and means ...	359
		277 By Mowry. A bill for an act to legalize and validate the procedures wherein the west Marshall community school dis- trict in the counties of Mar- shall and Story entered into contract for the sale of certain real estate.	
		Introduced, passed on file	357
		Proof of publication certified	358
		Referred to judiciary	359
		Committee report	396

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Recommended passage	396
Committee report adopted	528
Passed Senate. Ayes 40, nays 1	529
Reported correctly enrolled	936
Signed by President	936
Sent to Governor	937
Signed by Governor	1005

278 By Shaff and Walsh. A bill for an act relating to the homestead tax credit.	
Introduced, passed on file	363
Referred to ways and means	370

279 By Thordsen and Nicholson (Mendendall and Shaw). A bill for an act relating to income tax of nonresidents.	
Introduced, passed on file	364
Referred to ways and means	370

280 By Riley (Pelton). A bill for an act relating to garnishment of wages, liability for costs, and discharge of employees.	
Introduced, passed on file	364
Referred to human and industrial relations	370
Committee report	626
Recommended passage	626
Amendment filed	665
Amendment filed	1183
Committee report adopted	1195
Amendment withdrawn	1195
Amendment adopted	1195
Amendment lost	1195
Passed Senate. Ayes 42, nays 2	1196
Message from House	1504
Senate concurred	1517
Passed Senate. Ayes 41, nays 2	1517
Reported correctly enrolled	1588
Signed by President	1588
Sent to Governor	1588
Signed by Governor	1720

281 By Gaudineer. A bill for an act relating to the revocation of the license or driving privilege of any operator or chauffeur.	
Introduced, passed on file	364
Referred to law enforcement	370

282 By Riley. A bill for an act relating to the issuance of bonds by cities and towns.	
Introduced, passed on file	369
Referred to cities and towns	370
Committee report	679
Recommended passage	679
Steering recommends calendar	1239
Committee report adopted	1250
Passed Senate. Ayes 39, nays 4	1251

283 By Gaudineer. A bill for an act relating to immunity of witnesses from use of evidence given by them in criminal proceedings.	
Introduced, passed on file	369
Referred to judiciary	370

284 By Gaudineer. A bill for an act to increase the annuity of judges retired since the effective date of mandatory retirement.	
Introduced, passed on file	369
Referred to judiciary	370

285 By Gaudineer. A bill for an act relating to railway crossings and providing a penalty for violations.	
Introduced, passed on file	369
Referred to transportation	370

286 By Gaudineer. A bill for an act relating to the appointment of public officials.	
Introduced, passed on file	369
Referred to state government	370

287 By Robinson (Lipsky). A bill for an act designating a certain water area of the Wapsipinicon river as an artificial lake and providing for the management of the lake area.	
Introduced, passed on file	369
Referred to conservation and recreation	370
Committee report	421
Recommended passage	421

288 By Potgeter and Walsh. A bill for an act to establish the office of ombudsman for the investigation of citizen complaints and certain acts of government within the state, to define his powers and duties, and to provide penalties.	
Introduced, passed on file	369
Referred to state government	370
Committee report	748
Reported without recommendation	748

289 By Doderer and Conklin. A bill for an act relating to providing protective eyeglass lens and frames and providing a penalty.	
Introduced, passed on file	369
Referred to human and industrial relations	370
Amendment filed	423
Committee report	626
Recommended amendment, passage	626
Committee report adopted	705
Amendment adopted	706
Amendment lost	706
Passed Senate. Ayes 36, nays none	706
Reported correctly enrolled	1431
Signed by President	1432
Sent to Governor	1432
Signed by Governor	1506

290 By Nicholson, Potgeter and Shaff (Holden). A bill for an act relating to fees for census searches charged by the Iowa department of history and archives.	
Introduced, passed on file	369
Referred to state government	370
Committee report	407
Recommended passage	407
Amendment filed	557
Committee report adopted	741
H. F. 369 substituted	741
Withdrawn	742

291 By Gaudineer. A bill for an act providing for representation in the Senate and the House of Representatives beginning with the Sixty-fifth General Assembly.	
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Introduced, passed on file	381	Amendment lost	992
Referred to constitutional amend- ments and reapportionment	383	Amendments lost	993
292 By Agriculture. A bill for an act prohibiting certain business entities from engaging in busi- ness in the agricultural indus- try and providing penalties for violations of the act.		Amendments filed	994
Introduced, placed on calendar....	381	Amendments adopted	994
Amendment filed	456	Amendments lost	994
Amendment filed	557	Amendment adopted	995
Amendment filed	572	Point of order raised	995
Amendment filed	590	Amendment filed	995
Amendment filed	616	Amendment lost	995
Placed on calendar under unfin- ished business	637	Amendment filed	996
Amendments filed	638	Points of order raised	996
Amendments filed	639	Amendment lost	996
Amendments filed	680	Passed Senate. Ayes 38, nays 9...	996
Amendments filed	698	Motion filed to reconsider vote...	997
Referred to commerce	897	Motion to reconsider vote laid on table prevailed	997
Amendment filed	903	Amendment filed	1506
Motion filed to reconsider vote ...	922	Amendments lost	1512
Amendment filed	1184	Senate concurred	1513
293 By Law Enforcement. A bill for an act relating to the con- trol of traffic by means of a red or "Stop" signal.		Passed Senate. Ayes 37, nays 9...	1513
Introduced, placed on calendar ..	382	Motion filed to reconsider vote...	1514
Amendment filed	500	Motion to reconsider vote laid on table prevailed	1514
Re-referred to law enforcement...	710	Reported correctly enrolled	1629
Withdrawn	1159	Signed by President	1629
294 By Briles and Doderer. A bill for an act relating to bed- ding sanitation in hotels, mot- els and motor inns.		Sent to Governor	1629
Introduced, passed on file	382	Signed by Governor	1721
Referred to social services	383	297 By Law Enforcement. A bill for an act relating to motor vehicle inspection and safety and relating to registration certificates and containers, and providing penalties for viola- tion of the act.	
295 By Judiciary. A bill for an act relating to nonprobate transfers.		Introduced, placed on calendar...	382
Introduced, placed on calendar ...	382	Amendment filed	473
Passed Senate. Ayes 41, nays 1...	619	Amendment filed	501
296 By Agriculture. A bill for an act relating to the establish- ment of a soybean promotion fund to receive assessments made on the sale of soybeans; to establish an Iowa soybean promotion board; to provide for a referendum among soy- bean producers and to provide penalties.		Amendment filed	639
Introduced, referred to appropri- ations	382	Amendment filed	642
Amendment filed	384	Amendment filed	666
Amendment filed	521	Amendment filed	667
Committee report	612	Amendment filed	680
Recommended passage	612	Amendment filed	723
Amendment filed	756	Amendment filed	724
Amendment filed	925	Amendments adopted	724
Placed on calendar under unfin- ished business	937	Amendment lost	724
Amendment filed	942	Amendment withdrawn	725
Amendment filed	963	Amendment adopted	726
Amendment filed	974	Amendments adopted	728
Point of order raised	989	Amendments filed	729
Amendment adopted	990	Amendment adopted	729
Amendment withdrawn	990	Amendment lost	729
Amendments lost	991	Amendment filed	730
Amendment adopted	991	Amendments adopted	730
Amendment filed	991	Passed Senate. Ayes 37, nays 11...	730
Amendment filed	992	Motion filed to reconsider vote...	746
Amendments adopted	992	Motion filed to reconsider vote...	746
		Amendment filed	810
		Motion to reconsider vote pre- vailed	817
		Motion filed to reconsider vote ...	818
		Motion to reconsider vote pre- vailed	818
		Amendment adopted	818
		Amendment adopted	819
		Passed Senate. Ayes 39, nays 8...	819
		Message from House	1546
		Senate concurred	1644
		Passed Senate. Ayes 35, nays 4...	1645
		Reported correctly enrolled	1898
		Signed by President	1899
		Sent to Governor	1899
		Signed by Governor	2039
		298 By Griffin (Kreamer). A bill for an act relating to motor ve- hicle registration certificate containers.	

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Introduced, passed on file	382	305 By Social Services. A bill for an act establishing a state board of residential care standards, providing for selection of members thereof, and prescribing their powers and duties.	
Referred to transportation	383	Introduced, referred to state government	395
Committee report	719	Amendment filed	590
Recommend passage	719	Amendment filed	616
299 By Griffin, Arbuckle, Balloun, Carlson, DeKoster, Nicholson, Palmer and Potgeter. A bill for an act relating to the collection of premium taxes on insurance premiums of nonprofit hospital and medical service corporations.		Amendment filed	642
Introduced, passed on file	382	Amendments adopted	676
Referred to ways and means	383	Amendment lost	676
Amendment filed	829	Amendment filed	680
Amendment filed	1217	Amendment lost	685
300 By Griffin, Davis, Shawver, Brownlee, Potter, Walsh and Kennedy. A bill for an act to permit pari-mutuel betting in Iowa; to create a state racing commission and prescribe its powers and duties; to provide for licensing of certain organizations for the purpose of conducting horse races and racing meets; imposing taxes and fees and providing for their use and disbursement; and declaring certain acts to be unlawful and prescribing penalties for the commission of such acts.		Amendment adopted	685
Introduced, passed on file	382	Failed to pass Senate. Ayes 19, nays 25	686
Referred to judiciary	383	Motion filed to reconsider vote	696
Amendment filed	793	Motion to reconsider vote withdrawn	804
301 By Shawver, Balloun, Hill, Van Gilst and Arbuckle (Strothman, Bergman, Fisher of Greene, Kruse, Nielsen, Stokes and Tieden). A bill for an act relating to the use of dead animals.		306 By Social Services. A bill for an act relating to the licensing of funeral homes.	
Introduced, passed on file	383	Introduced, placed on calendar	395
Referred to agriculture	383	Amendments filed	642
302 By Conklin. A bill for an act relating to the reporting of motor vehicle accidents.		Amendment filed	667
Introduced, passed on file	383	Amendment filed	698
Referred to law enforcement	383	Amendment filed	699
Committee report	613	Amendments adopted	805
Recommended passage	613	Amendment adopted	806
Committee report adopted	938	Motion filed to reconsider vote	807
Passed Senate. Ayes 46, nays none	938	Amendment filed	811
Reported correctly enrolled	1482	Motion to reconsider vote failed	914
Signed by President	1482	Amendments adopted	915
Sent to Governor	1482	Amendment withdrawn	915
Signed by Governor	1559	Re-referred to social services	915
303 By Conklin. A bill for an act relating to the obtaining of a test showing either susceptibility or immunity from rubella as a condition precedent to obtaining a marriage license.		307 By Potter and Potgeter. A bill for an act relating to the real property tax credit provided for disabled veterans.	
Introduced, passed on file	383	Introduced, passed on file	395
Referred to social services	383	Referred to ways and means	419
304 By Riley. A bill for an act to reimburse low-income householders for extraordinary property tax burdens and providing a penalty for a fraudulent claim.		Committee report	1145
Introduced, passed on file	383	Recommended passage	1145
Referred to ways and means	383	308 By Griffin and Walsh. A bill for an act relating to delegates to political party caucuses and conventions.	
		Introduced, passed on file	395
		Referred to judiciary	420
		Committee report	697
		Recommended passage	697
		Committee report adopted	1081
		Passed Senate. Ayes 40, nays none	1081
		Reported correctly enrolled	1431
		Signed by President	1432
		Sent to Governor	1432
		Signed by Governor	1506
		309 By Davis, Lamborn, Palmer and Griffin (Schwieger and Norpel. A bill for an act relating to the revocation or suspension of the license to practice chiropractic.	
		Introduced, passed on file	395
		Referred to commerce	420
		310 By Griffin (Knoke, Mollett and Schroeder). A bill for an act relating to the number of official county newspapers.	
		Introduced, passed on file	395
		Amendment filed	409

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Referred to county government...	420	319 By Smith. A bill for an act relating to the issuance of permits by the governing bodies of counties, cities, and towns authorizing commercial entertainment events, declaring certain acts to be unlawful and providing penalties for commission of those acts.	
Withdrawn	1028	Introduced, passed on file	405
311 By Tapscott. A bill for an act relating to the establishment of housing for disabled persons by the department of social services and providing an appropriation.		Referred to county government...	420
Introduced, referred to appropriations	404	320 By Glenn, Kennedy and Gaudineer. A bill for an act prohibiting certain corporations from engaging in farming and ranching operations, providing a method whereby such corporation shall dispose of agricultural or ranch lands, and providing that small family-type corporations may engage in farming and ranching operations within limitations.	
312 By Judiciary. A bill for an act relating to the organization of corporations.		Introduced, passed on file	405
Introduced, placed on calendar ...	404	Referred to commerce	420
Passed Senate. Ayes 40, nays none	530	321 By Coleman, Kennedy and Gaudineer. A bill for an act relating to state assistance to local governments following major disasters and providing an appropriation therefor.	
Reported correctly enrolled	936	Introduced, referred to appropriations	405
Signed by President	936	322 By Curran, Coleman, Rabedaux and Miller (Lawson, Strand, Mayberry, Logemann, Rex, Ellsworth, Edelen, Drake, Dunton, Nielsen and Millen). A bill for an act relating to compensation for feeding prisoners in certain counties.	
Sent to Governor	937	Introduced, passed on file	405
Signed by Governor	1005	Referred to county government...	420
313 By Potgeter, Laverty and Coleman. A bill for an act relating to child labor.		Amendment filed	423
Introduced, passed on file	404	Committee report	1132
Referred to human and industrial relations	420	Recommended amendment, passage	1132
Withdrawn	985	323 By Davis and Doderer. A bill for an act relating to negotiation proceedings of public agencies.	
314 By Keith and DeKoster (Vaughn, Doyle, Rodgers, Rex, Strand and Curtis). A bill for an act relating to travel trailers.		Introduced, passed on file	406
Introduced, passed on file	404	Referred to human and industrial relations	420
Referred to transportation	420	Amendment filed	474
Committee report	719	Committee report	859
Recommended passage	719	Recommended passage	859
Steering recommends calendar	1527	Committee report adopted	1088
Committee report adopted	1928	Amendment adopted	1088
H. F. 386 substituted	1928	Passed Senate. Ayes 38, nays 4	1088
Withdrawn	1929	Motion filed to reconsider vote	1095
315 By Walsh, Coleman, Griffin, Neu, Kennedy, Tapscott, Davis and Doderer. A bill for an act authorizing the department of social services to purchase additional services from other public or private social service agencies and making an appropriation for that purpose.		Amendment filed	1163
Introduced, referred to appropriations	404	Motion to reconsider vote prevailed	1178
316 By Conservation and Recreation. A bill for an act relating to the authority of boat inspectors, water safety officers, and conservation officers to board and inspect vessels and providing penalties.		Amendment adopted	1178
Introduced, placed on calendar ..	404	Passed Senate. Ayes 36, nays 10	1178
Removed from calendar	689	324 By Griffin. A bill for an act relating to enrollments at the state universities.	
Placed on calendar	689	Introduced, passed on file	406
Withdrawn	916	Referred to higher education	420
317 By Van Gilst and Curran. A bill for an act relating to funeral benefits.		325 By Mowry (Pelton.) A bill for an act relating to escheat	
Introduced, passed on file	405		
Referred to social services	420		
318 By Van Drie. A bill for an act relating to eligibility for motor fuel and special fuel tax refunds.			
Introduced, passed on file	405		
Referred to commerce	420		

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of unclaimed postal savings system accounts.	
Introduced, passed on file	411
Referred to judiciary	420
Committee report	807
Recommended passage	807
Committee report adopted	1082
Passed Senate. Ayes 41, nays none	1082
Reported correctly enrolled	1300
Signed by President	1300
Sent to Governor	1300
Signed by Governor	1469
Became law by publication	1721
 326 By Laverty (Varley). A bill for an act relating to the authority of the chemical technology review board.	
Introduced, passed on file	411
Referred to environmental preservation	420
Amendment filed	432
Committee report	473
Recommended passage	473
Amendment filed	642
Committee report adopted	689
Amendment adopted	689
Point of order raised	897
Amendment filed	897
Amendment adopted	897
Passed Senate. Ayes 36, nays 8	898
Reported correctly enrolled	1300
Signed by President	1300
Sent to Governor	1300
Signed by Governor	1469
Became law by publication	2061
 327 By Laverty. A bill for an act relating to construction specifications for secondary roads.	
Introduced, passed on file	411
Referred to transportation	420
Committee report	1162
Recommended passage	1162
 328 By Laverty, Erskine, Curran and Smith (Varley, Lawson, Blouin, Cochran, Miller, Rodgers, McCormick and Dougherty). A bill for an act to prohibit the discharge of sewage from residences into open ditches along the right-of-way of any highway or public road, and to provide penalties therefor.	
Introduced, passed on file	411
Referred to environmental preservation	420
 329 By Laverty and Van Drie (Pierson, Middleswart, Waugh, Dougherty, Rodgers, Priebe, Roorda, Dunton and Mendenhall). A bill for an act relating to the operation of aircraft.	
Introduced, passed on file	418
Referred to transportation	431
Committee report	588
Recommended passage	588
Amendment filed	811
Steering recommends calendar	1527
 330 By DeKoster. A bill for an act relating to cattle guards, fences, and depot grounds.	
Introduced, passed on file	418
Referred to commerce	431

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331 By Palmer. A bill for an act relating to child desertion and the penalty therefor.	
Introduced, passed on file	418
Referred to judiciary	431
 332 By Conservation and Recreation. A bill for an act relating to the seasons and limits on fish and frogs.	
Introduced, placed on calendar ...	419
Amendment filed	456
Placed on calendar under unfinished business	534
Amendment filed	886
Amendment withdrawn	895
Amendment adopted	895
Passed Senate. Ayes 43, nays 1	895
Message from House	1479
Senate concurred	1514
Passed Senate. Ayes 46, nays 1	1514
Reported correctly enrolled	1588
Signed by President	1588
Sent to Governor	1588
Signed by Governor	1720
 333 By Law Enforcement. A bill for an act relating to the revocation or suspension of operators' and chauffeurs' licenses.	
Introduced, placed on calendar ...	425
Amendment filed	925
 334 By Agriculture. A bill for an act relating to the vending of foods and beverages and providing a penalty.	
Introduced, placed on calendar ...	425
 335 By Mowry and Briles (Knocke). A bill for an act to require higher bail for persons accused of violent crimes.	
Introduced, passed on file	425
Referred to law enforcement ...	431
Amendment filed	445
Committee report	664
Recommended amendment, passage	664
Made special order	717
Amendment filed	735
Amendment filed	756
Committee report adopted	782
Amendment adopted	782
Amendment filed	784
Amendment lost	784
Amendment filed	785
Amendments adopted	785
Amendments lost	785
Motion filed to reconsider vote ...	791
Motion to reconsider vote failed ..	791
Amendments filed	793
Amendments filed	797
Amendment adopted	797
Amendment lost	797
Amendments filed	798
Points of order raised	798
Amendment adopted	798
Amendments lost	798
Amendments filed	799
Amendments adopted	799
Failed to pass Senate. Ayes 23, nays 23	799
 336 By Gaudineer. A bill for an act relating to replevin bonds.	
Introduced, passed on file	425
Referred to judiciary	431

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337 By Gaudineer, Miller, Tapscott and Palmer. A bill for an act providing state aid to cities and towns and an appropriation therefor.		345 By Social Services. A bill for an act to provide protection for the institutional officers of the Iowa security medical facility.	
Introduced, passed on file	429	Introduced, placed on calendar ...	435
338 By Doderer, Coleman, Robinson, Miller and Gaudineer (Kehe, Stanley, Winkelman, Campbell Egenes, Mollett, Uban, Schwieger and Doyle). A bill for an act to provide for this state to enter into the Midwest Nuclear Compact.		Passed Senate. Ayes 46, nays none	619
Introduced, passed on file	429	Reported correctly enrolled	1431
Referred to Iowa development	431	Signed by President	1432
Withdrawn	629	Sent to Governor	1432
339 By Curran (Lawson). A bill for an act relating to the support of mentally retarded children.		Signed by Governor	1506
Introduced, passed on file	429	346 By Erskine (Tieden). A bill for an act imposing fees for the use of certain state recreational areas and providing penalties for violations.	
Referred to social services	431	Introduced, passed on file	435
340 By Tapscott. A bill for an act relating to the levy of taxes for the operation and maintenance of courts.		Referred to conservation and recreation	471
Introduced, passed on file	429	Committee report	859
Referred to ways and means	431	Recommended passage	859
341 By Griffin (Sorg, Camp, Lawson, Mendenhall, Stokes, Kreamer and Winkelman). A bill for an act relating to bank offices.		347 By DeKoster and Gaudineer (Kreamer and Pelton). A bill for an act relating to private foundations and charitable trusts.	
Introduced, passed on file	429	Introduced, passed on file	435
Referred to commerce	431	Referred to judiciary	471
342 By Riley, Briles, Walsh, Miller and Messerly (Hansen, Camp, Christensen, Wells, Schmeiser, Mayberry, Ellsworth, Taylor and Gluba). A bill for an act to require that railway employees be provided adequate sanitation and shelter and providing a penalty.		Committee report	613
Introduced, passed on file	429	Recommended amendment, passage	613
Referred to human and industrial relations	431	Committee amendment	613
Committee report	859	Committee report adopted	704
Recommended amendment, passage	859	Committee amendment adopted	704
Committee amendment	859	Passed Senate. Ayes 31, nays 1	704
Steering recommends calendar	1863	Reported correctly enrolled	936
Committee report adopted	1931	Signed by President	936
H. F. 271 substituted	1931	Sent to Governor	937
Withdrawn	1932	Signed by Governor	1005
343 By Riley, Kennedy, Van Gilst, Walsh, Conklin, Ollenburg, Carlson, Palmer, Griffin, Neu, Doderer, Potter, Shaff, Gaudineer and Rhodes. A bill for an act relating to the contribution ceiling under the Iowa public employees' retirement system.		348 By DeKoster and Gaudineer (Kreamer and Pelton). A bill for an act relating to nonprofit corporations.	
Introduced, passed on file	429	Introduced, passed on file	436
Referred to appropriations	431	Referred to judiciary	471
344 By Potgeter. A bill for an act relating to abortion and to provide a penalty.		Committee report	613
Introduced, passed on file	429	Recommended amendment, passage	613
Referred to judiciary	431	Committee amendment	613
		Committee report adopted	704
		Committee amendment adopted	705
		Passed Senate. Ayes 30, nays 1	705
		Reported correctly enrolled	1121
		Signed by President	1121
		Sent to Governor	1121
		Signed by Governor	1182
		349 By Ways and Means. A bill for an act relating to the penalty and interest for the sales tax.	
		Introduced, placed on calendar	443
		Passed Senate. Ayes 47, nays none	545
		Reported correctly enrolled	1214
		Signed by President	1214
		Sent to Governor	1215
		Signed by Governor	1285
		350 By Laverty and Gaudineer. A bill for an act making an appropriation to the Iowa American Revolution Bicentennial Commission.	
		Introduced, referred to appropriations	443
		Withdrawn	2028

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351 By Schaben, Lamborn and Balloun. A bill for an act to repeal the meat and poultry inspection act.

Introduced, passed on file 443
Referred to agriculture 471

352 By Potter and Riley (Pelton and Lipsky). A bill for an act relating to standards for ambulance services and providing penalties for violations.

Introduced, passed on file 443
Referred to commerce 471

353 By Cities and Towns. A bill for an act relating to powers of local authorities to designate snow routes and regulate traffic thereon.

Introduced, placed on calendar ... 443
Passed Senate. Ayes 34, nays 10.. 620
Reported correctly enrolled 790
Signed by President 790
Sent to Governor 790
Signed by Governor 901

354 By DeKoster and Potgeter. A bill for an act relating to the issuance of new birth certificates for persons born outside the United States and adopted in Iowa.

Introduced, passed on file 443
Referred to state government ... 471
Committee report 748
Recommended passage 748
Referred to judiciary 853

355 By Tapscott, Palmer and Carlson. A bill for an act relating to the tax levy for county hospitals in counties having a population of two hundred twenty-five thousand or more.

Introduced, passed on file 444
Referred to county government ... 471
Committee report 829
Recommended passage 829
Committee report adopted 1085
Passed Senate. Ayes 35, nays 6... 1085
Reported correctly enrolled 1500
Signed by President 1500
Sent to Governor 1500
Signed by Governor 1559

356 By Gaudineer, Kennedy and Miller. A bill for an act relating to permits to carry concealed weapons, and to provide punishment for those persons who violate the act.

Introduced, passed in file 444
Referred to law enforcement ... 471
Committee report 613
Recommended passage 613
Amendment filed 680
Amendment filed 771
Amendment filed 1096
Steering recommends calendar ... 1161
Amendment filed 1547

357 By Palmer, Miller, Robinson and Gaudineer. A bill for an act to allow injured employees under the Iowa workmen's compensation act to select the medical practitioner who treats them.

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Introduced, passed on file 444
Referred to human and industrial relations 471

358 By Gaudineer. A bill for an act to appropriate from the general fund of the state to the department of social services to provide aid to juvenile homes.

Introduced, referred to appropriations 444

359 By Potter. A bill for an act relating to motor fuel tax on motor fuel used by the county conservation boards.

Introduced, passed on file 446
Referred to ways and means 471

360 By Thordson, Riley, Walsh, Messerly, Curran, Gaudineer, Schaben, Van Drie, Griffin, Nicholson, Rabedaux, Graham and Mowry. A bill for an act relating to penalties for the operation of coin machines by false means.

Introduced, passed on file 446
Referred to law enforcement ... 471
Amendment filed 522

361 By Potgeter. A bill for an act relating to the taxation of private and professional libraries.

Introduced, passed on file 454
Referred to ways and means 471
Committee report 521
Recommended passage 521
Committee report adopted 652
Passed Senate. Ayes 44, nays 2... 652
Reported correctly enrolled 1214
Signed by President 1214
Sent to Governor 1215
Signed by Governor 1285

362 By Potgeter and Coleman. A bill for an act relating to commercial feed inspection fees.

Introduced, passed on file 454
Referred to agriculture 471
Withdrawn 708

363 By County Government. A bill for an act relating to the salary of deputy sheriffs in counties having a population of over two hundred fifty thousand.

Introduced, placed on calendar ... 454
Passed Senate. Ayes 33, nays 12.. 621

364 By Griffin and Kennedy. A bill an act relating to the length of combination of vehicles unladen and with load.

Introduced, passed on file 454
Referred to transportation 472

365 By Iowa Development. A bill for an act to provide for this state to enter into the Midwest Nuclear Compact.

Introduced, placed on calendar ... 454
Amendment filed 501
Amendment adopted 621
Passed Senate. Ayes 41, nays 1... 622
Reported correctly enrolled 746

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Signed by President	746	Introduced, passed on file	469
Sent to Governor	746	Referred to state government	495
Signed by Governor	807		
366 By Curran and Keith. A bill for an act relating to the towing of four-wheeled trailers with steering axles.		374 By Higher Education. A bill for an act authorizing merged areas to acquire and operate student centers and parking facilities, and to finance the cost with revenue bonds.	
Introduced, passed on file	454	Introduced, placed on calendar ...	469
Referred to transportation	472	Steering recommends calendar ...	1527
367 By Tapscott. A bill for an act providing for the rights of a tenant in the maintenance and repair of rental property used in a whole or in part as a dwelling.		375 By Stephens, Arbuckle, Griffin, Balloun, Coleman, Robinson and Curran. A bill for an act to provide an excise tax on each bushel of corn sold to establish the Iowa corn marketing and research board, and to provide penalties for violations.	
Introduced, passed on file	459	Introduced, passed on file	469
Referred to judiciary	472	Referred to agriculture	495
368 By Kennedy (Sorg). A bill for an act relating to the establishment of civil service for deputy county sheriffs and providing penalties for violations.		Amendment filed	501
Introduced, passed on file	468		
Referred to county government ..	495	376 By Coleman and Kyhl. A bill for an act relating to vehicle equipment requirements.	
369 By Kennedy, Briles, Gilley, Riley, Walsh, Kyhl, Potter, Gaudineer, Lamborn and Shawver (Tieden, Doyle, Ellsworth, Taylor, Mendenhall, Blouin and McCormick). A bill for an act to authorize certain vehicle safety regulations on streets and highways and to prescribe a penalty.		Introduced, passed on file	469
Introduced, passed on file	468	Referred to transportation	495
Referred to law enforcement	495	Committee report	1162
Committee report	1162	Recommended passage	1162
Recommended passage	1162		
Steering recommends calendar ...	1527	377 By Van Drie, Tapscott, Palmer and Balloun. A bill for an act relating to installation or connection charges levied by telephone companies.	
Committee report adopted	1658	Introduced, passed on file	477
Passed Senate. Ayes 35, nays 1...	1659	Referred to commerce	495
370 By Griffin. A bill for an act relating to requiring public convenience and necessity for issuance of intrastate truck operator or contract carrier permits and providing penalties.		378 By Gaudineer. A bill for an act relating to the creation of an Iowa athletic council.	
Introduced, passed on file	469	Introduced, passed on file	493
Referred to transportation	495	Referred to state government	516
371 By Potgeter. A bill for an act relating to the movement of vehicles with loads of excess size and weight.		379 By Riley, Miller, Neu and Griffin. A bill for an act relating to safety standards and equipment on motor vehicles used by railroad companies, to the authority of the Iowa state commerce commission, and to provide penalties for violations.	
Introduced, passed on file	469	Introduced, passed on file	493
Referred to transportation	495	Referred to commerce	516
Committee report	1162		
Recommended passage	1162	380 By Riley, Griffin, Tapscott, Walsh and Conklin (Shaw, Fischer of Grundy, Sorg, Knoke and Skinner). A bill for an act providing for the inclusion of students of schools of nursing in the tuition grant program.	
		Introduced, passed on file	493
372 By Potgeter. A bill for an act relating to the bureau of labor.		Referred to schools	516
Introduced, passed on file	469	Re-referred to higher education ..	554
Referred to human and industrial relations	495		
		381 By Curran, Coleman and Rabedaux (Lawson, Freeman, Strand, Mayberry, Rex, Ellsworth, Edelen, Grassley, Drake, Dunton, Nielsen, Cochran and Millen). A bill for an act relating to reduction of sentence for prisoners held in county jails.	

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Introduced, passed on file	494
Referred to judiciary	517
Withdrawn	1213
382 By DeKoster and Gaudineer (Kreamer). A bill for an act relating to deceptive trade practices and providing for civil remedies.	
Introduced, passed on file	494
Referred to commerce	517
383 By Palmer, Doderer, Gaudi- neer, Hill, Kennedy, Miller and Robinson. A bill for an act re- lating to the membership of the employment safety com- mission.	
Introduced, passed on file	494
Referred to human and industrial relations	517
384 By Van Drie (Schwieger). A bill for an act relating to crash - resistant automobile bumpers and declaring certain acts to be unlawful and provid- ing penalties for violations.	
Introduced, passed on file	494
Referred to law enforcement	517
385 By Conklin. A bill for an act relating to the issuance of deer hunting licenses.	
Introduced, passed on file	494
Referred to conservation and rec- reation	517
386 By Commerce. A bill for an act relating to assignment of group life insurance.	
Introduced, placed on calendar ...	513
Passed Senate. Ayes 40, nays none	652
Reported correctly enrolled	1300
Signed by President	1300
Sent to Governor	1300
Signed by Governor	1469
387 By Human and Industrial Re- lations. A bill for an act re- lating to collective bargaining in public employment, provid- ing penalties for violations, and making an appropriation therefor.	
Introduced, referred to appropria- tions	513
Amendment filed	1054
Committee report	1527
Reported without recommenda- tion	1528
Steering recommends calendar ...	1527
Amendment filed	1577
388 By Riley. A bill for an act to establish full property rights between husband and wife.	
Introduced, passed on file	513
Referred to judiciary	539
389 By Cities and Towns. A bill for an act relating to the place of payment of public bonds.	
Introduced, placed on calendar ...	513
Amendment filed	668
Amendment adopted	703
Passed Senate. Ayes 32, nays none	703

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Reported correctly enrolled	1121
Signed by President	1121
Sent to Governor	1121
Signed by Governor	1182
390 By Riley. A bill for an act relating to interest and penal- ties on Iowa income tax.	
Introduced, passed on file	514
Referred to ways and means	539
391 By Conservation and Recrea- tion. A bill for an act relating to the boarding and inspection of vessels and providing a pen- alty.	
Introduced, placed on calendar ...	514
Placed on calendar under unfin- ished business	687
Withdrawn	914
392 By Agriculture. A bill for an act relating to the eradication of hog cholera and the control and eradication of the swine diseases.	
Introduced, placed on calendar ...	514
Amendment filed	557
Amendment filed	591
Amendments filed	668
Amendment filed	1033
Amendment adopted	1089
Amendment withdrawn	1091
Amendment lost	1091
Amendments adopted	1091
Amendments withdrawn	1093
Amendment filed	1093
Amendment adopted	1093
Amendment lost	1094
Amendment filed	1094
Amendment adopted	1094
Motion filed to reconsider vote ...	1094
Motion to reconsider vote failed ...	1105
Passed Senate. Ayes 39, nays 7 ...	1105
Motion filed to reconsider vote ...	1105
Motion to reconsider vote laid on table prevailed	1105
393 By Potter. A bill for an act relating to the use of sewer rental funds.	
Introduced, passed on file	514
Referred to cities and towns	539
Committee report	679
Recommended passage	679
Steering recommends calendar ...	1527
394 By Doderer, Tapscott, Glenn, Kennedy, Miller and Gaudineer. A bill for an act allowing a lawfully married student to at- tend school and to participate in extracurricular activities.	
Introduced, passed on file	538
Referred to schools	539
395 By Glenn, Coleman, Tapscott, Van Gilst, Palmer, Gaudineer, Kennedy and Miller. A bill for an act providing for the crea- tion of a small claims court.	
Introduced, passed on file	538
Referred to judiciary	539
396 By Schaben. A bill for an act related to the revocation pen- alty for drag racing.	
Introduced, passed on file	538
Referred to law enforcement	539

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Committee report	1162
Recommended passage	1162
397 By Cities and Towns. A bill for an act relating to home rule for cities; establishing the city Code of Iowa which provides for powers and duties of cities including the power to impose penalties by ordinance, city development, organization of city government, city elections, city legislation, city finance including the power to issue bonds, city utilities, and administrative agencies of cities; coordinating the Code of Iowa with the city Code of Iowa; repealing incompatible chapters in title fifteen (15) and re-enacting provisions from title fifteen (15) which belong in other parts of the Code of Iowa; removing inconsistent references, incorrect provisions, limited grants of power, and restrictions based upon population; and providing for a state housing code and penalties for violation thereof, to be enforced in cooperation with city officials.	
Introduced, placed on calendar ...	538
Amendment filed	643
Amendments filed	812
Amendment filed	942
Amendment filed	963
Amendment filed	1054
Amendment filed	1078
Amendments filed	1096
Amendments filed	1112
Amendments filed	1113
Amendment filed	1114
Amendments filed	1115
Amendment filed	1116
Made special order	1130
Amendments filed	1146
Amendment filed	1147
Amendment filed	1164
H. F. 574 substituted	1941
Withdrawn	2002
398 By Gaudineer, Miller, Tapscott and Palmer. A bill for an act to establish a municipal tax relief fund and to make an appropriation for street purposes for cities and towns.	
Introduced, passed on file	539
Referred to cities and towns ...	539
399 By Shaff (Alt). A bill for an act to license and regulate water conditioning contractors and to establish a water conditioning examining board and providing penalties for violations.	
Introduced, passed on file	539
Referred to state government ...	539
400 By Lamborn. A bill for an act relating to nonnegligent damages caused by the highway patrol.	
Introduced, passed on file	539
Referred to judiciary	539
401 By Kyhl, Arbuckle, Neu, Palmer and Potgeter (Priebe,	

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Drake, Bergman, Rex, Freeman, Patton, Welden, Millen, Nielsen, Knoblauch, Skinner, Christensen, Rodgers, Mendenhall, Wirtz, Stromer, Schroeder, Siglin and Edelen). A bill for an act to authorize counties operating county public hospitals to issue revenue bonds.	
Introduced, passed on file	552
Referred to county government ..	555
402 By Law Enforcement. A bill for an act relating to benefits under the peace officers' retirement system.	
Introduced, placed on calendar ...	552
Passed Senate. Ayes 32, nays 12...	688
Reported correctly enrolled	1482
Signed by President	1482
Sent to Governor	1482
Signed by Governor	1559
403 By Coleman and Kyhl. A bill for an act relating to in-transit vehicles.	
Introduced, passed on file	552
Referred to transportation	555
Committee report	1163
Reported without recommendation	1163
404 By Tapscott, Potgeter, Smith, Gaudineer, Van Gilst, DeKoster, Walsh, Briles, Schaben, Robinson, Arbuckle, Griffin, Gilley, Coleman, Palmer, Kennedy, Shawver, Erskine, Balloun, Rhodes, Miller, Nicholson and Graham (Kreamer, Andersen, Fischer of Grundy, Bennett, Doyle, Kinley, Fisher of Greene, Ellsworth, Anania, Jesse, Duntton, Drake, Franklin, Christensen, Freeman, Radl, Middleswart, Tieden, Scott, Knoblauch, Willits, Mayberry, Kruse, Roorda, Stromer, Rodgers, Patton, Priebe, Schroeder, Alt, Kennedy, Rex, Skinner and Blouin). A bill for an act to make an appropriation to the executive council for the college of osteopathic medicine and surgery, Polk County, Iowa.	
Introduced, passed on file	552
Referred to appropriations	555
405 By Graham. A bill for an act relating to justifiable defense of person or property, and providing for indemnification or reimbursement by the state.	
Introduced, passed on file	553
Referred to judiciary	555
406 By Doderer, Tapscott, Coleman, Glenn, Kennedy, Miller and Gaudineer. A bill for an act relating to civil rights and providing penalties.	
Introduced, passed on file	553
Referred to judiciary	555
407 By Milligan, Davis, Lamborn, Walsh, Palmer and Tapscott (Alt, Ellsworth, Kreamer,	

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Drake, Franklin and Blouin). A bill for an act to provide tuition grants, based upon financial need, to full-time resident post baccalaureate students attending accredited private institutions of higher education in Iowa.		Introduced, passed on file	570
Introduced, passed on file	553	Referred to human and industrial relations	571
Referred to higher education	555		
408 By Palmer, Gaudineer, Potter, Tapscott, DeKoster, Griffin and Potgeter. A bill for an act relating to the sale of insurance.		415 By Tapscott, Coleman, Doderer, Glenn, Miller and Robinson. A bill for an act relating to sales tax refund.	
Introduced, passed on file	553	Introduced, passed on file	570
Referred to commerce	555	Referred to ways and means	571
409 By Potter. A bill for an act relating to security measures for customers of self-service laundry and dry cleaning establishment, and providing penalties for violations.		416 By Potter. A bill for an act relating to persons eligible for appointment to county conservation boards.	
Introduced, passed on file	553	Introduced, passed on file	570
Referred to commerce	555	Referred to conservation and recreation	571
410 By Potter and Keith. A bill for an act relating to the taxation of real estate transfers and the penalty for failure to comply.		417 By Judiciary. A bill for an act relating to judicial restricting and judicial nominating commissions.	
Introduced, passed on file	553	Introduced, placed on calendar	577
Referred to ways and means	555	Made special order	593
Committee report	1145	Amendments filed	646
Recommended amendment, passage	1145	Amendments filed	647
Committee amendment	1145	Amendment filed	648
Steering recommends calendar	1527	Special order	653
		Amendment filed	654
411 By Tapscott, Coleman, Kennedy, Glenn, Gaudineer and Miller. A bill for an act relating to the appointment of deputy state comptrollers.		Amendments lost	654
Introduced, passed on file	560	Amendments lost	655
Referred to state government	571	Amendment lost	656
		Amendment withdrawn	656
412 By Tapscott, Robinson, Glenn, Doderer, Coleman, Kennedy, Palmer, Miller and Gaudineer. A bill for an act relating to the Iowa labor relations board and unfair labor practices and providing penalties.		Amendments filed	657
Introduced, passed on file	560	Amendment lost	657
Referred to human and industrial relations	571	Amendment adopted	657
		Passed Senate. Ayes 35, nays 13	657
413 By Higher Education. A bill for an act relating to the period of time for which a merged area may levy a tax for certain purposes.		Message from House	781
Introduced, placed on calendar	560	Senate concurred	893
Steering recommends calendar	1161	Passed Senate. Ayes 34, nays 8	893
Passed Senate. Ayes 36, nays 9	1526	Reported correctly enrolled	981
Motion filed to reconsider vote	1526	Signed by President	981
Motion to reconsider vote laid on table prevailed	1526	Sent to Governor	981
		Signed by Governor	1050
414 By Tapscott, Glenn, Kennedy, Palmer, Miller and Gaudineer. A bill for an act relating to the establishment of wage rates for public works projects and providing penalties for violations.		418 By Gaudineer. A bill for an act relating to benefits for veterans in state employment.	
		Introduced, passed on file	577
		Referred to state government	612
		Committee report	665
		Recommended passage	665
		Amendment filed	756
		Amendment filed	925
		Committee report adopted	938
		Placed on calendar under unfinished business	938
		Amendments adopted	997
		Passed Senate. Ayes 45, nays none	997
		419 By Brownlee, Riley, Smith, Tapscott, Davis and Palmer (Den Herder, Skinner, Ellsworth and Wirtz). A bill for an act establishing the Iowa health services commission, requiring a certificate of need for new health care facilities or services, and providing penalties for certain violations.	
		Introduced, passed on file	577
		Referred to social services	612
		Amendment filed	616
		420 By Coleman, Tapscott, Palmer and Gaudineer. A bill for an act relating to the reorganization of the executive func-	

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titons of state government by the creation of a department of executive services; placing within the department a division of general services and several existing state agencies, and delegating certain executive duties in connection with the reorganization.		426 By Milligan (Kreamer). A bill for an act to legalize and validate the proceedings of the board of directors of the Des Moines Independent community school district, in the county of Polk, state of Iowa, confirming and authorizing the sale of certain property.	
Introduced, passed on file	587	Introduced, passed on file	606
Referred to state government	612	Referred to judiciary	612
421 By Robinson, Kennedy, Palmer, Miller, Glenn, Tapscott, Hill, Coleman and Gaudineer (Bennett and Ellsworth). A bill for an act relating to membership in labor unions.		Proof of publication certified	664
Introduced, passed on file	588	Committee report	807
Referred to human and industrial relations	612	Recommended passage	808
422 By Robinson, Glenn, Kennedy, Miller, Coleman and Gaudineer. A bill for an act relating to certain injunctions issued in labor disputes.		Committee report adopted	1082
Introduced, passed on file	588	Passed Senate. Ayes 42, nays none	1083
Referred to judiciary	612	Reported correctly enrolled	1121
423 By Robinson, Palmer, Gaudineer, Tapscott, Doderer and Glenn (Gluba). A bill for an act relating to the establishment of uniform procedures for the payment of wages by employers and for settling disputes and providing penalties for violations.		Signed by President	1121
Introduced, passed on file	588	Sent to Governor	1121
Referred to human and industrial relations	612	Signed by Governor	1182
424 By Riley, Robinson, Kennedy, Gaudineer, Davis, Potter, Coleman, Walsh and Kyhl (Doyle, Hamilton, Clark, Millen, Johnston, Radt, Stanley, Wells, Small, Mayberry and Pelton). A bill for an act relating to the establishment of civil service for deputy county sheriffs and providing penalties for violations.		Became law by publication	1721
Introduced, passed on file	606		
Referred to county government ..	612	427 By Judiciary. A bill for an act relating to the establishment of area correction centers, their construction and programs, coordination of programs of area correction centers with other institutions under the control of the department of social services, and providing for amendment of certain penal statutes presently provided by law.	
Amendment filed	699	Introduced, placed on calendar ...	611
425 By Milligan (Alt and Freeman). A bill for an act to legalize and validate the proceedings of the town council of the town of Peterson, Clay County, Iowa, levying certain special assessments and issuing special assessment street improvement bonds.		Amendment filed	668
Introduced, passed on file	606	Made special order	717
Referred to judiciary	612	Amendment filed	719
Proof of publication certified	664	Amendment filed	737
Committee report	698	Special order	742
Recommended passage	698	Amendments lost	743
Committee report adopted	939	Amendment adopted	745
Passed Senate. Ayes 43, nays none	939	Amendment adopted	746
Reported correctly enrolled	1482	Amendments filed	757
Signed by President	1482	Amendments adopted	762
Sent to Governor	1482	Amendment adopted	763
Signed by Governor	1559	Amendment filed	763
Became law by publication	1934	Point of order raised	763
		Motion filed to reconsider vote ..	764
		Motion to reconsider vote prevailed	764
		Amendment adopted	765
		Amendments lost	765
		Amendment filed	765
		Amendment filed	766
		Amendment adopted	766
		Failed to pass Senate. Ayes 23, nays 23	767
		Motion filed to reconsider vote ..	767
		Motion to reconsider vote failed ..	1157
		428 By Judiciary. A bill for an act to provide a unified trial court having district court judges and district court magistrates, and district court associate judges during transition; to discontinue courts inferior to the district court; and to establish traffic violations offices within the district court to receive uniform traffic violation penalties.	
		Introduced, placed on calendar ...	611
		Made special order	723
		Amendment filed	772
		Amendment filed	779
		Amendment filed	793

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Special order	819	434 By Walsh and Tapscott. A bill for an act to provide for the regulation of the sale of prearranged or prepaid funeral services and merchandise and to provide penalties for violations.	
Point of order raised	819	Introduced, passed on file	624
Amendments filed	820	Referred to commerce	625
Amendments adopted	820		
Amendment lost	821	435 By Walsh and Riley (Radl, Ellsworth, Stanley, Knoblauch, Mendenhall, Pelton, Schroeder, Small, Taylor, Sorg, Priebe and Lipsky). A bill for an act to supplement the federal laboratory animal welfare act; to provide standards for the care of animals in animal shelters, pounds, and pet shops, and to regulate dealers, animal wardens, boarding kennels, and commercial breeders; and to declare certain acts unlawful and provide penalties for violations.	
Amendment filed	821	Introduced, passed on file	625
Amendment adopted	821	Referred to agriculture	625
Amendment filed	822	Amendment filed	903
Amendments adopted	822	Amendment filed	942
Amendment withdrawn	823		
Amendments filed	824	436 By Tapscott (Cochran, Stroman, Dougherty, Middleswart, Schmeiser, Christensen, Knoblauch, Rodgers, Scott, Gluba and Priebe). A bill for an act relating to financing of aid to dependent children, blind assistance, and aid to the disabled.	
Amendment adopted	824	Introduced, passed on file	628
Amendment lost	824	Referred to appropriations	637
Amendment adopted	825		
Amendment lost	825	437 By Van Drie, Griffin and Riley (Christensen, Tieden, Freeman, Mayberry and Duntton). A bill for an act relating to cosmetology and to require the licensing of beauty salons.	
Amendments filed	826	Introduced, passed on file	628
Amendment adopted	826	Referred to commerce	637
Amendments lost	826	Amendment filed	699
Amendment adopted	827	Committee report	923
Point of order raised	827	Recommended amendment, passage	923
Passed Senate. Ayes 35, nays 14.	827		
Motion filed to reconsider vote	827	438 By Social Services. A bill for an act relating to easements on property subject to the jurisdiction of the department of social services.	
Motion to reconsider vote laid on table	827	Introduced, placed on calendar ...	651
Motion to reconsider vote laid on table prevailed	828	Passed Senate. Ayes 30, nays 1...	708
429 By Arbuckle. A bill for an act relating to the taxation of credit cards and providing penalties for violations.		439 By Conklin. A bill for an act relating to the sale of insurance, declaring certain acts to be unlawful, and providing penalties for violation.	
Introduced, passed on file	624	Introduced, passed on file	651
Referred to ways and means	625	Referred to commerce	677
430 By Griffin (Mollett). A bill for an act relating to sanitary and improvement districts.		440 By Potgeter and Potter. A bill for an act relating to the tax on services.	
Introduced, passed on file	624	Introduced, passed on file	659
Referred to county government...	625	Referred to ways and means	677
Amendment filed	793	Amendment filed	699
Committee report	1132		
Recommended amendment, passage	1132		
431 By Conservation and Recreation. A bill for an act relating to hunting restrictions.			
Introduced, placed on calendar ..	624		
Amendment filed	719		
Amendment adopted	1038		
Passed Senate. Ayes 45, nays none	1038		
432 By Potter. A bill for an act relating to remitting of property taxes and special assessment taxes paid to the mortgage holder by the property owner.			
Introduced, passed on file	624		
Referred to county government...	625		
Amendment filed	668		
Committee report	924		
Recommended indefinite postponement	924		
433 By State Government. A bill for an act to provide for annual validation of motor vehicle registration plates.			
Introduced, placed on calendar ...	624		
Removed from calendar	707		
Placed on calendar under unfinished business	707		
Passed Senate. Ayes 39, nays 8...	988		
Reported correctly enrolled	1482		
Signed by President	1482		
Sent to Governor	1482		
Signed by Governor	1559		

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441 By Transportation. A bill for an act relating to the dis-possession of a landowner under condemnation proceedings for highway purposes.	
Introduced, placed on calendar	659
Steering recommends calendar	1161
Amendment filed	1180
Placed on calendar under unfin- ished business	1180
Amendment filed	1185
Amendment filed	1217
Amendment filed	1507
H. F. 347 substituted	1716
Rule suspended	1716
Withdrawn	1718
442 By Riley. A bill for an act relating to the investment of public funds from the sale of school bonds.	
Introduced, passed on file	659
Referred to state government	677
Committee report	902
Reported without recommendation	902
Amendment filed	1034
Amendment filed	1147
Committee report adopted	1171
Amendment filed	1172
Amendments adopted	1172
Amendment withdrawn	1172
Passed Senate. Ayes 46, nays none	1173
Reported correctly enrolled	1500
Signed by President	1500
Sent to Governor	1500
Signed by Governor	1559
443 By Walsh, Riley, Kennedy and Griffin (Trowbridge, Kelly, Schwieger, Hill, Anania, Tieden, Knoke, Larson, Small, Priebe, Knoblauch, Mayberry, Kehe, Ellsworth, Taylor, Schwartz, Doyle, Norpel, Gluba, Kennedy, Bennett, Skinner, Mollett and Dougherty). A bill for an act relating to the sale and distribution of wine containing not more than seven-teen percent alcohol by weight, declaring certain acts to be un-lawful and prescribing penal-ties therefor.	
Introduced, passed on file	674
Referred to commerce	677
444 By Higher Education. A bill for an act relating to student fees at merged area commu-nity colleges and vocational schools.	
Introduced, placed on calendar ...	677
Amendment filed	720
Steering recommends calendar....	1161
Amendments filed	1180
Amendment adopted	1180
Amendment withdrawn	1180
Amendment lost	1181
Passed Senate. Ayes 39, nays 8....	1181
Reported correctly enrolled	1629
Signed by President	1629
Sent to Governor	1629
Signed by Governor	1721
445 By Arbuckle, Potgeter, Bal-loun, Bass, Schaben, Van Drie, Erskine, Gilley, Miller, Tap-scott and Van Gilst. A bill for	

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an act relating to the imposi-tion of a tax on intangible personal property, and provid-ing procedures for administra-tion and penalties for viola-tion.	
Introduced, passed on file	686
Referred to ways and means	697
446 By Transportation. A bill for an act relating to the over-all length of combinations of vehicles.	
Introduced, placed on calendar ...	686
Amendment filed	1273
Steering recommends calendar ...	1527
Amendments withdrawn	1536
Amendments filed	1536
Amendment lost	1536
Amendment lost	1537
Amendment filed	1537
Point of order raised	1537
Amendment lost	1538
Amendment filed	1538
Motion to table	1538
Motion to table lost	1539
Amendment lost	1540
Amendments filed	1540
Amendments adopted	1540
Passed Senate. Ayes 28, nays 19..	1540
Motion filed to reconsider vote...	1541
Motion to reconsider vote laid on table	1541
Motion to reconsider vote laid on table prevailed	1541
447 By Walsh, Griffin, Thorsen, Messerly and Riley. A bill for an act relating to the licens-ing of real estate apprentice sales-men.	
Introduced, passed on file	686
Referred to commerce	719
Committee report	923
Recommended passage	924
Amendment filed	925
Amendment filed	1529
448 By Tapscott, Kennedy, Rob-inson, Miller and Doderer (Gluba). A bill for an act re-lating to Iowa income tax.	
Introduced, passed on file	686
Referred to ways and means	697
449 By State Government. A bill for an act relating to the pur-chase and use of state-owned automobiles.	
Introduced, placed on calendar ...	695
Passed Senate. Ayes 38, nays 1....	1022
Reported correctly enrolled	1394
Signed by President	1394
Sent to Governor	1394
Signed by Governor	1469
450 By Potgeter (Lipsky). A bill for an act relating to preven-tion, abatement or control of noise pollution, and providing penalties for violations.	
Introduced, passed on file	695
Referred to environmental pres-ervation	697
451 By Gaudineer. A bill for an act relating to the reorganiza-tion of the Iowa State Conser-vation Commission, Iowa Nat-	

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ural Resources Council, Iowa State Soil Conservation Commission, Iowa State Geologist, Geological Board, and the Iowa State Advisory Board for Preserves; and to establish a department of natural resource management.	
Introduced, passed on file	695
Referred to state government	697
452 By Tapscott (Gluba). A bill for an act relating to the registration of migrant workers and to provide a penalty.	
Introduced, passed on file	713
Referred to human and industrial relations	715
453 By Tapscott. A bill for an act relating to obstetrical assistance for persons eighteen years of age and older.	
Introduced, passed on file	714
Referred to social services	715
454 By Walsh. A bill for an act relating to sales tax refund.	
Introduced, passed on file	714
Referred to ways and means	715
455 By Walsh. A bill for an act relating to wages subject to the Iowa public employees' retirement system.	
Introduced, passed on file	714
Referred to state government	715
456 By Walsh. A bill for an act relating to railway companies taxation.	
Introduced, passed on file	714
Referred to ways and means	715
457 By Walsh. A bill for an act relating to game and fish licenses.	
Introduced, passed on file	714
Referred to conservation and recreation	715
458 By Walsh. A bill for an act relating to the homestead tax credit.	
Introduced, passed on file	714
Referred to ways and means	715
459 By Riley. A bill for an act to prohibit the sale of certain detergents.	
Introduced, passed on file	714
Referred to environmental preservation	715
Amendment filed	738
Amendment filed	887
460 By Judiciary. A bill for an act providing for enactment of the uniform partnership act.	
Introduced, placed on calendar ..	722
Passed Senate. Ayes 41, nays none	891
Reported correctly enrolled	1482
Signed by President	1482
Sent to Governor	1482
Signed by Governor	1559
461 By Judiciary. A bill for an act relating to supreme court	

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officers and employees and their duties, including court administration, as directed by the supreme court.	
Introduced, placed on calendar ..	722
Referred to state government	746
Committee report	809
Recommended passage	810
Passed Senate. Ayes 43, nays none	1083
Reported correctly enrolled	1482
Signed by President	1482
Sent to Governor	1482
Signed by Governor	1559
462 By Ways and Means. A bill for an act relating to property tax levies for the basic school tax in Ida, Johnson, and Kosuth Counties.	
Introduced, placed on calendar ..	726
Passed Senate. Ayes 35, nays none	834
Reported correctly enrolled	1214
Signed by President	1214
Sent to Governor	1215
Signed by Governor	1285
463 By Ways and Means. A bill for an act relating to registration fees for snowmobiles and the disposition of the fees.	
Introduced, placed on calendar ..	727
Amendment filed	829
Amendment adopted	922
Amendments filed	922
Amendment lost	922
Amendment filed	926
Amendment lost	1028
Amendment adopted	1029
Passed Senate. Ayes 27, nays 19 ..	1029
464 By Conklin. A bill for an act relating to blood tests of persons dying as a result of motor vehicle accidents.	
Introduced, passed on file	727
Referred to law enforcement	747
465 By Conklin. A bill for an act relating to voluntary sterilization and to provide a penalty.	
Introduced, passed on file	727
Referred to social services	747
466 By Commerce. A bill for an act relating to the extension of credit.	
Introduced, placed on calendar ..	727
Amendments filed	757
Amendment filed	758
Amendment filed	942
Amendment filed	1054
467 By Potgeter and Potter. A bill for an act relating to railway improvements and crossings and to provide a penalty.	
Introduced, passed on file	727
Referred to transportation	747
468 By Law Enforcement. A bill for an act relating to the regulation and control of certain drugs and providing procedures for enforcement and penalties and making additional amendments to the Code in	

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conformity with Senate File one (1), Acts of the Sixty-fourth General Assembly, first session.	
Introduced, placed on calendar ..	740
Amendment filed	793
Amendment filed	813
Amendment adopted	1023
Amendment withdrawn	1024
Amendment adopted	1024
Passed Senate. Ayes 41, nays none	1024
Reported correctly enrolled	1482
Signed by President	1482
Sent to Governor	1482
Signed by Governor	1560
469 By Cities and Towns. A bill for an act to legalize and validate the proceedings of the town council of the town of Bussey, in the County of Marion, State of Iowa, in amending a certain resolution for the authorization and issuance of water revenue bonds, dated April 1, 1961, to increase the maximum rates which may be charged to consumers of water.	
Introduced, placed on calendar ..	744
Proof of publication certified ..	746
Passed Senate. Ayes 31, nays none	891
Reported correctly enrolled	1121
Signed by President	1121
Sent to Governor	1121
Signed by Governor	1131
Became law by publication	1721
470 By Doderer (Fisher of Greene, Grassley, Andersen and Rex). A bill for an act relating to deferred compensation for governmental employees.	
Introduced, passed on file	745
Referred to state government ..	747
Amendment filed	859
Committee report	902
Recommended amendment, passage	902
Amendment filed	1097
Amendment filed	1116
Committee report adopted	1150
Amendment withdrawn	1150
Amendments adopted	1150
Passed Senate. Ayes 35, nays 2 ..	1150
Motion filed to reconsider vote ..	1157
Amendment filed	1164
Amendment filed	1458
471 By Transportation. A bill for an act relating to the annual registration fee for urban transit company vehicles.	
Introduced, placed on calendar ..	745
Steering recommends calendar ..	1527
472 By Transportation. A bill for an act to exempt the sales of tangible personal property to an urban transit company from the sales and use tax.	
Introduced, placed on calendar ..	745
473 By Judiciary. A bill for an act relating to remedies for the dilution of the distinctiveness of a mark.	
Introduced, placed on calendar ..	761

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Passed Senate. Ayes 41, nays none	1039
Message from House	1479
Senate concurred	1515
Passed Senate. Ayes 45, nays none	1515
Reported correctly enrolled	1588
Signed by President	1588
Sent to Governor	1588
Signed by Governor	1720
474 By Law Enforcement. A bill for an act relating to disabled and retired policemen and firemen, disabled inmates, and disabled elected and appointed officials.	
Introduced, placed on calendar ..	766
Amendment filed	860
Amendment filed	926
Amendments adopted	1060
Passed Senate. Ayes 47, nays none	1061
Amendment filed	1225
Amendment adopted	1431
Senate concurred	1431
Passed Senate. Ayes 46, nays none	1431
Reported correctly enrolled	1520
Signed by President	1520
Sent to Governor	1520
Signed by Governor	1560
475 By Potgeter. A bill for an act to provide for a procedure allowing public employees and public employers to meet and confer to resolve disputes regarding wages, hours, and other terms and conditions of employment.	
Introduced, passed on file	766
Referred to human and industrial relations	770
476 By Riley. A bill for an act relating to property unlawfully placed on public or private property.	
Introduced, passed on file	770
Referred to judiciary	770
Committee report	1051
Recommended passage	1051
477 By Ways and Means. A bill for an act relating to the collection of sales and use taxes and providing for waiver of civil penalty.	
Introduced, placed on calendar ..	786
H. F. 570 substituted	850
Withdrawn	853
478 By Conservation and Recreation. A bill for an act relating to fish and game licenses and fees.	
Introduced, placed on calendar ..	786
Amendment filed	963
Amendment filed	1055
Steering recommends calendar ..	1527
H. F. 573 substituted	1902
Withdrawn	1910
479 By Walsh (Tieden and Menefee). A bill for an act relating to area school boards.	
Introduced, passed on file	787
Referred to higher education ..	792

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480 By Agriculture. A bill for an act prohibiting the sale, offer for sale, and distribution of teasel or seeds, making teasel a noxious weed, and providing a penalty.		Introduced, placed on calendar ..	857
Introduced, placed on calendar ..	803	Passed Senate. Ayes 44, nays none ..	916
Passed Senate. Ayes 43, nays 1 ..	1084	Reported correctly enrolled ..	1431
481 By Gaudineer. A bill for an act relating to the accounting procedure for school corporations.		Signed by President ..	1432
Introduced, passed on file ..	803	Sent to Governor ..	1432
Referred to schools ..	806	Signed by Governor ..	1506
482 By Shawver, Hill, Rabedaux, Briles, Stephens, Kennedy and Schaben. A bill for an act relating to the payment of damages caused by hunters, and providing penalties for violations.		488 By Transportation. A bill for an act relating to the transfer of jurisdiction or sale of real estate between state agencies and political subdivisions of the state.	
Introduced, passed on file ..	803	Introduced, placed on calendar ..	857
Referred to county government ..	807	489 By Walsh and Kennedy (Ellsworth, Mollett and Stanley). A bill for an act relating to the regulation, licensing and control of the dispensing of optical devices.	
483 By Lamborn. A bill for an act relating to an appropriation for payment of certain damages occasioned by the nonnegligent operation of an Iowa highway safety patrol vehicle.		Introduced, passed on file ..	898
Introduced, passed on file ..	816	Referred to commerce ..	900
Referred to appropriations ..	858	490 By Walsh (Ellsworth, Skinner and Curtis). A bill for an act relating to the regulation of the practice of public accounting; to enlarge the state board of accountancy; to prescribe its power and duties; and to provide penalties for violations of the provisions of this act.	
484 By County Government. A bill for an act to authorize county boards of supervisors to adopt and enforce certain traffic ordinances, and to provide penalties for violations.		Introduced, passed on file ..	898
Introduced, placed on calendar ..	828	Referred to state government ..	900
Amendment filed ..	1173	491 By Walsh. A bill for an act providing temporary reimbursement of property tax to community housing developers.	
Amendment adopted ..	1174	Introduced, passed on file ..	898
Passed Senate. Ayes 44, nays none ..	1174	Referred to ways and means ..	900
Reported correctly enrolled ..	1500	492 By Walsh. A bill for an act relating to the participation of counties in the food stamp program and the distribution of food stamps.	
Signed by President ..	1500	Introduced, passed on file ..	899
Sent to Governor ..	1500	Referred to social services ..	900
Signed by Governor ..	1560	493 By Walsh. A bill for an act relating to county transportation franchises.	
485 By Judiciary. A bill for an act relating to elections to fill vacancies in the General Assembly.		Introduced, passed on file ..	899
Introduced, placed on calendar ..	838	Referred to county government ..	900
Steering recommends calendar ..	1239	494 By Walsh. A bill for an act relating to the penalty for the deliberate littering of highways.	
Passed Senate. Ayes 39, nays none ..	1277	Introduced, passed on file ..	899
Reported correctly enrolled ..	1690	Referred to judiciary ..	901
Signed by President ..	1690	495 By Walsh. A bill for an act relating to powers of local boards of health.	
Sent to Governor ..	1691	Introduced, passed on file ..	899
Signed by Governor ..	1807	Referred to social services ..	901
486 By Conklin. A bill for an act to repeal the basic science examination requirements and to abolish the board of examiners in the basic sciences.		496 By Walsh. A bill for an act to establish uniform standards for the payment of wages by employers and to provide procedures for settling disputes	
Introduced, passed on file ..	857		
Referred to state government ..	858		
Committee report ..	1162		
Recommended passage ..	1162		
487 By Appropriations. A bill for an act making appropriations to certain state agencies.			

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concerning wage payment and providing penalties.		Introduced, placed on calendar ...	939
Introduced, passed on file	899	Steering recommends calendar ...	1161
Referred to human and industrial relations	901	Amendment filed	1164
497 By Walsh, Neu, Coleman and Doderer (Holden, Ellsworth and Franklin.) A bill for an act relating to payments to welfare recipients in health care facilities.		Amendment lost	1534
Introduced, passed on file	899	Passed Senate. Ayes 37, nays 9 ...	1534
Referred to social services	901	Motion filed to reconsider vote ...	1541
498 By Higher Education. A bill for an act authorizing merged areas to issue general obligation bonds for the purchase of community vocational school or community college buildings.		Motion to reconsider vote prevailed	1542
Introduced, placed on calendar ...	899	Motion filed to reconsider vote ...	1542
Steering recommends calendar ...	1527	Motion to reconsider vote prevailed	1542
499 By State Government. A bill for an act to abolish the board of examiners in watchmaking, to transfer any funds remaining in the watchmakers' fund to the general fund of the state, and to repeal the requirements relating to second-hand watches.		Amendment filed	1542
Introduced, placed on calendar ...	913	Amendment adopted	1542
500 By Judiciary. A bill for an act relating to the Iowa inheritance tax.		Amendment adopted	1543
Introduced, placed on calendar ...	913	Passed Senate. Ayes 34, nays 10 ...	1543
Amendment filed	927	Message from House	2017
Amendment filed	928	Senate concurred	2020
Amendment filed	975	Passed Senate. Ayes 33, nays 5 ...	2020
Amendment filed	1056	Reported correctly enrolled	2037
Amendment withdrawn	1151	Signed by President	2038
Amendments adopted	1151	Sent to Governor	2038
Amendment adopted	1152	Signed by Governor	2047
Passed Senate. Ayes 47, nays none	1152	504 By State Government. A bill for an act relating to the marketing division of the department of agriculture.	
Reported correctly enrolled	1690	Introduced, passed on file	945
Signed by President	1690	Referred to agriculture	958
Sent to Governor	1691	505 By Ways and Means. A bill for an act relating to state income tax deductions.	
Signed by Governor	1807	Introduced, placed on calendar ...	945
501 By Schools. A bill for an act relating to the investment of public funds from the sale of school bonds.		Amendment filed	1029
Introduced, placed on calendar ...	932	Amendment adopted	1029
Withdrawn	1192	Passed Senate. Ayes 40, nays 7 ...	1030
502 By Environmental Preservation. A bill for an act relating to the establishment of water effluent standards.		506 By DeKoster. A bill for an act relating to administration in Iowa of the federal mental retardation facilities and community mental health centers act of 1963.	
Introduced, placed on calendar ...	932	Introduced, passed on file	945
Amendment filed	963	Referred to social services	958
Amendment adopted	1172	507 By State Government. A bill for an act relating to the Iowa crime commission.	
Passed Senate. Ayes 43, nays none	1172	Introduced, placed on calendar ...	958
Reported correctly enrolled	1300	Passed Senate. Ayes 42, nays none	1169
Signed by President	1300	Reported correctly enrolled	1300
Sent to Governor	1300	Signed by President	1300
Signed by Governor	1469	Sent to Governor	1300
Became law by publication	1721	Signed by Governor	1469
503 By County Government. A bill for an act relating to the salaries of county officers.		508 By Tapscott. A bill for an act to establish day care centers and to make an appropriation.	
		Introduced, referred to appropriations	970
		509 By Human and Industrial Relations. A bill for an act relating to vocational training and apprenticeship programs.	
		Introduced, placed on calendar ...	972
		Amendment filed	1034
		Amendment adopted	1193
		Passed Senate. Ayes 43, nays none	1194
		Message from House	1566
		Senate concurred	1645
		Passed Senate. Ayes 38, nays none	1645
		Reported correctly enrolled	1751

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Signed by President	1751
Sent to Governor	1752
Signed by Governor	1887

510 By Ways and Means. A bill for an act relating to sales and use tax, the distribution of revenue therefrom, and providing penalties.

Introduced, placed on calendar ...	972
Amendment filed	1226
Amendment lost	1231
Amendment filed	1231
Point of order raised	1234
Amendments filed	1234
Amendments adopted	1234
Amendment lost	1235
Amendment filed	1245
Amendments filed	1251
Amendment adopted	1251
Amendment lost	1252
Amendment adopted	1254
Amendments filed	1255
Amendments adopted	1255
Amendment lost	1255
Passed Senate. Ayes 27, nays 21 ..	1256
Motion filed to reconsider vote ..	1257
Motion to reconsider vote with- drawn	1343
Message from House	1883
Senate concurred	1901
Passed Senate. Ayes 27, nays 20 ..	1901
Motion filed to reconsider vote ..	1901
Motion to reconsider vote laid on table	1901
Motion to reconsider vote laid on table prevailed	1901
Explanation of vote	1934
Reported correctly enrolled	2037
Signed by President	2038
Sent to Governor	2038
Signed by Governor	2047

511 By Ways and Means. A bill for an act relating to state aid for public school districts, school district property taxes, and providing for the imposition of a school district income tax to be administered by the state department of revenue, with adoption of applicable statutes, including penalties.

Introduced, placed on calendar ...	1001
Amendment filed	1185
Amendment filed	1187
Amendment filed	1188
Withdrawn	1494

512 By Ways and Means. A bill for an act to provide property tax relief for persons sixty-five years of age or older or totally disabled.

Introduced, placed on calendar ..	1037
Referred to appropriations	1070
Amendment filed	1097
Committee report	1111
Recommended passage	1111
Amendment filed	1226
Withdrawn	1494

513 By Ways and Means. A bill for an act to increase the rate of the sales and use tax.

Introduced, placed on calendar ..	1037
Amendment filed	1164
Amendment filed	1204

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Amendment filed	1226
Amendments filed	1246
Amendment filed	1248
Amendment filed	1274
Withdrawn	1494

514 By Ways and Means. A bill for an act to increase the tax on beer.

Introduced, placed on calendar ...	1037
Amendment filed	1507
Amendment filed	1723
Amendment filed	1743
Amendment adopted	1926
Amendment adopted	1927
Passed Senate. Ayes 29, nays 14 ..	1927
Explanation of vote	2036
Reported correctly enrolled	2037
Signed by President	2038
Sent to Governor	2038
Signed by Governor	2047

515 By Ways and Means. A bill for an act to provide for a sales tax credit.

Introduced, placed on calendar ...	1037
Referred to appropriations	1070
Committee report	1131
Recommended passage	1132
Amendment filed	1227
Withdrawn	1494

516 By Social Services. A bill for an act relating to age discrimination in employment, declaring certain acts to be unlawful and providing a penalty therefor.

Introduced, placed on calendar ...	1037
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517 By Schools. A bill for an act to revise, update, and correct certain sections of the Code of Iowa relating to school districts and school corporations.

Introduced, placed on calendar ...	1045
Amendment filed	1097

518 By County Government. A bill for an act relating to the condemnation of property by the county for flood and erosion control projects.

Introduced, placed on calendar ...	1049
Passed Senate. Ayes 36, nays 6 ..	1210
Reported correctly enrolled	1629
Signed by President	1629
Sent to Governor	1629
Signed by Governor	1721

519 By Ways and Means. A bill for an act increasing the rates of the personal and corporation income tax, altering the allocation of income tax receipts, and providing that the corporation income tax rates are retroactive to January 1, 1971.

Introduced, placed on calendar ...	1049
Amendment filed	1116
Amendment filed	1204
Amendment filed	1248
Withdrawn	1494

520 By Judiciary. A bill for an act relating to the Iowa Tort Claims Act.

Introduced, placed on calendar ...	1069
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521 By Ways and Means. A bill for an act to provide aid to cities and towns from sales tax receipts.		Introduced, placed on calendar ..	1130
Introduced, referred to appropriations	1069	Passed Senate. Ayes 44, nays none	1177
Committee report	1111		
Recommended passage	1111	528 By Appropriations. A bill for an act to appropriate funds from the general fund of the state to the higher education facilities commission for the state supported scholarship and medical student tuition loan programs.	
Withdrawn	1494	Introduced, placed on calendar ..	1130
522 By Ways and Means. A bill for an act to appropriate general state aid funds from the general fund of the state to the department of public instruction and providing a formula for distribution of the general state aid.		Amendment filed	1188
Introduced, referred to appropriations	1069	Amendment filed	1507
Committee report	1132	Amendment withdrawn	1521
Reported without recommendation	1132	Amendment withdrawn	1522
Withdrawn	1494	Amendment filed	1522
523 By Ways and Means. A bill for an act relating to the tax exemption on forest and fruit-tree reservations.		Amendment adopted	1522
Introduced, placed on calendar ...	1126	Passed Senate. Ayes 43, nays 3 ...	1522
Amendment filed	1529	Message from House	1646
Amendment filed	1636	Senate concurred	1747
Amendment adopted	1767	Passed Senate. Ayes 41, nays none	1747
Amendment adopted	1768	Reported correctly enrolled	1898
Motion filed to reconsider vote ..	1768	Signed by President	1899
Motion to reconsider vote prevailed	1768	Sent to Governor	1899
Motion filed to reconsider vote ..	1768	Signed by Governor	2039
Motion to reconsider vote prevailed	1769		
Amendment lost	1769	529 By Walsh. A bill for an act to legalize and validate proceedings for the establishment, organization, formation, and changes in the boundaries of merged area school systems.	
Amendment adopted	1769	Introduced, passed on file	1130
Passed Senate. Ayes 35, nays 10 ..	1770	Referred to judiciary	1131
Motion filed to reconsider vote ..	1770		
Motion to reconsider vote laid on table prevailed	1770	530 By County Government. A bill for an act relating to conditions of withdrawal from a county library district.	
524 By Human and Industrial Relations. A bill for an act relating to workmen's compensation coverage for state agricultural workers.		Introduced, placed on calendar ...	1131
Introduced, placed on calendar ...	1126	Steering recommends calendar ...	1239
525 By Human and Industrial Relations. A bill for an act relating to payment of certain workmen's compensation claims.		Passed Senate. Ayes 39, nays 2 ...	1278
Introduced, placed on calendar ...	1126	Reported correctly enrolled	1520
Referred to appropriations	1131	Signed by President	1520
526 By Appropriations. A bill for an act to make appropriations to the appointive members of the capitol planning commission for per diem compensation for services rendered.		Sent to Governor	1520
Introduced, placed on calendar ...	1126	Signed by Governor	1560
Passed Senate. Ayes 46, nays none	1176	531 By Doderer (Ewell). A bill for an act relating to campaign expenses, and providing penalties.	
Reported correctly enrolled	1300	Introduced, passed on file	1158
Signed by President	1300		
Sent to Governor	1300	532 By Miller. A bill for an act relating to summary administration of small estates and the transfer of personal property.	
Signed by Governor	1469	Introduced, passed on file	1160
527 By Appropriations. A bill for an act relating to reports of treasurers of political subdivisions.			
		533 By Judiciary. A bill for an act to legalize the purchase of real estate by the state historical society of Iowa, for the use and benefit of the state of Iowa.	
		Introduced, placed on calendar ...	1182
		Steering recommends calendar ...	1239
		Passed Senate. Ayes 38, nays 1 ...	1278
		Reported correctly enrolled	1690
		Signed by President	1690
		Sent to Governor	1691
		Signed by Governor	1807
		534 By Judiciary. A bill for an act relating to the manner in	

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which court reporters are compensated.	
Introduced, placed on calendar ...	1182
Steering recommends calendar ...	1239
Passed Senate. Ayes 46, nays none	1461
535 By Transportation. A bill for an act relating to the taxation of motor fuel used in aircraft and the use of unclaimed tax refunds.	
Introduced, placed on calendar ...	1200
536 By Gaudineer. A bill for an act relating to the registration of motor vehicles, the use of motor vehicles, safety on public highways, insurance protection for automobile accident victims, and providing for limited use of certain motor vehicles, procedures for enforcement and penalties, and minimum standards for certain insurance policies issued in this state.	
Introduced, passed on file	1216
537 By Transportation. A bill for an act relating to temporary restrictions on weight and load of motor vehicles, and to provide penalties for violation of temporary restrictions.	
Introduced, placed on calendar ...	1253
538 By Cities and Towns. A bill for an act to permit cities of not less than thirteen nor more than seventeen thousand population, located on a navigable river, to enter into a single responsibility contract for construction of a waste treatment facility.	
Introduced, placed on calendar ...	1253
Steering recommends calendar ...	1527
H. F. 707 substituted	1657
Withdrawn	1658
539 By State Government. A bill for an act to legalize the proceedings of the board of supervisors of Hardin County in connection with contracts and expenditures made for the remodeling of the county courthouse located in Eldora, Iowa.	
Introduced, placed on calendar ...	1256
Proof of publication certified ...	1312
Steering recommends calendar ...	1527
Passed Senate. Ayes 31, nays 7	1715
540 By Transportation. A bill for an act relating to the computation of fines for violations of the maximum gross weight law for motor vehicles.	
Introduced, placed on calendar ...	1297
541 By Cities and Towns. A bill for an act relating to the commission form government in the city of Ottumwa.	
Introduced, placed on calendar ...	1312
Steering recommends calendar ...	1354
H. F. 567 substituted	1518
Withdrawn	1520

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542 By Appropriations. A bill for an act making an appropriation from the general fund of the state of Iowa to the department of public defense for various capital improvements, repairs, replacements, alterations, equipment, and rehabilitation purposes.	
Introduced, placed on calendar ...	1344
Amendment filed	1561
Amendment adopted	1596
Passed Senate. Ayes 38, nays 1	1596
Reported correctly enrolled	1810
Signed by President	1810
Sent to Governor	1810
Signed by Governor	1934
543 By Appropriations. A bill for an act to appropriate from the general fund of the state for capital improvements for institutions under the department of social services, including construction of new buildings, repairs, improvements, replacements, or alterations.	
Introduced, placed on calendar ...	1345
Amendment filed	1496
Amendment lost	1497
Amendment filed	1497
Point of order raised	1497
Passed Senate. Ayes 42, nays 1	1497
Reported correctly enrolled	1810
Signed by President	1810
Sent to Governor	1810
Signed by Governor	1938
Item veto	1938
544 By Appropriations. A bill for an act making an appropriation from the general fund of the state to the commission on alcoholism.	
Introduced, placed on calendar ...	1345
Amendment filed	1470
Amendments filed	1491
Amendments lost	1501
Amendments filed	1502
Amendments lost	1502
Amendment adopted	1502
Amendment lost	1503
Amendment filed	1503
Point of order raised	1503
Amendment lost	1504
Passed Senate. Ayes 43, nays none	1504
Message from House	1778
Senate refused to concur	1810
Message from House	1898
Conference committee appointed	1898
Conference committee report	1932
Conference committee report adopted	1932
Passed Senate. Ayes 38, nays none	1933
Reported correctly enrolled	2037
Signed by President	2038
Sent to Governor	2038
Signed by Governor	2047
Item veto	2055
545 By Appropriations. A bill for an act to appropriate from the general fund of the state for capital improvements for physical plant and facilities and for the discharge of duties by the	

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superintendent of public buildings and grounds.		Reported correctly enrolled	1898
Introduced, placed on calendar ...	1345	Signed by the President	1899
Passed Senate. Ayes 45, nays none	1496	Sent to Governor	1899
Reported correctly enrolled	1898	Signed by Governor	2039
Signed by President	1899		
Sent to Governor	1899	552 By Appropriations. A bill for an act to appropriate from moneys received by certain commissions, boards, and departments.	
Signed by Governor	2039	Introduced, placed on calendar ...	1523
Item veto	2039	Amendment filed	1563
546 By Human and Industrial Relations. A bill for an act to extend and improve the federal-state unemployment compensation program.		Committee amendment filed	1577
Introduced, placed on calendar ...	1353	Committee amendment adopted ..	1606
Steering recommends calendar ...	1527	Amendment withdrawn	1606
Made special order	1534	Passed Senate. Ayes 46, nays none	1607
Special order	1585	Reported correctly enrolled	1751
H. F. 704 substituted	1585	Signed by President	1751
Withdrawn	1594	Sent to Governor	1752
547 By Transportation. A bill for an act relating to the operation of vehicles on Iowa's streets and roads and amending penalties for violations.		Signed by Governor	1887
Introduced, placed on calendar ...	1400		
548 By Judiciary. A bill for an act authorizing supplements to salaries for county attorneys, sheriffs and their assistants and deputies from private or federal funds.		553 By Appropriations. A bill for an act making appropriations to certain state agencies and divisions thereof.	
Introduced, placed on calendar ...	1436	Introduced, placed on calendar ...	1523
Steering recommends calendar ...	1527	Amendment filed	1564
Referred to judiciary	1658	Committee amendment filed	1577
549 By Judiciary. A bill for an act relating to the appointment and election of state judicial nominating commissioners.		Committee amendment adopted ..	1607
Introduced, placed on calendar ...	1509	Amendment withdrawn	1607
Steering recommends calendar ...	1527	Passed Senate. Ayes 47, nays none	1607
Amendment filed	1561	Reported correctly enrolled	1751
Amendment adopted	1865	Signed by President	1751
Passed Senate. Ayes 40, nays none	1865	Sent to Governor	1752
550 By Appropriations. A bill for an act relating to the judicial retirement system.		Signed by Governor	1887
Introduced, placed on calendar ...	1521		
Amendment filed	1562	554 By Appropriations. A bill for an act to appropriate from the general fund of the state of Iowa to the Iowa state fair board.	
Amendment lost	1597	Introduced, placed on calendar ...	1523
Amendment filed	1597	Amendment filed	1547
Point of order raised	1597	Amendment filed	1564
Passed Senate. Ayes 40, nays 4 ..	1598	Committee amendment filed	1577
Motion filed to reconsider vote ...	1598	Amendment filed	1600
Motion to reconsider vote laid on table prevailed	1598	Committee amendment adopted ..	1608
Reported correctly enrolled	2037	Amendments withdrawn	1608
Signed by President	2038	Amendment lost	1609
Sent to Governor	2038	Passed Senate. Ayes 43, nays 4 ..	1609
Signed by Governor	2047	Reported correctly enrolled	1898
551 By Appropriations. A bill for an act to appropriate from the general fund of the state of Iowa to the department of public safety for radio equipment for the division of radio communication.		Signed by President	1899
Introduced, placed on calendar ...	1523	Sent to Governor	1899
Committee amendment filed	1547	Signed by Governor	2039
Committee amendment lost	1551		
Passed Senate. Ayes 41, nays 1 ..	1551	555 By Appropriations. A bill for an act to provide an appropriation from the general fund of the state for capital improvements for the Iowa law enforcement academy.	
		Introduced, placed on calendar ...	1523
		Passed Senate. Ayes 41, nays 1 ..	1544
		Message from House	2006
		Senate concurred	2014
		Passed Senate. Ayes 34, nays 3 ..	2014
		Reported correctly enrolled	2037
		Signed by President	2038
		Sent to Governor	2038
		Signed by Governor	2047
		Item veto	2052
		556 By Appropriations. A bill for an act creating and making an appropriation to the executive council general contingent fund.	

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Introduced, placed on calendar ..	1523
Passed Senate. Ayes 42, nays none ..	1544
Message from House ..	1959
Senate concurred ..	1991
Passed Senate. Ayes 45, nays none ..	1991
Reported correctly enrolled ..	2037
Signed by President ..	2038
Sent to Governor ..	2038
Signed by Governor ..	2047
Item veto ..	2053

557 By Appropriations. A bill for an act to appropriate from the general fund of the state to the department of public safety and various divisions thereof.	
Introduced, placed on calendar ..	1549
Amendment filed ..	1570
Placed on calendar under unfinished business ..	1570
Amendments filed ..	1578
Committee amendment filed ..	1611
Committee amendment adopted ..	1611
Amendment withdrawn ..	1611
Amendment filed ..	1612
Amendment adopted ..	1612
Amendment lost ..	1615
Amendment adopted ..	1615
Point of order raised ..	1616
Amendment lost ..	1616
Amendment filed ..	1616
Point of order raised ..	1617
Amendment lost ..	1617
Passed Senate. Ayes 45, nays none ..	1617
Message from House ..	1778
Amendment filed ..	1811
Amendment withdrawn ..	1812
Amendment filed ..	1812
Amendment lost ..	1813
Amendment filed ..	1813
Amendment adopted ..	1813
Senate concurred ..	1813
Passed Senate. Ayes 42, nays none ..	1813
Message from House ..	1896
Senate insisted ..	1898
Conference committee appointed ..	1898
Conference committee report ..	1925
Conference committee report adopted ..	1925
Passed Senate. Ayes 44, nays none ..	1925
Reported correctly enrolled ..	2037
Signed by President ..	2038
Sent to Governor ..	2038
Signed by Governor ..	2047

558 By Appropriations. A bill for an act making an appropriation from the general fund of the state to the Iowa State Commerce Commission and its divisions, and providing for the assessment of expenses incurred by the commission.	
Introduced, placed on calendar ..	1566
Committee amendment filed ..	1600
Committee amendment adopted ..	1620
Passed Senate. Ayes 39, nays 1 ..	1621
Reported correctly enrolled ..	1898
Signed by President ..	1899
Sent to Governor ..	1899
Signed by Governor ..	2039

559 By Appropriations. A bill for an act to appropriate and au-	
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thorize expenditures from the car dispatcher revolving fund.	
Introduced, placed on calendar ..	1567
Committee amendment filed ..	1600
Committee amendment adopted ..	1621
Passed Senate. Ayes 41, nays 1 ..	1621
Reported correctly enrolled ..	1898
Signed by President ..	1899
Sent to Governor ..	1899
Signed by Governor ..	2039

560 By Appropriations. A bill for an act relating to state aid for the mentally ill and mentally retarded.	
Introduced, placed on calendar ..	1571
Passed Senate. Ayes 41, nays 1 ..	1622
Reported correctly enrolled ..	1898
Signed by President ..	1899
Sent to Governor ..	1899
Signed by Governor ..	2039

561 By Appropriations. A bill for an act to appropriate from the general fund of the state to the Iowa state fair board for capital improvements.	
Introduced, placed on calendar ..	1571
Committee amendment filed ..	1600
Committee amendment adopted ..	1623
Amendment filed ..	1623
Amendment lost ..	1623
Passed Senate. Ayes 43, nays none ..	1623
Reported correctly enrolled ..	1898
Signed by President ..	1899
Sent to Governor ..	1899
Signed by Governor ..	2040
Item veto ..	2040

562 By Appropriations. A bill for an act to appropriate from the general fund of the state of Iowa to the state historical society for development of designated historical sites.	
Introduced, placed on calendar ..	1572
Passed Senate. Ayes 40, nays 2 ..	1624
Reported correctly enrolled ..	1751
Signed by President ..	1751
Sent to Governor ..	1752
Signed by Governor ..	1887

563 By Appropriations. A bill for an act to appropriate funds from the general fund of the state to the state historical society.	
Introduced, placed on calendar ..	1572
Committee amendment filed ..	1601
Committee amendment adopted ..	1625
Passed Senate. Ayes 40, nays 1 ..	1708
Motion filed to reconsider vote ..	1722
Message from House ..	1752
Amendment filed ..	1856
Motion to reconsider vote failed ..	1859
Reported correctly enrolled ..	2000
Signed by President ..	2000
Sent to Governor ..	2000
Signed by Governor ..	2047

564 By Appropriations. A bill for an act to make appropriations to members of the advisory investment board of the Iowa public employees' retirement system.	
Introduced, placed on calendar ..	1573

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Passed Senate. Ayes 43, nays none	1626
Reported correctly enrolled	1751
Signed by President	1751
Sent to Governor	1752
Signed by Governor	1887

565 By Appropriations. A bill for an act making an appropriation to the department of social services and divisions thereof, including the board of parole, and providing for the administration thereof and providing for a study committee.	
Introduced, placed on calendar	1630
Amendments filed	1693
Amendments filed	1694
Amendments adopted	1694
Point of order raised	1694
Amendment lost	1695
Amendment filed	1695
Amendments lost	1698
Amendments lost	1699
Amendment withdrawn	1699
Motion filed to reconsider vote	1700
Motion to reconsider vote prevailed	1700
Amendment withdrawn	1700
Amendments filed	1700
Amendment adopted	1700
Amendment lost	1700
Amendment filed	1701
Amendments adopted	1701
Passed Senate. Ayes 41, nays 2	1701
Explanation of vote	1702
Message from House	1933
Amendment filed	1945
Amendment adopted	1945
Senate concurred	1945
Passed Senate. Ayes 45, nays 1	1945
Reported correctly enrolled	2037
Signed by President	2038
Sent to Governor	2038
Signed by Governor	2047
Item veto	2057

566 By Human and Industrial Relations. A bill for an act relating to private employment agency fees and appeals from decisions of the labor commissioner.	
Introduced, placed on calendar	1647
Amendment filed	1758
Amendment filed	1935

567 By Human and Industrial Relations. A bill for an act to provide for a procedure allowing public employees and public employers to meet and confer to resolve disputes regarding wages, hours, and other terms and conditions of employment.	
Introduced, placed on calendar	1647

568 By Appropriations. A bill for an act making an appropriation from the primary road fund to the industrial commission for payment of workmen's compensation claims of employees of the state highway commission.	
Introduced, placed on calendar	1692

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Passed Senate. Ayes 47, nays none	1710
Reported correctly enrolled	1898
Signed by President	1899
Sent to Governor	1899
Signed by Governor	2039

569 By Appropriations. A bill for an act making an appropriation to the state highway commission from the primary road fund for the purpose of making payments for expenses incurred in administering the merit employment system.	
Introduced, placed on calendar	1692
Passed Senate. Ayes 46, nays 1	1711
Reported correctly enrolled	1898
Signed by President	1899
Sent to Governor	1899
Signed by Governor	2039

570 By Appropriations. A bill for an act to appropriate from the general fund of the state for the Iowa commission for the blind.	
Introduced, placed on calendar	1692
Passed Senate. Ayes 44, nays 1	1711
Reported correctly enrolled	1898
Signed by President	1899
Sent to Governor	1899
Signed by Governor	2039

571 By Law Enforcement. A bill for an act relating to the effective date of the act regulating motor vehicle odometers.	
Introduced, placed on calendar	1702
Steering recommends calendar	1863
Passed Senate. Ayes 39, nays none	1864
Reported correctly enrolled	2037
Signed by President	2038
Sent to Governor	2038
Signed by Governor	2047

572 By Appropriations. A bill for an act relating to the control and use of state funds, powers and duties of the budget and financial control committee and providing an appropriation.	
Introduced, placed on calendar	1715
Amendment filed	1723
Amendment filed	1726
Point of order raised	1737
Amendment adopted	1738
Amendments withdrawn	1738
Point of order raised	1739
Motion filed to reconsider vote	1739
Motion to reconsider vote prevailed	1740
Amendments filed	1740
Amendments adopted	1740
Amendment adopted	1741
Passed Senate. Ayes 33, nays 13	1741
Amendments filed	1986
Amendment adopted	1986
Amendment adopted	1997
Passed Senate. Ayes 37, nays 3	1997
Message from House	2006
Senate insisted	2011
Conference committee appointed	2011
Conference committee report	2023
Conference committee report adopted	2024
Passed Senate. Ayes 41, nays none	2024

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Reported correctly enrolled	2037
Signed by President	2038
Sent to Governor	2038
Signed by Governor	2047
Item veto	2059

573 By Appropriations. A bill for an act to appropriate from the primary road fund to the state highway commission, and relating to employees of the state highway commission under the state merit system.	
Introduced, placed on calendar	1715
Amendment filed	1727
Amendment filed	1743
Committee amendment filed	1744
Committee amendment adopted	1748
Amendment adopted	1748
Amendments filed	1749
Amendment adopted	1749
Amendment lost	1749
Amendment filed	1750
Point of order raised	1750
Amendments adopted	1750
Passed Senate. Ayes 47, nays none	1751
Message from House	1959
Amendment filed	1992
Point of order raised	1992
Senate concurred	1992
Passed Senate. Ayes 45, nays 2	1992
Motion filed to reconsider vote	1993
Motion to reconsider vote laid on table prevailed	1993
Explanation of vote	2036
Reported correctly enrolled	2037
Signed by President	2038
Sent to Governor	2038
Signed by Governor	2048

574 By Ways and Means. A bill for an act relating to the remittance of sales and use tax receipts to the department of revenue.	
Introduced, placed on calendar	1716
Passed Senate. Ayes 37, nays 4	1773
Message from House	2001
Senate concurred	2004
Passed Senate. Ayes 43 nays 2	2004
Reported correctly enrolled	2037
Signed by President	2038
Sent to Governor	2038
Signed by Governor	2048

575 By Ways and Means. A bill for an act to change the fiscal year of cities and towns, counties, and other political subdivisions.	
Introduced, placed on calendar	1716

576 By Appropriations. A bill for an act making an appropriation from the general fund of the state of Iowa to various state departments and their divisions, and transferring and appropriating from certain departmental funds.	
Introduced, placed on calendar	1719
Amendment filed	1754
Amendment adopted	1754
Amendments filed	1755
Amendment adopted	1755
Amendment lost	1755
Amendments withdrawn	1755

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Amendment lost	1756
Passed Senate. Ayes 31, nays 6	1756
Motion filed to reconsider vote	1756
Motion to reconsider vote laid on table prevailed	1756
Message from House	1959
Senate concurred	1994
Passed Senate. Ayes 39, nays 1	1994
Reported correctly enrolled	2037
Signed by President	2038
Sent to Governor	2038
Signed by Governor	2048

577 By Appropriations. A bill for an act to make an appropriation to the department of public instruction for reimbursements to school districts and county boards of education.	
Introduced, placed on calendar	1735
Committee amendment filed	1744
Committee amendment filed	1758
Committee amendments adopted	1763
Passed Senate. Ayes 38, nays none	1763
Reported correctly enrolled	2037
Signed by President	2038
Sent to Governor	2038
Signed by Governor	2048

578 By Appropriations. A bill for an act to make an appropriation to the Iowa development commission.	
Introduced, placed on calendar	1735
Amendment filed	1758
Amendment lost	1764
Passed Senate. Ayes 43, nays none	1764
Reported correctly enrolled	2000
Signed by President	2000
Sent to Governor	2000
Signed by Governor	2048

579 By Appropriations. A bill for an act making an appropriation to the supreme court and district courts.	
Introduced, placed on calendar	1735
Passed Senate. Ayes 45, nays none	1765
Reported correctly enrolled	2037
Signed by President	2038
Sent to Governor	2038
Signed by Governor	2048

580 By Appropriations. A bill for an act relating to an appropriation for payment of certain damages occasioned by the non-negligent operation of an Iowa highway safety patrol vehicle.	
Introduced, placed on calendar	1806
Passed Senate. Ayes 45, nays none	1811
Reported correctly enrolled	2000
Signed by President	2000
Sent to Governor	2000
Signed by Governor	2048

581 By Appropriations. A bill for an act to make an appropriation from the general fund of the state to the executive council for a training facility for family practitioners at Broadlawns Polk County Hospital.	
Introduced, placed on calendar	1861

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Passed Senate. Ayes 43, nays none	1863
Reported correctly enrolled	2037
Signed by President	2038
Sent to Governor	2038
Signed by Governor	2048

582 By Appropriations. A bill for an act to appropriate from the general fund of the state to the department of public instruction for driver's training aid and providing for administrative expenses.	
Introduced, placed on calendar ..	1861
Amendments filed	1872
Amendment adopted	1872
Amendments filed	1873
Amendment lost	1873
Amendment adopted	1874
Amendment withdrawn	1876
Amendment filed	1876
Amendment adopted	1877
Passed Senate. Ayes 42, nays none	1877
Motion filed to reconsider vote ..	1877
Motion to reconsider vote laid on table prevailed	1877
Message from House	2007
Senate concurred	2015
Passed Senate. Ayes 36, nays 2 ..	2015
Reported correctly enrolled	2037
Signed by President	2038
Sent to Governor	2038
Signed by Governor	2048

583 By Appropriations. A bill for an act to establish the salary rate for the superintendent of the department of public instruction.	
Introduced, placed on calendar ..	1861
Committee amendment filed	1875
Amendment filed	1875
Amendment adopted	1875
Committee amendment adopted ..	1875
Failed to pass Senate. Ayes 25, nays 19	1876
Motion filed to reconsider vote ..	1881
Motion to reconsider vote pre- vailed	1881
Motion to reconsider vote	1881
Motion to reconsider vote pre- vailed	1882
Motion filed to reconsider vote ..	1882
Motion to reconsider vote pre- vailed	1882
Amendment lost	1882
Committee amendment adopted ..	1882
Passed Senate. Ayes 30, nays 10 ..	1882
Reported correctly enrolled	2037
Signed by President	2038
Sent to Governor	2038
Signed by Governor	2048

584 By Appropriations. A bill for an act to appropriate funds from the general fund of the state of Iowa for capital improvements and purchases of land for institutions under the state board of regents including construction of new buildings, repairs, improvements, land purchases, replacements, or alternations, and providing for joint control of the expenditure thereof by the board of	
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regents, the governor, and the state comptroller.	
Introduced, placed on calendar ..	1937
Passed Senate. Ayes 45, nays none	1946
Reported correctly enrolled	2037
Signed by President	2038
Sent to Governor	2038
Signed by Governor	2048

585 By Appropriations. A bill for an act relating to the costs of auditing the accounts of the area schools.	
Introduced, placed on calendar ..	1937
Passed Senate. Ayes 27, nays 16 ..	1944

586 By Appropriations. A bill for an act to appropriate funds from the general fund of the state of Iowa to the state board of regents to reimburse state educational institutions for deficiencies in operating revenues resulting from funds pledged to finance academic and administrative buildings and facilities and utilities services.	
Introduced, placed on calendar ..	1937
Passed Senate. Ayes 41, nays 4 ..	1948
Message from House	2032
Call of the Senate requested	2032
Call of the Senate	2032
Call of the Senate lifted	2033
Senate concurred	2033
Passed Senate. Ayes 28, nays 10 ..	2034
Explanation of vote	2035
Reported correctly enrolled	2037
Signed by President	2038
Sent to Governor	2038
Signed by Governor	2048
Item veto	2056

587 By Appropriations. A bill for an act to appropriate funds from the general fund of the state of Iowa to the state board of regents to reimburse state educational institutions for deficiencies in operating revenues resulting from funds pledged to finance academic and administrative buildings and facilities and utilities services.	
Introduced, placed on calendar ..	1937
Passed Senate. Ayes 32, nays 14 ..	1949
Reported correctly enrolled	2037
Signed by President	2038
Sent to Governor	2038
Signed by Governor	2048

588 By Appropriations. A bill for an act to provide an appropriation from the general fund of the state of Iowa to the state board of regents to replace building space and equipment lost through fire at the University of Northern Iowa.	
Introduced, placed on calendar ..	1938
Passed Senate. Ayes 43, nays 2 ..	1947
Reported correctly enrolled	2037
Signed by President	2038
Sent to Governor	2038
Signed by Governor	2049

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589 By Appropriations. A bill for an act to make appropriations to members of the committee on child labor for per diem and expense claims for services rendered.		Motion filed to reconsider vote...	1995
Introduced, placed on calendar ...	1938	Motion to reconsider vote laid on table prevailed	1995
Passed Senate. Ayes 42, nays none	1957	Reported correctly enrolled	2037
Reported correctly enrolled	2037	Signed by President	2038
Signed by President	2038	Sent to Governor	2038
Sent to Governor	2038	Signed by Governor	2049
Signed by Governor	2049		
590 By Appropriations. A bill for an act relating to a renal disease program and to provide an appropriation therefor.		592 By Appropriations. A bill for an act to appropriate from the general fund of the state of Iowa to the higher education facilities commission for the tuition grant program.	
Introduced, placed on calendar ...	1950	Introduced, placed on calendar ...	1982
Committee amendment filed	1964	Amendment filed	1989
Committee amendment adopted...	1988	Amendment lost	1989
Passed Senate. Ayes 41, nays 2...	1988	Amendment filed	1990
		Amendment lost	1990
591 By Appropriations. A bill for an act making an appropriation to the Iowa American Revolution Bicentennial Commission.		Passed Senate. Ayes 41, nays 6...	1990
Introduced, placed on calendar ...	1963		
Committee amendment filed	1989	593 By Appropriations. A bill for an act to make an appropriation to the executive council for the college of osteopathic medicine and surgery.	
Amendment filed	1994	Introduced, placed on calendar ...	2011
Amendment lost	1995	Amendments filed	2018
Committee amendment adopted...	1995	Amendments adopted	2018
Passed Senate. Ayes 29, nays 6...	1995	Point of order raised	2018
		Passed Senate. Ayes 30, nays 16...	2019
		Motion filed to reconsider vote ...	2019
		Motion to reconsider vote laid on table prevailed	2019

RECORD OF HOUSE BILLS IN SENATE

HOUSE JOINT RESOLUTIONS AND HOUSE FILES PASSED AND APPROVED—146

H.J.R. 1, 6, 7, 15, 16.

H. F.

12, 13, 14, 15, 16, 17, 18, 22, 23, 24, 25, 26, 29, 31, 32, 37,
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**SENT TO SECRETARY OF STATE
H. J. R. 1, 6, 7, 15, 16**

**ITEM VETO ON BILLS APPROVED BY THE GOVERNOR
H. F. 720, 723**

H. J. R.	Page	H. J. R.	Page
1 By Constitutional Amend- ments and Reapportionment. A joint resolution making appli- cation to the United States Con- gress to call a convention for the purpose of proposing to the states a constitutional amendment providing that a portion of taxes levied on in- come by Congress shall be made available to state governments.		Referred to constitutional amend- ments and reapportionment	164
Received, passed on file	58	Committee report	210
Amendments filed	84	Recommended passage	210
Substituted for S. J. R. 1.....	87	Committee report adopted	252
Amendment adopted	87	Passed Senate. Ayes 46, nays none	252
Amendment lost	88	Signed by President	311
Passed Senate. Ayes 29, nays 18..	88		
Explanation of vote	99	7 By Schwieger, Shaw, Grass- ley, Roorda, Tieden, Varley, Hill and Willits. A joint reso- lution proposing an amend- ment to the Constitution of the State of Iowa relating to the terms of office of elected state officials.	
Signed by President	109	Received, passed on file	164
2 By Holden. A joint resolu- tion proposing an amendment to the Constitution of the State of Iowa relating to the appor- tionation of fines as provided by law.		Referred to constitutional amend- ments and reapportionment ...	164
Received, passed on file	469	Committee report	330
Referred to constitutional amendments and reapportion- ment	495	Recommended passage	331
		Amendment filed	572
6 By Hill, Shaw, Logemann, Nystrom, Schwieger, Monroe, Pelton, Roorda, Tieden, Win- kelman, Kreamer, Skinner, Johnston and Knoke. A joint resolution proposing an amendment to the Constitution of the State of Iowa relating to judges of the district court and supreme court.		Amendment filed	574
Received, passed on file	163	Committee report adopted.....	586
		Amendments filed	591
		Amendment filed	596
		Amendment adopted	596
		Amendment lost	597
		Amendment adopted	599
		Amendment lost	599
		Amendment filed	599
		Amendment lost	602
		Amendment adopted	603
		Passed Senate. Ayes 36, nays 14..	604
		Signed by President	823
		8 By Ellsworth. A joint reso- lution proposing an amend- ment to the Constitution of the State of Iowa repealing the prohibition against lotteries in	

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order that they may be regulated by the General Assembly.		Received, passed on file	1499
Received, referred to constitutional amendments and reapportionment	218	Referred to commerce	1505
14 By Iowa Development. A joint resolution creating a committee to study the use of land and other related resources.		Committee report	1703
Received, passed on file	857	Recommended amendment, passage	1703
Referred to state government	858	Committee amendment	1703
Committee report	1258		
Recommended amendment, passage	1258	12 By Drake, Fisher of Greene and Shaw (Curran, Smith and Neu). A bill for an act relating to motor vehicle fees collected by county treasurers, and to the amount of such fees retained by the county, and to the filing of instruments pertaining to motor vehicles.	
Committee amendment	1258	Received, passed on file	258
15 By Constitutional Amendments and Reapportionment. A joint resolution ratifying a proposed amendment to the Constitution of the United States relating to extending the right to vote to citizens eighteen years of age or older.		Referred to county government ..	260
Received, passed on file	659	Committee report	303
Passed Senate. Ayes 44, nays 6 ..	663	Recommended passage	303
Signed by President	687	Committee amendment filed	334
16 By Alt, Kehe, Dunton, Miller and Rodgers (Lamborn, Davis, Gaudineer, Conklin and Schaben). A joint resolution authorizing the executive council to acquire the Hubbell mansion known as Terrace Hill.		Amendment filed	352
Received, passed on file	1092	Committee report adopted	355
Substituted for S. J. R. 9	1153	Committee amendment adopted ..	355
Passed Senate. Ayes 40, nays 2 ..	1153	Placed on calendar under unfinished business	355
Signed by President	1173	Amendment filed	361
H. F.	Page	Amendment filed	362
6 By Camp, Mayberry and Lawson (Griffin, Schaben, Arbuckle and Potgeter). A bill for an act to establish a state building code, provide for its administration, and provide a penalty for violation of the code or orders issued thereunder.		Amendments filed	374
Received, passed on file	633	Amendments filed	384
Referred to commerce	697	Amendment filed	397
Amendment filed	720	Amendment filed	409
Amendment filed	1964	Amendment adopted	426
9 By Fisher of Greene, Shaw and Drake (Neu and Smith). A bill for an act relating to the governor's committee on employment of the handicapped.		Amendment adopted	427
Received, passed on file	1045	Amendments withdrawn	428
Referred to social services	1050	Amendments adopted	428
Committee report	1561	Motion filed to reconsider vote ..	430
Recommended passage	1561	Motion filed to reconsider vote ..	430
10 By Holden, Stromer, Priebe, Fischer of Grundy, Cochran, Rex, Dougherty and Winkelman (Briles, Ollenburg, Griffin and Potgeter. A bill for an act relating to the maintenance of access roads.		Motion to reconsider vote failed ..	437
		Amendments withdrawn	437
		Amendment adopted	437
		Passed Senate. Ayes 39, nays 5 ..	437
		Message from House	542
		Senate insisted	584
		Conference committee appointed ..	584
		Conference committee report ..	696
		Conference committee report adopted	717
		Passed Senate. Ayes 45, nays 2 ..	717
		Motion filed to reconsider vote ..	732
		Motion to reconsider vote withdrawn	804
		Signed by President	931
		13 By Holden, Stromer, Priebe and Fischer of Grundy (Briles, Ollenburg and Griffin). A bill for an act relating to the selection of the compensation commissioners.	
		Received, passed on file	60
		Referred to state government	63
		Committee report	142
		Recommended passage	142
		Substituted for S. F. 17	157
		Committee report adopted	158
		Passed Senate. Ayes 40, nays none	158
		Motion filed to reconsider vote ..	164
		Motion to reconsider vote withdrawn	295
		Signed by President	404
		14 By Shaw, Drake and Fisher of Greene (Curran and Kennedy). A bill for an act relating to the leasing of property by the state conservation commission.	

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Received, passed on file	61
Referred to state government....	63
Committee report	771
Recommends amendment, pas- sage	771
Committee amendment	771
Committee report adopted	978
Amendments filed	979
Amendments lost	979
Committee amendment adopted....	979
Passed Senate. Ayes 34, nays 11...	980
Motion filed to reconsider vote....	1005
Explanation of vote	1005
Motion to reconsider vote failed....	1153
Message from House	1344
Senate concurred	1430
Passed Senate. Ayes 36, nays 8....	1430
Signed by President	1534
 15 By Drake, Mayberry, Fisher of Greene and Shaw (Smith, Curran, Thordsen and Neu). A bill for an act relating to eli- gibility of welfare recipients.	
Received, passed on file	354
Amendment filed	374
Amendment filed	384
Substituted for S. F. 27.....	461
Amendments adopted	462
Passed Senate. Ayes 43, nays none	463
Signed by President	658
 16 By Fisher of Greene, Drake and Shaw (Neu and Curran). A bill for an act relating to qualifications of certain state librarians.	
Received, passed on file	76
Referred to state government ...	89
Committee report	192
Recommended passage	192
Committee report adopted	229
Passed Senate. Ayes 46, nays none	230
Signed by President	311
 17 By Drake, Fisher of Greene and Shaw (Neu and Curran). A bill for an act relating to the Iowa development commis- sion corporation.	
Received, passed on file	115
Referred to Iowa development....	116
Committee report	220
Recommended passage	220
Committee report adopted	255
Placed on calendar under unfin- ished business	255
Passed Senate. Ayes 41, nays 1...	291
Signed by President	404
 18 By Welden, Drake, Fisher of Greene and Shaw (Curran, Smith and Neu). A bill for an act relating to notaries public.	
Received, passed on file	61
Referred to state government	63
Committee report	142
Recommended amendment, pas- sage	142
Committee amendment	142
Committee report adopted	174
Committee amendment adopted....	175
Amendment filed	175
Amendment adopted	175
Passed Senate. Ayes 45, nays 3....	175
Signed by President	311

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 22 By Fisher of Greene, Drake and Shaw (Neu, Curran and Smith). A bill for an act re- lating to the state entomolo- gist.	
Received, passed on file	61
Referred to state government....	63
Committee report	192
Recommended passage	192
Committee report adopted	230
Passed Senate. Ayes 46, nays none	230
Signed by President	311
 23 By Holden, Stromer, Priebe, Fischer of Grundy and Dough- erty (Briles, Ollenburg, Griffin and Potgeter). A bill for an act relating to the definition of pipeline and pipeline com- pany.	
Received, passed on file	126
Referred to commerce	141
Committee report	924
Recommended passage	924
Steering recommends calendar	1239
Committee report adopted	1472
Passed Senate. Ayes 42, nays none	1472
Signed by President	1534
 24 By Holden, Stromer, Priebe and Fischer of Grundy (Briles, Ollenburg and Griffin). A bill for an act to exempt certain electric utility projects from petition requirements.	
Received, passed on file	126
Referred to commerce	141
Committee report	732
Recommended passage	732
Committee report adopted	947
Passed Senate. Ayes 41, nays none	948
Signed by President	1091
 25 By Holden, Stromer, Priebe and Fischer of Grundy (Briles, Ollenburg, Griffin and Potget- er). A bill for an act relating to a description of land re- maining after condemnation or purchase in lieu of condemna- tion.	
Received, passed on file	126
Referred to commerce	141
Amendment filed	246
Committee report	359
Recommended passage	359
Committee report adopted	527
Amendment adopted	527
Passed Senate. Ayes 37, nays none	527
Explanation of vote	540
Signed by President	658
 26 By Holden, Stromer, Priebe and Fischer of Grundy (Briles, Ollenburg, Griffin and Potget- er). A bill for an act relating to the use of eminent domain for the development or utiliza- tion of water or water power for manufacturing power, in- dustrial and recreational pur- poses.	
Received, passed on file	470
Referred to commerce	495
Committee report	732

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Recommended passage	732
Committee report adopted	948
Passed Senate. Ayes 39, nays none	949
Signed by President	1091

29 By Holden, Stromer, Priebe, Fischer of Grundy, Cochran, Rex, Dougherty and Winkelman (Briles, Ollenburg, Griffin and Potgeter). A bill for an act relating to the payment of subsequent damages to property owners.	
Received, passed on file	126
Substituted for S. F. 21	158
Passed Senate. Ayes 40, nays 1	159
Motion to reconsider vote	164
Motion to reconsider vote withdrawn	295
Signed by President	404
Amendment filed	700
Motion filed to reconsider vote	709
Motion to reconsider vote prevailed	709
Amendment adopted	710
Passed Senate. Ayes 32, nays none	710
Message from House	744
Senate concurred	800
Passed Senate. Ayes 45, nays none	800
Signed by President	936

30 By Holden, Stromer, Priebe, Cochran, Rex, Rodgers and Winkelman (Briles, Ollenburg, Griffin, Potgeter and Smith). A bill for an act relating to the inspection of pipeline construction over private property.	
Received, passed on file	2028
Referred to commerce	2036
Committee report	2036
Recommended passage	2036

31 By Holden, Stromer, Priebe and Fischer of Grundy (Briles, Ollenburg, Griffin, Potgeter and Smith). A bill for an act relating to the condemnation of existing utility facilities by cities and towns.	
Received, passed on file	164
Referred to commerce	164
Committee report	316
Recommended passage	316
Committee report adopted	563
Passed Senate. Ayes 45 nays none	563
Signed by President	658

32 By Holden, Stromer, Priebe and Fischer of Grundy (Briles, Griffin, Ollenburg and Smith). A bill for an act to remove references to the granting of a franchise to an electric utility company by the county board of supervisors.	
Received, passed on file	126
Referred to commerce	141
Committee report	219
Recommended passage	219
Committee report adopted	255
Passed Senate. Ayes 45, nays none	256
Signed by President	311

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33 By Holden, Stromer, Priebe, Fischer of Grundy and Dougherty (Briles, Ollenburg and Griffin). A bill for an act relating to distance requirements for pipeline regulation.	
Received, passed on file	1480
Referred to commerce	1491

37 By Andersen. A bill for an act authorizing a public agency to dispose of an interest in property.	
Received, passed on file	470
Referred to state government	495
Committee report	665
Recommended passage	665
Committee report adopted	946
Placed on calendar under unfinished business	947
Passed Senate. Ayes 46, nays 1	998
Signed by President	1127

39 By Pierson, Waugh, Middle-swart and Dougherty. A bill for act relating to the regulation of aerial application of pesticides and establishing damage and enforcement procedures.	
Received, passed on file	443
Referred to agriculture	472
Committee report	973
Recommended passage	973
Committee report adopted	1170
Passed Senate. Ayes 44, nays none	1170
Signed by President	1252

42 By Doyle and Kelly. A bill for an act relating to short-hand notes of court reporters.	
Received, passed on file	109
Referred to judiciary	116
Committee report	171
Recommended passage	171
Committee report adopted	187
Passed Senate. Ayes 41, nays none	187
Signed by President	256

46 By Rex. A bill for an act relating to slow-moving vehicle warning devices.	
Received, passed on file	770
Referred to transportation	770
Committee report	1163
Recommended amendment, passage	1163
Committee amendment	1163
Steering recommends calendar	1354
Amendment filed	1409
Amendment filed	1564
Amendment filed	1578
Committee report adopted	1649
Committee amendment adopted	1649
Amendment withdrawn	1649
Amendment adopted	1649
Motion filed to reconsider vote	1650
Motion to reconsider vote prevailed	1650
Amendment lost	1650
Amendments filed	1652
Amendments adopted	1652
Passed Senate. Ayes 32, nays 10	1652
Motion filed to reconsider vote	1653
Motion to reconsider vote laid on table prevailed	1653
Signed by President	2007

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47 By Schroeder. A bill for an act relating to the registration of animals.	
Received, passed on file	164
Referred to agriculture	164
Committee report	205
Recommended passage	205
Committee report adopted	251
Passed Senate. Ayes 45, nays none	251
Signed by President	311
48 By Schroeder. A bill for an act relating to the movement of oversized mobile homes and vehicles.	
Received, passed on file	354
Referred to transportation	359
Amendment filed	432
Committee report	719
Recommended passage	719
Committee report adopted	967
Amendment adopted	969
Passed Senate. Ayes 27, nays 22 ..	971
Motion filed to reconsider vote ..	971
Motion to reconsider vote laid on table	971
Motion to reconsider vote laid on table failed	971
Motion filed to reconsider vote ..	972
Amendment filed	975
Motion to reconsider vote withdrawn	998
Motion filed to reconsider vote ..	999
Amendment filed	1078
Motion to reconsider vote prevailed	1154
Motion filed to reconsider vote ..	1155
Motion to reconsider vote prevailed	1155
Amendment filed	1155
Amendment adopted	1156
Amendments filed	1156
Placed on calendar under unfinished business	1156
Amendments filed	1167
Amendment filed	1208
63 By Lipsky. A bill for an act to provide compensation for the public representatives serving on the committee on child labor.	
Received, passed on file	209
Referred to human and industrial relations	210
Committee report	1133
Recommended passage	1133
Steering recommends calendar ..	1239
Amendment filed	1274
Committee report adopted	1472
Amendment adopted	1473
Passed Senate. Ayes 45, nays none	1473
Signed by President	1751
66 By Millen and Clark. A bill for an act relating to the sale of real property owned by a school district.	
Received, passed on file	494
Referred to schools	517
Committee report	1052
Recommended passage	1052
Steering recommends calendar ..	1354
Amendment filed	1409
Amendment filed	1564
Committee report adopted	1650
Amendments withdrawn	1650

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Passed Senate. Ayes 41, nays none	1651
Motion filed to reconsider vote ..	1651
Motion to reconsider vote laid on table prevailed	1651
Signed by President	1751
69 By Schroeder, Logemann, Christensen, Kehe, Nielsen, Knoke, Schwieger, Camp, Tiedden, Strothman, Schmeiser, Alt, Moffitt, Roorda, Pierson, Waugh, Strand, Mollett, Rex, Priebe, Cochran, Radl, Welden, Middleswart, Dougherty, Millen, Hamilton, Knoblauch, Winkelman, Stromer and Holden. A bill for an act relating to errors and omissions insurance for county officers and employees.	
Received, passed on file	357
Referred to county government ..	359
Committee report	1132
Recommended passage	1132
Steering recommends calendar ..	1863
Amendment filed	1890
Committee report adopted	1894
Amendment adopted	1894
Passed Senate. Ayes 41, nays none	1894
71 By Stromer. A bill for an act making hemp a noxious weed.	
Received, passed on file	154
Referred to agriculture	155
Committee report	370
Recommended passage	370
Amendment filed	385
Amendment filed	575
Committee report adopted	610
Amendment adopted	610
Amendment lost	610
Amendment filed	610
Referred to appropriations	611
73 By Varley, Lawson, Blouin, Kennedy, Cochran, Miller, Rodgers, Rex, McCormick and Winkelman (Lavery, Erskine, Curran, Smith, Potgeter and Schaben). A bill for an act relating to conservation of soil and water resources of the state, and to control of water pollution.	
Received, passed on file	940
Amendment filed	963
Amendment filed	1035
Substituted for S. F. 61	1043
Amendment adopted	1043
Amendment filed	1043
Amendments adopted	1044
Amendments filed	1046
Amendment adopted	1046
Amendment withdrawn	1046
Amendments filed	1047
Amendments adopted	1047
Amendment lost	1047
Amendments filed	1048
Amendments adopted	1048
Motion filed to reconsider vote ..	1050
Motion filed to reconsider vote ..	1050
Amendment filed	1056
Motion to reconsider vote prevailed	1065
Amendments adopted	1065
Motion filed to reconsider vote ..	1065

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Motion to reconsider vote pre- vailed	1065
Amendment lost	1066
Amendment filed	1066
Amendment adopted	1066
Motion to reconsider vote pre- vailed	1067
Amendments filed	1067
Amendment lost	1067
Amendments adopted	1068
Amendment filed	1068
Amendment lost	1068
Passed Senate. Ayes 41, nays 5 ..	1068
Message from House	1304
Senate concurred	1510
Passed Senate. Ayes 37, nays 7 ..	1510
Signed by President	1552

82 By Doyle. A bill for an act providing a penalty for the un- lawful use of temporary and instructional driving permits.	
Received, passed on file	329
Referred to law enforcement	330
Committee report	396
Recommended passage	396
Committee report adopted	529
Passed Senate. Ayes 40, nays none	529
Signed by President	584

83 By Camp (Shaff). A bill for an act to legalize and validate the proceedings of the city council of the city of DeWitt, Iowa, in connection with an election for the issuance of swimming pool bonds and de- claring the validity of said election and that bonds issued pursuant to and authorized thereby shall constitute valid and binding obligations of said city.	
Received, passed on file	176
Substituted for S. F. 71	186
Passed Senate. Ayes 41, nays none	186
Signed by President	256

86 By County Government. A bill for an act relating to de- posits of public funds.	
Received, passed on file	109
Substituted for S. F. 69	123
Passed Senate. Ayes 42, nays 6 ..	123
Signed by President	177

87 By County Government. A bill for an act relating to noti- fication of property owners re- garding assessment rolls.	
Received, passed on file	115
Substituted for S. F. 67	121
Passed Senate. Ayes 48, nays none	122
Signed by President	177

96 By Drake, Fisher of Greene and Shaw (Curran, Smith and Neu). A bill for an act relat- ing to the late vehicle regis- tration penalty.	
Received, passed on file	354
Referred to county government ..	359

107 By Stokes and Dougherty. A bill for an act relating to the	
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use of school lunch facilities by senior citizen organizations.	
Received, passed on file	419
Referred to schools	431

112 By Kehe, Millen, Edelen, Goode, Weiden and Menden- hall. A bill for an act author- izing the use of bid bonds in lieu of certified or cashiers' checks.	
Received, passed on file	470
Referred to commerce	495
Committee report	638
Recommended passage	638
Committee report adopted	707
Passed Senate. Ayes 32, nays 1 ..	707
Signed by President	823

114 By Meneffee. A bill for an act relating to specifications and standards for cheese and cheese products.	
Received, passed on file	209
Substituted for S. F. 152	229
Passed Senate. Ayes 47, nays none	229
Signed by President	311

116 By Mayberry and Franklin. A bill for an act relating to the advertisement of meat and poultry products.	
Received, passed on file	683
Referred to commerce	697

119 By Drake. A bill for an act relating to election precincts.	
Received, passed on file	219
Referred to state government	219
Committee report	271
Recommended amendment, pas- sage	271
Committee amendment	271
Amendment filed	445
Committee report adopted	449
Committee amendments adopted ..	450
Amendment adopted	451
Amendment filed	451
Amendment lost	451
Passed Senate. Ayes 43, nays none	451
Explanation of vote	472
Message from House	542
Senate receded	561
Senate concurred	561
Passed Senate. Ayes 36, nays 9 ..	561
Signed by President	687

121 By Ways and Means. A bill for an act to provide limita- tions on the property tax levy for the general fund budget of school districts, county boards of education, and joint county boards of education and to make an appropriation to the department of public instruc- tion for allocation to school districts.	
Received, referred to appropri- ations	233
Amendment filed	262
Committee report	316
Recommended amendment, pas- sage	316
Committee amendment	316
Committee amendment filed	317
Committee amendment filed	318

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Amendments filed	331	age from residences into open	
Amendment filed	332	ditches along the right-of-way	
Amendments filed	334	of any highway or public road,	
Amendments filed	335	and to provide penalties there-	
Committee report adopted	338	for.	
Amendment lost	339	Received, passed on file	913
Amendment withdrawn	339	Referred to environmental pres-	
Amendment filed	339	ervation	940
Amendment adopted	339		
Motion filed to reconsider vote ..	341	129 By Welden, Fisher of Greene,	
Motion to reconsider vote failed..	341	Drake and Shaw (Curran,	
Committee amendment adopted ..	341	Smith, Milligan and Neu). A	
Amendment filed	342	bill for an act to create a de-	
Amendment adopted	342	partment of general services,	
Committee amendment adopted..	342	transferring services present-	
Amendment adopted	343	ly performed by designated	
Amendment withdrawn	343	state agencies to the depart-	
Committee amendment adopted..	343	ment of general services, elim-	
Amendment lost	343	inating the performance of	
Amendment adopted	344	certain duties, and providing	
Amendment withdrawn	344	penalties.	
Amendment lost	344	Received, passed on file	972
Amendment filed	345	Referred to state government..	972
Amendments adopted	345	Made special order	1130
Amendments withdrawn	345	Committee report	1133
Amendment lost	345	Recommended amendment pas-	
Amendment adopted	346	sage	1133
Amendment withdrawn	346	Committee amendment	1133
Amendment filed	347	Amendment filed	1188
Amendments lost	347	Committee amendment filed..	1188
Amendment lost	348	Amendments filed	1189
Motion filed to reconsider vote ..	348	Special order	1196
Motion to reconsider vote with-		Committee report adopted	1196
drawn	348	Amendment adopted	1197
Motion filed to reconsider vote ..	348	Amendment withdrawn	1197
Motion to reconsider vote failed..	349	Amendment adopted	1198
Passed Senate. Ayes 34, nays 11.	349	Amendment lost	1198
Motion filed to reconsider vote ..	349	Committee amendment adopted..	1199
Motion to reconsider vote laid on		Committee amendment lost	1199
table prevailed	349	Committee amendment adopted..	1200
Message from House	416	Amendments filed	1201
Senate refused to concur	426	Amendments adopted	1201
Conference committee appointed..	443	Motion filed to reconsider vote ..	1201
Conference committee report	495	Motion to reconsider vote failed..	1202
Conference committee report		Passed Senate. Ayes 33, nays 14.	1202
adopted	505	Message from House	1423
Passed Senate. Ayes 31, nays 15.	505	Senate refused to concur	1573
Motion filed to reconsider vote ..	505	Conference committee appointed.	1631
Motion to reconsider vote laid on		Conference committee report ..	1702
table	505	Conference committee report ..	1899
Motion to reconsider vote laid on		Conference committee report	
table prevailed	506	adopted	1899
Signed by President	534	Passed Senate. Ayes 40, nays 3.	1900
		Signed by President	2038
122 By Knoke, Mollett and			
Schroeder (Griffin). A bill for an		130 By Agriculture. A bill for an	
act relating to the number		act relating to brucellosis	
of official county newspapers.		tests.	
Received, passed on file	470	Received, passed on file	209
Referred to county government..	495	Referred to agriculture	210
Committee report	748	Committee report	370
Recommended passage	748	Recommended passage	371
Committee report adopted	949	Committee report adopted	634
Placed on calendar under unfin-		Passed Senate. Ayes 45, nays	
ished business	949	none	634
Amendment filed	1026	Signed by President	687
Point of order raised	1026		
Amendment lost	1028	132 By Kelly. A bill for an act	
Failed to pass Senate. Ayes 22,		relating to the penalties for	
nays 24	1028	false use of credit cards and	
Motion filed to reconsider vote..	1050	fraudulent use of wire serv-	
		ices.	
123 By Varley, Lawson, Blouin,		Received, passed on file	1001
Cochran, Miller, Rodgers, Mc-		Referred to commerce	1032
Cormick and Dougherty (Lav-		Committee report	1111
erty, Erskine, Curran and		Recommended passage	1111
Smith). A bill for an act to		Steering recommends calendar..	1239
prohibit the discharge of sew-		Amendment filed	1248
		Committee report adopted	1473

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Amendment withdrawn	1473	Received, passed on file	553
Passed Senate. Ayes 43, nays 4.....	1473	Referred to social services	555
Signed by President	1534	Committee report	679
140 By Rex. A bill for an act relating to assignment of real estate mortgages by marginal entry.		Recommended passage	679
Received, passed on file	329	Committee report adopted	711
Referred to county government ..	330	Passed Senate. Ayes 30, nays none	711
Committee report	421	Message from House	552
Recommended amendment, passage	421	Signed by President	823
Committee amendment	422	172 By State Government. A bill for an act relating to a reorganization of the Iowa Liquor Control Commission; creating an Iowa beer and liquor control department; providing for the appointment of an Iowa beer and liquor control council and a director of beer and liquor control and designating their powers and duties; creating a division of beer and liquor law enforcement in the department of public safety; amending provisions concerning liquor control licenses, special liquor permits, beer permits, and fees charged therefor; abolishing special distributors; altering dram shop liability; requiring certificates of compliance from distillers and brewers; declaring certain acts to be unlawful and providing penalties for violations; and otherwise amending current statutory provisions relating to the sale and possession of alcoholic liquor and beer in this state.	
Committee report adopted	534	Received, passed on file	368
Committee amendment adopted....	534	Referred to state government....	370
Passed Senate. Ayes 41, nays none	534	Amendments filed	375
Signed by President	658	Amendment filed	649
141 By Norpel. A bill for an act relating to disclosure of information learned during the preparation of tax returns and providing a penalty for violations.		Amendment filed	738
Received, passed on file	443	Committee report	748
Amendment filed	445	Without recommendation, but with amendment	749
Substituted for S. F. 233	460	Committee amendment	749
Amendments filed	460	Made special order	768
Amendments adopted	460	Amendments filed	794
Passed Senate. Ayes 47, nays none	461	Amendment filed	813
Signed by President	658	Amendments filed	830
144 By Shaw, Drake and Fisher of Greene (Curran). A bill for an act relating to the board of educational examiners.		Amendment filed	831
Received, passed on file	1499	Special order	834
Referred to schools	1505	Committee report adopted	835
Committee report	1839	Amendment adopted	835
Recommended passage	1839	Amendment adopted	836
145 By Rex and Hansen. A bill for an act to provide an excise tax on the sale of turkeys and providing a penalty for certain violations of this Act.		Amendments filed	837
Received, passed on file	1045	Amendment adopted	837
Referred to agriculture	1050	Amendment adopted	838
Committee report	1257	Committee amendment adopted....	838
Recommended passage	1258	Committee amendment lost	838
Steering recommends calendar ...	1527	Amendment withdrawn	838
164 By Bray, Franklin and Mendenhall. A bill for an act relating to the adoption of children.		Amendment filed	838
Received, passed on file	1521	Amendment lost	838
Referred to social services	1527	Amendment filed	845
Committee report	1561	Amendments filed	847
Recommended passage	1561	Amendments filed	848
Steering recommends calendar ...	1863	Amendment filed	860
Committee report adopted	1869	Amendment adopted	863
Passed Senate, ayes 37, nays 6.....	1869	Committee amendments adopted..	864
Motion filed to reconsider vote ...	1870	Amendments adopted	864
Motion to reconsider vote laid on table prevailed	1870	Amendment withdrawn	864
Signed by President	2007	Amendment adopted	865
170 By Tieden, Pellett, Cristensen, Dunton and Mayberry (Milligan, Lamborn, Balloun, Rabedaux, Smith, Anderson, Mowry, Van Drie and Miller). A bill for an act relating to the enucleating of eyes by funeral directors or embalmers.		Amendment withdrawn	865
		Amendment withdrawn	867
		Amendment lost	867

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Amendment adopted	867	Received, passed on file	606
Amendment adopted	868	Referred to judiciary	612
Amendments lost	869	Committee report	1182
Amendment filed	870	Recommended amendment pas-	
Amendment adopted	870	sage	1183
Amendment lost	871	Committee amendment	1183
Amendment lost	872	Steering recommends calendar ..	1527
Amendment adopted	872		
Amendments lost	873	182 By Holden, Stromer, Priebe	
Amendment adopted	874	and Fischer of Grundy (Briles,	
Amendment lost	874	Ollenburg and Griffin). A bill	
Amendment filed	874	for an act providing a reloca-	
Amendments lost	882	tion advisory assistance pro-	
Amendment filed	882	gram and relocation payments	
Passed Senate. Ayes 33, nays 13..	882	to persons displaced by high-	
Motion filed to reconsider vote...	883	way projects.	
Motion to reconsider vote laid on		Received, passed on file	1647
table prevailed	883	Referred to transportation	1659
Message from House	1215	Committee report	1703
Senate concurred	1280	Recommended passage	1703
Failed to pass Senate. Ayes 19,		Rule suspended	1718
nays 25	1281	Placed on calendar under unfin-	
Motion filed to reconsider vote...	1281	ished business	1718
Motion filed to reconsider vote...	1281	Committee report adopted	1901
Motion to reconsider vote pre-		Amendment filed	1901
vailed	1594	Point of order raised	1902
Motion filed to reconsider vote...	1594	Amendments filed	1919
Motion to reconsider vote failed...	1595	Amendment lost	1919
Passed Senate. Ayes 28, nays 19..	1595	Amendments adopted	1919
Motion filed to reconsider vote...	1595	Passed Senate. Ayes 42, nays	
Motion to reconsider vote laid on		none	1920
table prevailed	1595	Message from House	1959
Signed by President	1907	Senate receded	2004
173 By Schroeder. A bill for an		Passed Senate. Ayes 41, nays	
act requiring voter approval		none	2004
for a member of an aviation		Signed by President	2038
authority to levy a one mill			
tax.		194 By County Government. A	
Received, passed on file	447	bill for an act relating to	
Referred to transportation	472	county contingent funds.	
177 By Ways and Means. A bill		Received, passed on file	354
for an act to increase the tax		Substituted for S. F. 245.....	484
on cigarettes.		Placed on calendar under unfin-	
Received, passed on file	270	ished business	484
Amendment filed	292	Amendment filed	557
Substituted for S. F. 228	296	Amendment lost	562
Amendment lost	296	Passed Senate. Ayes 31, nays 15..	562
Amendment filed	296	Motion filed to reconsider vote...	566
Amendment adopted	296	Amendment filed	575
Passed Senate. Ayes 38, nays 7...	296	Motion to reconsider vote pre-	
Motion filed to reconsider vote...	303	vailed	672
Motion to reconsider vote failed...	321	Amendment adopted	672
Message from House	380	Motion filed to reconsider vote...	672
Senate receded	400	Motion to reconsider vote failed...	672
Passed Senate. Ayes 41, nays 6...	401	Failed to pass Senate. Ayes 20,	
Signed by President	452	nays 28	672
178 By Law Enforcement. A bill		195 By Holden, Fisher of Greene,	
for an act relating to a re-		Den Herder, Grassley, Millen,	
quirement that persons ac-		Welden, Middleswart, Stokes,	
cused of having committed		Siglin, Logemann, Hamilton,	
crimes together stand trial to-		Lipsky, Menefee, Mayberry,	
gether, unless justice requires		Sorg, Dunton, Wyckoff, Stroth-	
otherwise.		man, Campbell, Cochran, Pel-	
Received, passed on file	539	lett, Knoke, Wirtz, Shaw, Men-	
Referred to judiciary	539	denhall, Nielsen, Roorda, Kruse,	
Committee report	1182	Bergman, Priebe, Rodgers,	
Reported without recommenda-		Pierson, Tieden, Hansen, Chris-	
tion	1182	tensen, Lawson, Alt, Miller,	
Steering recommends calendar ..	1239	Kelly, McCormick, Taylor, Ny-	
Steering recommends calendar ..	1527	strom, Rex, Moffitt, Egenes,	
180 By Law Enforcement. A bill		Winkelman, Trowbridge,	
for an act relating to the		Schroeder, Kinley, Blouin,	
granting of immunity to wit-		Stanley and Varley. A bill for	
nesses testifying in criminal		an act to define an alcoholic	
proceedings.		beverage as it relates to the	
		operation of a motor vehicle	
		by an operator under the in-	

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fluence of an alcoholic beverage.		Recommended amendment, passage	1203
Received, passed on file	454	Steering recommends calendar	1239
Referred to law enforcement	472	Committee report adopted	1494
Committee report	555	Amendment adopted	1495
Recommended passage	555	Passed Senate. Ayes 41, nays 5	1495
Committee report adopted	688	Message from House	1566
Passed Senate. Ayes 32, nays 13	688	Senate receded	1643
Signed by President	823	Passed Senate. Ayes 38, nays 1	1643
		Signed by President	1751
197 By Ways and Means. A bill for an act relating to taxation and regulation of rural electric cooperatives.		215 By Dunton. A bill for an act relating to notice of compensation commission appraisal of damages and appeal from the damages award.	
Received, passed on file	368	Received, passed on file	1031
Referred to ways and means	555	Referred to judiciary	1032
Committee report	902	Committee report	1051
Recommended amendment, passage	902	Recommended passage	1051
Committee amendment	902	Committee report adopted	1211
Amendment filed	928	Passed Senate. Ayes 42, nays none	1211
Amendments filed	929	Signed by President	1394
Committee report adopted	932		
Committee amendment adopted	933	216 By Willits, Tieden, Drake, Skinner and Cochran (Erskine, Palmer, Carlson and Briles). A bill for an act relating to administrative and maintenance facilities for county conservation boards.	
Points of order raised	934	Received, passed on file	570
Amendment filed	934	Amendment filed	668
Amendments lost	934	Amendment filed	929
Amendment lost	935	Amendment filed	1098
Amendment filed	935	Amendment filed	1547
Point of order raised	935	Substituted for S. F. 150	1554
Amendments withdrawn	935	Amendment withdrawn	1554
Passed Senate. Ayes 32, nays 12	936	Amendment withdrawn	1555
Motion filed to reconsider vote	936	Amendment lost	1555
Motion to reconsider vote laid on table prevailed	936	Amendment adopted	1555
Signed by President	1127	Amendment adopted	1556
		Failed to pass Senate. Ayes 16, nays 23	1556
199 By Ewell and Schwieger (Conklin). A bill for an act relating to the use of flashing signal lights and stop arms by school buses in cities and towns.		Motion filed to reconsider vote	1558
Received, passed on file	470	Motion filed to reconsider vote	1575
Referred to cities and towns	495		
206 By County Government. A bill for an act relating to fees collected by the county recorder for hunting and fishing duplicate licenses.		217 By Den Herder, Radl and Doyle (Thordsen, Schaben, Kennedy, Sullivan and Rabedaux). A bill for an act relating to the board of parole.	
Received, passed on file	329	Received, passed on file	714
Substituted for S. F. 216	438	Amendment filed	739
Passed Senate. Ayes 41, nays 3	438		
Signed by President	482	219 By Social Services. A bill for an act relating to the use of carbon tetrachloride fire extinguishers in migratory labor camps.	
		Received, passed on file	329
209 By Dougherty and Stokes (Sullivan and Van Gilst). A bill for an act relating to county and city programs for senior citizens.		Referred to social services	330
Received, passed on file	857		
Referred to county government	858	223 By Social Services. A bill for an act to provide a penalty for practicing cosmetology without a license.	
Committee report	1033	Received, passed on file	330
Recommended passage	1033	Referred to judiciary	330
Committee report adopted	1194		
Passed Senate. Ayes 43, nays none	1194	225 By Bray, Gluba, Shaw and Holden. A bill for an act relating to municipal judges.	
Signed by President	1252	Received, passed on file	1599
		Referred to judiciary	1599
211 By Grassley and Knoke. A bill for an act relating to the term of office of county attorneys.		Committee report	1935
Received, passed on file	494	Recommended passage	1935
Referred to county government	517	Committee report adopted	1939
Amendment filed	909		
Committee report	1203		

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Passed Senate. Ayes 41, nays 1...	1939
Signed by President	2038
227 By Knoke. A bill for an act relating to fee for issuance of tax deed.	
Received, passed on file	1158
Referred to ways and means	1161
Committee report	1723
Recommended passage	1723
230 By Rex. A bill for an act relating to election precincts.	
Received, passed on file	454
Substituted for S. F. 115	463
Amendment filed	474
Amendment adopted	484
Passed Senate. Ayes 42, nays 1...	485
Motion filed to reconsider vote ..	517
Amendment filed	522
Motion to reconsider vote pre- vailed	585
Motion filed to reconsider vote...	585
Motion to reconsider vote pre- vailed	585
Amendment withdrawn	585
Amendment adopted	586
Passed Senate. Ayes 46, nays 1...	586
Signed by President	823
231 By State Government. A bill for an act relating to incentive awards for state employees.	
Received, passed on file	330
Referred to state government	330
Committee report	407
Recommended passage	407
Committee report adopted	531
Passed Senate. Ayes 38, nays none	531
Signed by President	584
236 By State Government. A bill for an act relating to the establishment of rest areas or rest area buildings on interstate highways.	
Received, passed on file	419
Referred to state government	431
Committee report	810
Recommended passage	810
Referred to appropriations	807
Committee report	1528
Recommended passage	1528
Amendment filed	1727
Steering recommends calendar ..	1863
Committee report adopted	1891
Amendment adopted	1891
Passed Senate. Ayes 34, nays 5...	1892
Message from House	1949
Senate receded	2003
Passed Senate. Ayes 42, nays 1...	2003
Signed by President	2038
242 By Kinley (Tapscott). A bill for an act relating to the date on which interest accrues on delinquent real property taxes.	
Received, passed on file	727
Referred to ways and means	747
254 By Shaw. A bill for an act relating to the rate of interest which may be paid by a real estate investment trust.	
Received, passed on file	869
Referred to commerce	901
Committee report	1203
Recommended passage	1203

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262 By Wells, Taylor, Wyckoff, Andersen, Stanley, Alt, Knoblauch, Rodgers, Cochran and Doyle. A bill for an act relating to traffic control signals.	
Received, passed on file	714
Referred to law enforcement	715
Committee report	808
Recommended passage	808
Committee report adopted	980
Amendment filed	980
Amendment adopted	980
Placed on calendar under unfinished business	981
Amendment filed	1017
Amendment withdrawn	1158
Amendment filed	1158
Amendment lost	1159
Passed Senate. Ayes 44, nays none	1159
Signed by President	1432
268 By Dunton. A bill for an act relating to the issuance and use of distress flags by handicapped persons and providing penalties for violations thereof.	
Received, passed on file	659
Referred to law enforcement	677
Committee report	1133
Recommended passage	1133
Steering recommends calendar ..	1239
Amendment filed	1507
Committee report adopted	1549
Amendment adopted	1549
Passed Senate. Ayes 35, nays 5...	1550
Signed by President	1751
271 By Hansen, Camp, Christensen, Wells, Schmeiser, Mayberry, Ellsworth, Taylor and Gluba. A bill for an act to require that railway employees be provided adequate sanitation and shelter.	
Received, passed on file	1505
Substituted for S. F. 342	1931
Passed Senate. Ayes 36, nays 2...	1931
Signed by President	2038
274 By Ellsworth and Taylor. A bill for an act relating to military leave of absence for civil employees.	
Received, passed on file	570
Referred to state government	571
Committee report	810
Recommended passage	810
Amendment filed	831
Amendment filed	929
Committee report adopted	981
Amendment adopted	982
Point of order raised	982
Passed Senate. Ayes 44, nays none	982
Signed by President	1252
278 By Social Services. A bill for an act relating to eligibility requirements for aid to dependent children.	
Received, passed on file	369
Referred to social services	370
Committee report	679
Recommended passage	679
Committee report adopted	947
Passed Senate. Ayes 38, nays 2...	947
Signed by President	1091

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281 By Ellsworth. A bill for an act providing an exemption from state income tax for members of the Iowa National Guard performing training duty and active state service.	
Received, passed on file	1934
Referred to ways and means	1940
Committee report	1958
Recommended passage	1958
Amendment filed	1966
Amendment filed	2036
283 By State Government. A bill for an act relating to the payment of claims.	
Received, passed on file	419
Referred to state government	431
Committee report	810
Recommended passage	810
Committee report adopted	982
Passed Senate. Ayes 45, nays none	983
Signed by President	1091
287 By Rex, Ellsworth and Schmeiser. A bill for an act relating to the labeling of seed corn containers.	
Received, passed on file	1031
Referred to agriculture	1032
Committee report	1095
Recommended passage	1095
Committee report adopted	1230
Amendment filed	1230
Placed on calendar under unfinished business	1230
Amendment filed	1274
288 By Social Services. A bill for an act relating to the joint purchase, ownership, construction, and maintenance of buildings by counties.	
Received, passed on file	454
Referred to social services	472
289 By Social Services. A bill for an act relating to the amount of money which can be loaned to a parolee from the state parole relief fund.	
Received, passed on file	455
Referred to social services	472
294 By County Government. A bill for an act authorizing county boards of supervisors to establish revolving funds from which expenses for the maintenance of drainage or levee districts may be paid.	
Received, passed on file	455
Referred to county government	472
307 By Freeman and Hansen. A bill for an act relating to the amount of credit life insurance that may be sold to a debtor.	
Received, passed on file	470
Referred to commerce	495
Committee report	941
Recommended amendment, passage	941
Committee amendment	941
Amendment filed	942
308 By Social Services. A bill for an act relating to physical re-	

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quirements for marriage license.	
Received, passed on file	455
Referred to social services	472
Committee report	680
Recommended passage	680
Committee report adopted	711
Passed Senate. Ayes 31, nays 3	712
Signed by President	823
314 By Holden, Stromer, Priebe, Fischer of Grundy and Dougherty (Briles, Ollenburg, Griffin and Potgeter). A bill for an act relating to the acquisition of property by public bodies, corporations and individuals.	
Received, passed on file	1499
Referred to commerce	1505
317 By Kehe, Edelen, Welden, Hansen and Lawson. A bill for an act relating to supervision of local budget preparation.	
Received, passed on file	570
Referred to schools	571
Committee report	1095
Recommended passage	1095
Steering recommends calendar	1354
Committee report adopted	1651
Passed Senate. Ayes 39, nays none	1651
Signed by President	2007
324 By Schwieger. A bill for an act relating to the means of disbursement of support money paid pursuant to court order or decree in domestic relations cases.	
Received, passed on file	1481
Referred to judiciary	1491
326 By Social Services. A bill for an act to insert in the Code the text of the probation and parole compact.	
Received, passed on file	727
Referred to social services	747
327 By Kreamer. A bill for an act relating to the election of officers in school districts.	
Received, passed on file	761
Referred to schools	770
330 By Conservation and Recreation. A bill for an act relating to the right-of-way rules of vessel traffic.	
Received, passed on file	455
Referred to conservation and recreation	472
Amendment filed	1727
Committee report	1889
Recommended amendment, passage	1889
Committee amendment	1889
Committee report adopted	1896
Committee amendment adopted	1896
Amendment withdrawn	1896
Passed Senate. Ayes 45, nays none	1897
Signed by President	2038
334 By County Government. A bill for an act relating to deposit and investment of public funds.	

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Received, passed on file	455
Amendment filed	474
Substituted for S. F. 243	547
Amendment adopted	548
Amendment lost	549
Passed Senate. Ayes 45, nays none	549
Signed by President	823
 342 By Kreamer. A bill for an act relating to tort liability of governmental subdivisions.	
Received, passed on file	770
Referred to cities and towns	770
 346 By Ways and Means. A bill for an act relating to refunding or motor fuel tax.	
Received, passed on file	470
Referred to ways and means	495
Committee report	521
Recommended passage	521
Committee report adopted	546
Passed Senate. Ayes 47, nays none	546
Signed by President	584
 347 By Holden. A bill for an act relating to the dispossession of a landowner under condemnation proceedings for highway purposes.	
Received, passed on file	1499
Referred to transportation	1505
Amendment filed	1601
Amendment adopted	1677
Substituted for S. F. 441	1716
Amendments adopted	1717
Amendment filed	1717
Amendment adopted	1718
Passed Senate. Ayes 27, nays 16 ..	1718
Message from House	1752
Senate concurred	1762
Passed Senate. Ayes 29, nays 3 ..	1762
Signed by President	1773
 367 By Lawson. A bill for an act relating to joint planning commissions.	
Received, passed on file	1253
Referred to state government....	1285
 369 By Holden (Nicholson, Pot-geter and Shaff). A bill for an act relating to fees for census searches charged by the Iowa department of history and archives.	
Received, passed on file	731
Substituted for S. F. 290	741
Amendment filed	741
Amendment adopted	741
Passed Senate. Ayes 40, nays 6 ..	741
Message from House	768
Senate insisted	804
Conference committee appointed..	807
Conference committee report	940
Conference committee report adopted	987
Passed Senate. Ayes 42, nays 1 ..	988
Signed by President	1127
 373 By Ellsworth. A bill for an act to appropriate funds to defray expenses of the inaugural ceremonies.	
Received, passed on file	1236
Referred to appropriations	1239

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Committee report	1354
Recommended passage	1354
Steering recommends calendar ..	1527
Committee report adopted	1557
Passed Senate. Ayes 40, nays none	1557
Motion filed to reconsider vote ..	1559
Motion to reconsider vote with-drawn	1595
Signed by President	1690
 376 By Iowa Development. A bill for an act relating to the economic development activities by cities.	
Received, passed on file	570
Referred to Iowa development ...	571
 381 By Agriculture. A bill for an act relating to commercial feed inspection fee.	
Received, passed on file	570
Referred to agriculture	571
Committee report	637
Recommended passage	637
Committee report adopted	708
Passed Senate. Ayes 28, nays 4 ..	708
Signed by President	823
 382 By Agriculture. A bill for an act relating to labeling of foreign meats.	
Received, passed on file	570
Referred to agriculture	571
Committee report	792
Recommended passage	792
Committee report adopted	1039
Passed Senate. Ayes 44, nays none	1039
Signed by President	1127
 384 By Rex. A bill for an act to change certain references in the Code from "poultry and hatchery association" to "poultry association, incorporated."	
Received, passed on file	636
Referred to agriculture	637
Committee report	885
Recommended passage	885
Committee report adopted	986
Passed Senate. Ayes 40, nays none	986
Signed by President	1127
 386 By Waugh, Doyle, Rodgers, Rex, Strand and Curtis (Keith and DeKoster). A bill for an act relating to travel trailers.	
Received, passed on file	1482
Substituted for S. F. 314	1928
Amendments filed	1928
Amendment adopted	1928
Amendment lost	1928
Passed Senate. Ayes 36, nays 4 ..	1928
Signed by President	2038
 391 By Agriculture. A bill for an act relating to the bonding of operators of slaughterhouses buying cattle, hogs, or sheep, and the bonding of agents, dealers, or brokers of such operators, and providing a penalty.	
Received, passed on file	828
Referred to agriculture	901
Committee report	1095

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Recommended amendment, pas- sage	1095
Committee amendment	1095
Steering recommends calendar	1527
393 By Johnston. A bill for an act relating to waiver of right to jury trial in indictable mis- demeanor cases.	
Received, passed on file	803
Referred to judiciary	807
Committee report	1528
Recommended passage	1529
Steering recommends calendar	1527
Committee report adopted	1866
Passed Senate. Ayes 42, nays none	1866
Signed by President	2007
399 By State Government. A bill for an act relating to exemp- tions from the merit system and providing for work test appointments.	
Received, passed on file	570
Referred to state government	571
Committee report	756
Recommended passage	756
Committee report adopted	950
Amendment filed	950
Amendment adopted	950
Call of the Senate requested	951
Call of the Senate	951
Call of the Senate lifted	952
Amendment filed	952
Motion to table	953
Motion to table lost	953
Amendments lost	954
Amendments filed	954
Points of order raised	955
Motion to suspend rules to recon- sider vote	955
Motion to suspend rules to recon- sider vote failed	955
Amendment filed	955
Amendment filed	956
Amendment adopted	956
Amendment lost	956
Call of the Senate requested	956
Call of the Senate	956
Call of the Senate lifted	957
Amendments filed	963
Motion filed to reconsider vote	972
Motion filed to reconsider vote	972
Motion to reconsider vote pre- vailed	999
Amendment withdrawn	999
Amendments filed	999
Amendment lost	1000
Amendment adopted	1000
Motion to reconsider vote failed	1001
Amendment withdrawn	1002
Point of order raised	1002
Amendment filed	1002
Amendment lost	1002
Amendment filed	1003
Amendment lost	1003
Passed Senate. Ayes 32, nays 15	1003
Motion filed to reconsider vote	1003
Motion to reconsider vote laid on table prevailed	1003
Signed by President	1432
406 By Ways and Means. A bill for an act relating to use tax.	
Received, passed on file	761
Referred to ways and means	770
Committee report	1723
Recommended amendment, pas- sage	1723

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Committee amendment	1723
Amendment filed	1808
Amendment filed	1935
412 By Weiden, Hansen and Kehe. A bill for an act relat- ing to administrative rules of departments of the state.	
Received, passed on file	1353
Referred to state government	1409
Committee report	1470
Recommended passage	1470
420 By Lawson, Freeman, Strand, Mayberry, Rex, Ellsworth, Edelen, Grassley, Drake, Dun- ton, Nielsen, Cochran, Millen, Anania and Monroe (Curran, Coleman and Rabedeaux.) A bill for an act relating to re- duction of sentence for prison- ers held in county jails.	
Received, passed on file	970
Referred to judiciary	973
Committee report	1051
Recommended passage	1051
Amendment filed	1148
Amendment filed	1190
Committee report adopted	1212
Amendment withdrawn	1212
Amendment adopted	1212
Passed Senate. Ayes 44, nays none	1212
Signed by President	1432
423 By Kehe, Shaw and Knoke. A bill for an act to provide for uniform traffic summons and a schedule of minimum fines for certain traffic violations.	
Received, passed on file	922
Referred to cities and towns	940
429 By Constitutional Amend- ments and Reapportionment. A bill for an act relating to preparation of ballots and vot- ing machines for constitution- al questions, amendments and public measures.	
Received, passed on file	636
Referred to state government	637
Committee report	810
Recommended passage	810
Committee report adopted	983
Passed Senate. Ayes 39, nays 5	983
Signed by President	1091
439 By Schwieger. A bill for an act relating to misuse of food stamps and providing a pen- alty.	
Received, passed on file	1499
Referred to judiciary	1505
446 By Scott. A bill for an act relating to public recreation on private lands.	
Received, passed on file	884
Referred to conservation and rec- reation	901
Committee report	1161
Recommended passage	1162
Steering recommends calendar	1354
Committee report adopted	1653
Passed Senate. Ayes 37, nays 1	1656
Signed by President	1751
454 By Millen. A bill for an act relating to motor vehicle reg- istration cards.	

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Received, passed on file	1468
Referred to transportation	1491
Committee report	1506
Recommended amendment, pas- sage	1506
Amendment filed	1507
457 By Kreamer. A bill for an act to create a vocational youth organization fund, and to make an appropriation therefor.	
Received, passed on file	1630
Referred to appropriations	1632
463 By Goode. A bill for an act relating to emergency succe- sion and emergency location of state and local governments.	
Received, passed on file	1045
Referred to state government	1050
Committee report	1258
Recommend passage	1258
Steering recommends calendar	1354
Committee report adopted	1653
Passed Senate. Ayes 34, nays none	1654
Signed by President	1751
466 By Priebe, Drake, Bergman, Rex, Freeman, Patton, Welden, Millen, Nielsen, Knoblauch, Skinner, Christensen, Rodgers, Mendenhall, Wirtz, Stromer, Schroeder, Siglin and Edelen (Kyhl, Arbuckle, Neu, Palmer and Potgeter). A bill for an act to authorize counties oper- ing county public hospitals to issue revenue bonds.	
Received, passed on file	1400
Referred to county government	1409
Committee report	1528
Recommended passage	1528
Steering recommends calendar	1527
Steering recommends calendar	1863
Committee report adopted	1869
Amendment filed	1870
Amendment lost	1870
Passed Senate. Ayes 42, nays 1	1870
Motion filed to reconsider vote	1871
Motion to reconsider vote laid on table prevailed	1871
Signed by President	2007
470 By Winkelman. A bill for an act relating to sale or transfer of livestock brands.	
Received, passed on file	803
Referred to agriculture	807
Committee report	835
Recommended passage	835
Committee report adopted	986
Passed Senate. Ayes 41, nays none	986
Signed by President	1091
473 By Human and Industrial Relations. A bill for an act re- lating to part-time work in agriculture by minors.	
Received, passed on file	683
Referred to human and industrial relations	697
Committee report	859
Recommended passage	859
Amendment filed	964
Committee report adopted	984
Amendment adopted	984
Amendment filed	984

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Amendment lost	985
Passed Senate. Ayes 46, nays none	985
Motion filed to reconsider vote	985
Motion to reconsider vote laid on table prevailed	985
Signed by President	1252
479 By Law Enforcement. A bill for an act relating to the ex- tension of operators' and chauf- feurs' licenses for persons sep- arated from military service.	
Received, passed on file	636
Referred to law enforcement	637
Committee report	924
Recommended amendment, pas- sage	924
Committee amendment	924
Committee report adopted	1192
Committee amendment adopted	1192
Passed Senate. Ayes 43, nays none	1192
Signed by President	1432
490 By Law Enforcement. A bill for an act relating to hearings on the revocation or denial of driving privileges.	
Received, passed on file	683
Referred to law enforcement	697
503 By Waugh. A bill for an act relating to levee and drainage districts.	
Received, passed on file	970
Referred to county government	973
Committee report	1033
Recommended passage	1033
Steering recommends calendar	1239
Committee report adopted	1552
Placed on calendar under unfin- ished business	1552
Amendment filed	1636
Amendment filed	1930
Amendments adopted	1930
Passed Senate. Ayes 34, nays 2	1930
Signed by President	2038
505 By Ways and Means. A bill for an act relating to the fees charged for insurance agent licenses and making the act retroactive.	
Received, passed on file	714
Referred to ways and means	715
Committee report	732
Recommended passage	732
Committee report adopted	767
Passed Senate. Ayes 35, nays 9	767
Motion filed to reconsider vote	768
Motion filed to reconsider vote	770
Motion to reconsider vote laid on table	770
Motion to reconsider vote with- drawn	817
Motion to reconsider vote with- drawn	817
Signed by President	936
514 By Alt, Tieden, Jesse, Wil- lits, Kreamer, Hill, Kinley, An- ania, Skinner, Kruse, Bennett, Middleswart and Franklin. A bill for an act relating to county conservation boards.	
Received, passed on file	1253
Referred to conservation and rec- reation	1257

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Committee report1258
 Recommended passage1258
 Steering recommends calendar1354
 Committee report adopted1654
 Passed Senate. Ayes 37, nays 1...1654
 Signed by President1751

515 By Skinner. A bill for an act to legalize and validate the proceedings of the board of township trustees of Delaware township of Polk County, Iowa, in connection with certain elections held to authorize a tax levy for fire protection purposes and the issuance of bonds in anticipation of said tax and declaring the validity of said elections and that bonds issued pursuant to said proceedings shall be enforceable obligations of said township.

Received, passed on file 857
 Referred to judiciary 858
 Committee report1051
 Recommended passage1052
 Committee report adopted1213
 Passed Senate. Ayes 45, nays none1213
 Signed by President1394

522 By Law Enforcement. A bill for an act relating to the regulation of the manufacture, sale, transportation, storage, possession, and use of explosive materials; providing penalties for violations of those regulations; and requiring prompt reporting of knowledge or discovery of explosive devices, and providing a penalty for failure to so report.

Received, passed on file 727
 Referred to law enforcement 747
 Committee report 901
 Recommended passage 901
 Amendment filed 976
 Amendment filed1078
 Amendment filed1098
 Amendment filed1099
 Amendments filed1100
 Committee report adopted1106
 Amendment adopted1106
 Amendments adopted1108
 Amendments lost1108
 Amendments filed1116
 Amendments filed1117
 Amendments filed1119
 Amendments adopted1122
 Amendment withdrawn1122
 Amendment adopted1123
 Amendments adopted1125
 Amendment lost1125
 Amendment filed1126
 Amendment adopted1126
 Motion filed to reconsider vote1128
 Motion to reconsider vote prevailed1128
 Amendments filed1128
 Amendments adopted1128
 Passed Senate. Ayes 41, nays 4...1128
 Motion filed to reconsider vote1129
 Motion to reconsider vote laid on table prevailed1129
 Message from House1400
 Senate recessed1393
 Passed Senate. Ayes 40, nays 7...1393
 Signed by President1690

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527 By Agriculture. A bill for an act relating to inspection fees for weights and measures.
 Received, passed on file 766
 Referred to agriculture 770
 Committee report 973
 Recommended passage 973
 Amendment filed1056
 533 By Kelly. A bill for an act relating to inspection of patients' records.
 Received, passed on file1571
 Referred to social services1599

537 By Kelly. A bill for an act relating to the age requirement for marriage.
 Received, passed on file1049
 Referred to judiciary1050
 Committee report1529
 Recommended passage1529
 Steering recommends calendar1527
 Committee report adopted1867
 Passed Senate. Ayes 41, nays none1867
 Motion filed to reconsider vote1888
 Signed by President2038

539 By Grassley and Shaw. A bill for an act to define administrative rules.
 Received, passed on file1468
 Referred to state government1491
 Amendment filed1492
 Committee report1677
 Recommended amendment, passage1677
 Amendment filed1677

546 By Schwieger. A bill for an act relating to contempt actions in paternity cases.
 Received, passed on file1481
 Referred to judiciary1491
 Committee report1529
 Recommended passage1529
 Steering recommends calendar1527
 Committee report adopted1867
 Passed Senate. Ayes 40, nays none1867
 Signed by President2038

550 By Ways and Means. A bill for an act relating to information obtained by the department of revenue.
 Received, passed on file 731
 Referred to ways and means 747
 Committee report 844
 Recommended passage 844
 Committee report adopted 855
 Passed Senate. Ayes 40, nays none 856
 Signed by President 981

551 By Ways and Means. A bill for an act relating to registration of motor vehicles.
 Received, passed on file 731
 Referred to transportation 747
 Committee report 792
 Recommended passage 793
 Committee report adopted 853
 Passed Senate. Ayes 37, nays 4... 853
 Signed by President 936

565 By Alt. A bill for an act to legalize and validate the proceedings of the city council of

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the city of Windsor Heights and the city council of the city of Clive, in the county of Polk, state of Iowa, in adopting an inter-governmental corporation boundary agreement and establishing a portion of their common corporation boundary line and in taking action in reliance thereon.		Committee report	844
Received, passed on file	1045	Recommended passage	844
Referred to judiciary	1050	Committee report adopted	894
Committee report	1807	Passed Senate. Ayes 43, nays none	894
Recommended passage	1808	Signed by President	981
Steering recommends calendar	1863		
Committee report adopted	1893	573 By Conservation and Recreation. A bill for an act relating to fish and game licenses and fees.	
Passed Senate. Ayes 43, nays none	1893	Received, passed on file	1482
Signed by President	2007	Amendment filed	1601
567 By Schwartz and Goode (Glenn). A bill for an act relating to commission form cities.		Amendment filed	1602
Received, passed on file	1236	Amendments filed	1727
Referred to cities and towns	1239	Substituted for S. F. 478	1902
Amendment filed	1492	Amendment adopted	1903
Substituted for S. F. 541	1518	Amendment adopted	1904
Amendment adopted	1519	Amendment adopted	1905
Passed Senate. Ayes 44, nays none	1519	Motion filed to reconsider vote	1905
Signed by President	1751	Motion to reconsider vote prevailed	1905
570 By Ways and Means. A bill for an act relating to the collection of sales and use taxes.		Amendment lost	1906
Received, passed on file	804	Amendment withdrawn	1907
Referred to ways and means	807	Failed to pass Senate. Ayes 23, nays 21	1907
Committee report	844	Motion filed to reconsider vote	1908
Recommended passage	844	Motion to reconsider vote prevailed	1908
Substituted for S. F. 477	850	Motion filed to reconsider vote	1908
Committee report adopted	850	Motion to reconsider vote prevailed	1909
Amendments filed	850	Amendment lost	1909
Amendment lost	850	Passed Senate. Ayes 27, nays 18	1909
Point of order raised	851	Motion filed to reconsider vote	1910
Amendment lost	852	Motion to reconsider vote laid on table prevailed	1910
Passed Senate. Ayes 28, nays 16	852	Signed by President	2038
Motion filed to reconsider vote	852		
Motion to reconsider vote laid on table	852	574 By Cities and Towns. A bill for an act relating to home rule for cities; establishing the City Code of Iowa which provides for powers and duties of cities including the power to impose penalties by ordinance, city development, organization of city government, city elections, city legislation, city finance including the power to issue bonds, city utilities, and administrative agencies of cities; coordinating the Code of Iowa with the City Code of Iowa; repealing incompatible chapters in title fifteen (15) and reenacting provisions from title fifteen (15) which belong in other parts of the Code of Iowa; removing inconsistent references, incorrect provisions, limited grants of power, and restrictions based upon population; and providing for a state housing code and penalties for violation thereof, to be enforced in cooperation with city officials.	
Motion to reconsider vote laid on table prevailed	853	Received, passed on file	1599
Signed by President	936	Referred to cities and towns	1632
571 By Kreamer, Roorda, Knoke, Pierson, Logemann, Grassley, Den Herder, Moffitt, Campbell, Siglin, Sorg, Wirtz, Trowbridge, Winkelman, Stokes, Drake, Pellett, Nielsen, Fisher of Greene, Kruse, Andersen, Mollett, Nystrom, Stanley, Curtis, Rex, Mendenhall, Edelen, Hansen and Meneffee. A bill for an act relating to obscenity and indecent material, declaring certain acts to be unlawful, and providing penalties.		Committee report	1635
Received, passed on file	1422	Recommended passage	1635
Referred to judiciary	1742	Amendment filed	1678
572 By Appropriations. A bill for an act relating to the construction of an administration building for the state highway commission.		Amendment filed	1681
Received, passed on file	745	Amendment filed	1685
Referred to appropriations	747	Amendments filed	1704
		Amendments filed	1705
		Amendments filed	1727
		Amendments filed	1728

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Amendments filed	1729
Amendment filed	1744
Substituted for S. F. 397	1941
Made special order	1941
Amendment filed	1966

577 By Conservation and Recreation. A bill for an act imposing fees for the use of certain state recreational areas and providing penalties for violations.

Received, passed on file	857
Amendment filed	888

587 By Judiciary. A bill for an act relating to rules of statutory construction.

Received, passed on file	913
Referred to judiciary	940
Committee report	1052
Recommended passage	1052
Committee report adopted	1214
Passed Senate. Ayes 48, nays none	1214
Signed by President	1432

600 By State Government. A bill for an act relating to the minimum age for appointment of commissioned and warrant officers in the National Guard.

Received, passed on file	884
Referred to state government	901
Committee report	1111
Recommended passage	1111
Steering recommends calendar	1239
Amendment filed	1409
Committee report adopted	1552
Amendment adopted	1553
Passed Senate. Ayes 44, nays 1	1553
Signed by President	1751

605 By County Government. A bill for an act relating to the regulated use of ground water.

Received, passed on file	884
Referred to county government	901
Committee report	1051
Recommended passage	1051
Committee report adopted	1229
Passed Senate. Ayes 34, nays 1	1229
Motion filed to reconsider vote	1257
Motion to reconsider vote withdrawn	1283
Signed by President	1432

606 By Appropriations. A bill for an act relating to war orphans' educational aid fund and making an appropriation to the bonus board.

Received, passed on file	823
Referred to appropriations	858
Committee report	1634
Recommended passage	1634
Committee report adopted	1687
Passed Senate. Ayes 33, nays none	1687
Explanation of vote	1691
Signed by President	1751

614 By County Government. A bill for an act relating to the state fair board.

Received, passed on file	922
Referred to county government	940
Committee report	959

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Recommended passage	960
Committee report adopted	1191
Passed Senate. Ayes 43, nays none	1193
Signed by President	1252

625 By Judiciary. A bill for an act relating to city and town ordinances.

Received, passed on file	1046
Referred to judiciary	1050
Committee report	1529
Recommended passage	1529
Steering recommends calendar	1527
Committee report adopted	1868
Passed Senate. Ayes 43, nays none	1868
Motion filed to reconsider vote	1868
Motion to reconsider vote laid on table	1868
Motion to reconsider vote laid on table prevailed	1869
Signed by President	2007

632 By State Government. A bill for an act amending House File one hundred nineteen (119) of the Sixty-fourth General Assembly, first session, relating to the population of election precincts.

Received, passed on file	1032
Referred to state government	1032
Committee report	1635
Recommended passage	1635

654 By Ways and Means. A bill for an act relating to financing of governmental programs by providing state aid to schools, school district property taxes, imposing a school district income tax including administration by the director of revenue and adoption of administrative provisions for the state individual income tax including penalties and interest, relating to the state individual and corporate income tax, relating to sales and use tax exemptions, providing property tax relief for the elderly and totally disabled, relating to the taxation of municipal interstate toll bridges, and providing aid to cities, towns, and counties.

Received, referred to ways and means	1257
Committee report	1258
Recommended amendment, passage	1258
Committee amendment	1258
Made special order	1273
Committee amendment filed	1286
Amendments filed	1289
Amendments filed	1294
Amendments filed	1295
Special order	1300
Committee report adopted	1300
Amendment filed	1302
Amendment lost	1303
Amendment filed	1303
Amendment adopted	1304
Motion filed to reconsider vote	1304
Amendment filed	1305
Amendments filed	1308
Amendment adopted	1308

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Amendment filed	1309	Amendment lost	1463
Amendment lost	1310	Motion to reconsider vote failed ..	1464
Amendment filed	1310	Amendment filed	1464
Amendment adopted	1310	Amendment withdrawn	1464
Amendment filed	1311	Amendments adopted	1464
Amendment lost	1311	Amendment lost	1465
Amendment filed	1312	Amendment lost	1466
Amendments filed	1317	Amendment lost	1467
Amendment filed	1319	Motion to reconsider vote failed ..	1467
Amendment filed	1321	Amendment withdrawn	1467
Amendments filed	1323	Amendment lost	1475
Amendments filed	1324	Amendment adopted	1476
Amendments filed	1332	Amendment lost	1476
Amendment filed	1336	Amendment filed	1476
Amendment adopted	1341	Amendment lost	1477
Amendment filed	1342	Amendments adopted	1478
Amendments adopted	1342	Amendments withdrawn	1478
Amendment withdrawn	1342	Amendments adopted	1483
Amendment lost	1343	Amendments withdrawn	1483
Amendment lost	1346	Amendments withdrawn	1484
Amendment filed	1346	Amendment filed	1484
Amendment lost	1347	Motion to reconsider vote failed ..	1485
Amendment filed	1347	Committee amendment adopted ..	1485
Amendments lost	1348	Committee amendments adopted ..	1486
Amendment filed	1348	Committee amendment adopted ..	1487
Amendment lost	1353	Amendment filed	1487
Motion filed to reconsider vote ..	1353	Amendment adopted	1487
Amendment filed	1355	Committee amendments adopted ..	1488
Amendment filed	1359	Amendment filed	1489
Amendment filed	1361	Amendment adopted	1489
Amendment filed	1365	Committee amendment adopted ..	1489
Amendment adopted	1396	Passed Senate. Ayes 26, nays 22 ..	1489
Amendment adopted	1397	Message from House	1521
Amendment withdrawn	1397	Senate insisted	1509
Amendments filed	1398	Conference committee appointed ..	1509
Motion filed to reconsider vote ..	1398	Call of the Senate lifted	1526
Motion to reconsider vote pre- vailed	1398	Conference committee report	1659
Amendments withdrawn	1398	Message from House	1752
Amendment lost	1399	Second conference committee ap- pointed	1753
Amendment adopted	1399	Message from House	1778
Committee amendments adopted ..	1401	Second conference committee re- port	1783
Amendment filed	1402	Call of the Senate requested	1802
Amendment filed	1409	Call of the Senate	1802
Amendment filed	1417	Motion for special order	1802
Amendment filed	1418	Motion for special order failed ..	1803
Amendments filed	1419	Points of order raised	1803
Amendments filed	1420	Second conference committee re- port adopted	1805
Amendment filed	1421	Passed Senate. Ayes 27, nays 20 ..	1806
Amendment lost	1433	Motion filed to reconsider vote ..	1806
Call of the Senate requested	1436	Motion to reconsider vote laid on table prevailed	1806
Call of the Senate	1437	Explanation of vote	1856
Amendment lost	1437	Explanation of vote	2036
Amendment adopted	1438	Signed by President	2007
Amendment withdrawn	1438		
Amendment lost	1439		
Amendment withdrawn	1439		
Amendments adopted	1440		
Amendment filed	1441	658 By Transportation. A bill for an act relating to flashing emergency lights on motor ve- hicles.	
Amendment lost	1442	Received, passed on file	1046
Amendment filed	1442	Referred to transportation	1050
Point of order raised	1447	Committee report	1163
Amendment filed	1447	Recommended passage	1163
Amendment adopted	1450	Amendment filed	1167
Amendment lost	1450	Steering recommends calendar ..	1354
Amendment lost	1451	Committee report adopted	1655
Amendment adopted	1452	Amendment withdrawn	1655
Amendment withdrawn	1452	Passed Senate. Ayes 39, nays none	1655
Point of order raised	1453	Signed by President	1751
Amendment lost	1454		
Amendments adopted	1454		
Amendment filed	1455		
Amendment lost	1455		
Amendment lost	1456		
Motion filed to reconsider vote ..	1456	666 By State Government. A bill for an act relating to salaries, vacation, and sick leave for state employees.	
Motion to reconsider vote failed ..	1456	Received, passed on file	1236
Amendment filed	1459		
Motion to reconsider vote with- drawn	1462		

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Referred to state government	1239
Committee report	1635
Reported without recommendation	1635
Steering recommends calendar	1863
Committee report adopted	1895
Passed Senate. Ayes 40, nays 3	1895
Motion filed to reconsider vote	1895
Motion to reconsider vote laid on table prevailed	1895
Signed by President	2038
668 By Social Services. A bill for an act relating to the definition of flammable liquids.	
Received, passed on file	1049
Referred to social services	1050
Re-referred to judiciary	1161
671 By Environmental Preservation. A bill for an act to provide for the disposal of abandoned motor vehicles, and for related purposes.	
Received, passed on file	1400
Referred to environmental preservation	1409
Committee report	1935
Reported without recommendation	1935
Amendment filed	1966
675 By Judiciary. A bill for an act relating to the payment of court costs.	
Received, passed on file	1092
Referred to judiciary	1110
Committee report	1183
Recommended passage	1183
Steering recommends calendar	1239
Committee report adopted	1553
Passed Senate. Ayes 42, nays none	1553
Motion filed to reconsider vote	1559
Signed by President	2038
677 By Judiciary. A bill for an act relating to corrective amendments to the statute on self-liquidating improvements.	
Received, passed on file	1127
Referred to judiciary	1131
679 By Pelton. A bill for an act relating to the powers and duties of the budget and financial control committee and the legislative fiscal director.	
Received, passed on file	1647
Referred to state government	1659
Amendment filed	1705
684 By Ways and Means. A bill for an act relating to enforcement of the motor fuel tax laws.	
Received, passed on file	1345
Referred to ways and means	1409
686 By Ways and Means. A bill for an act relating to the review of school budgets for the school year commencing July 1, 1971 by the school budget review committee, and the filing of tentative budgets by individual school districts.	
Received, passed on file	1236
Referred to ways and means	1239

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Committee report	1312
Recommended amendment, passage	1312
Committee amendment	1312
Committee report adopted	1517
Committee amendment adopted	1518
Passed Senate. Ayes 44, nays 1	1518
Signed by President	1690
687 By County Government. A bill for an act relating to the authority of the auditor of state.	
Received, passed on file	1285
Referred to county government	1285
Committee report	1312
Recommended passage	1312
688 By Appropriations. A bill for an act making an appropriation to the department of public instruction to provide school lunch assistance.	
Received, passed on file	1481
Referred to appropriations	1491
Committee report	1634
Recommended passage	1634
Committee report adopted	1688
Amendment filed	1688
Amendment lost	1688
Passed Senate. Ayes 43, nays none	1688
Signed by President	1751
692 By Appropriations. A bill for an act to appropriate administration and educational and training aid funds from the general fund of the state to the department of public instruction.	
Received, passed on file	1481
Referred to appropriations	1491
Committee report	1703
Recommended passage	1703
Committee report adopted	1712
Passed Senate. Ayes 43, nays none	1712
Signed by President	2007
693 By Appropriations. A bill for an act to appropriate from moneys received by the Iowa Aeronautics Commission.	
Received, passed on file	1505
Referred to appropriations	1527
Committee report	1576
Recommended passage	1576
Committee amendment filed	1602
Committee report adopted	1625
Committee amendment adopted	1625
Passed Senate. Ayes 38, nays 7	1625
Signed by President	2007
694 By Appropriations. A bill for an act relating to and to appropriate from the motor fuel tax fund to the department of revenue.	
Received, passed on file	1499
Committee report	1528
Recommended passage	1528
Committee report adopted	1545
Passed Senate. Ayes 43, nays none	1545
Signed by President	1690
695 By Appropriations. A bill for an act to appropriate from	

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the motor vehicle fuel tax fund for the biennium beginning July 1, 1971 and ending June 30, 1973, to the state comptroller.	
Received, passed on file	1481
Referred to appropriations	1491
Committee report	1528
Recommended passage	1528
Committee report adopted	1558
Amendment filed	1558
Amendment adopted	1558
Passed Senate. Ayes 41, nays none	1558
Motion filed to reconsider vote	1559

696 By Appropriations. A bill for an act to appropriate from the Iowa public employees' retirement fund to the Employment Security Commission for costs of the administration of the Iowa public employees' retirement system.	
Received, passed on file	1305
Referred to appropriations	1409
Committee report	1528
Recommended passage	1528
Amendment filed	1547
Committee amendment filed	1579
Committee amendment adopted	1610
Amendment withdrawn	1610
Passed Senate. Ayes 44, nays none	1610
Motion filed to reconsider vote	1611
Motion to reconsider vote laid on table prevailed	1611
Signed by President	2007

697 By Appropriations. A bill for an act to appropriate from the general fund to the department of public instruction.	
Received, passed on file	1401
Referred to appropriations	1409

699 By Appropriations. A bill for an act to make appropriations to certain named persons in settlement of claims made against the State of Iowa.	
Received, passed on file	1436
Referred to appropriations	1491
Committee report	1560
Recommended passage	1560
Committee report adopted	1618
Passed Senate. Ayes 43, nays 1	1618
Signed by President	1751

700 By Appropriations. A bill for an act to appropriate from moneys received by certain commissions, boards and departments.	
Received, passed on file	1469
Referred to appropriations	1491
Committee report	1576
Recommended passage	1576
Committee amendment filed	1602
Committee report adopted	1627
Committee amendment adopted	1627
Passed Senate. Ayes 42, nays none	1627
Signed by President	2007

701 By Appropriations. A bill for an act to appropriate from the general fund of the state	
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to various state departments and their divisions.	
Received, passed on file	1469
Referred to appropriations	1491
Committee report	1560
Recommended passage	1560
Amendment filed	1579
Committee amendment filed	1602
Committee report adopted	1619
Committee amendment adopted	1619
Amendment withdrawn	1619
Passed Senate. Ayes 44, nays none	1619
Signed by President	2007

702 By Appropriations. A bill for an act to appropriate from moneys received by certain commissions, board and departments.	
Received, passed on file	1469
Referred to appropriations	1491
Committee report	1560
Recommended passage	1560
Committee report adopted	1620
Passed Senate. Ayes 45, nays none	1620
Signed by President	1751

703 By Appropriations. A bill for an act making an appropriation from the general fund of the state to the Iowa reciprocity board.	
Received, passed on file	1469
Referred to appropriations	1491
Committee report	1561
Recommended passage	1561
Committee report adopted	1569
Passed Senate. Ayes 41, nays none	1569
Motion filed to reconsider vote	1599
Amendment filed	1602
Committee amendment	1637
Motion to reconsider vote prevailed	1648
Committee amendment adopted	1648
Amendment withdrawn	1648
Passed Senate. Ayes 42, nays none	1649
Message from House	1713
Senate concurred	1746
Passed Senate. Ayes 43, nays none	1746
Signed by President	2007

704 By Human Industrial Relations. A bill for an act to extend and improve the federal-state unemployment compensation program.	
Received, passed on file	1500
Amendments filed	1579
Amendments filed	1580
Substituted for S. F. 546	1585
Amendment lost	1586
Amendment adopted	1586
Amendment lost	1587
Amendment filed	1587
Point of order raised	1587
Amendment adopted	1588
Motion filed to reconsider vote	1590
Motion to reconsider vote prevailed	1590
Amendment filed	1590
Amendments adopted	1590
Amendment lost	1591
Amendment adopted	1591
Amendments filed	1592

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Amendments adopted	1592
Amendments filed	1593
Amendments adopted	1593
Amendment lost	1593
Passed Senate. Ayes 45, nays 2	1593
Motion filed to reconsider vote	1594
Motion to reconsider vote laid on table prevailed	1594
Signed by President	2038

705 By Appropriations. A bill for an act to make an appropriation to the department of history and archives.	
Received, passed on file	1521
Referred to appropriations	1527
Committee report	1576
Recommended passage	1576
Committee amendment filed	1603
Committee report adopted	1709
Committee amendment adopted	1709
Passed Senate. Ayes 45, nays none	1709
Signed by President	2007

707 By Cities and Towns. A bill for an act to permit cities of not less than thirteen nor more than seventeen thousand population, located on a navigable river, to enter into a single responsibility contract for construction of a waste treatment facility.	
Received, passed on file	1481
Substituted for S. F. 538	1657
Passed Senate. Ayes 38, nays none	1657
Signed by President	1751

708 By Appropriations. A bill for an act making an appropriation to the commission on aging.	
Received, passed on file	1524
Referred to appropriations	1560
Committee report	1576
Recommended passage	1576
Committee amendment filed	1603
Committee report adopted	1627
Committee amendment adopted	1628
Passed Senate. Ayes 38, nays 1	1628
Signed by President	2007

709 By Appropriations. A bill for an act making an appropriation from the general fund of the State of Iowa to the department of public instruction and relating to renewal fees for certificates.	
Received, referred to appropriations	1556
Committee report	1859
Recommended amendment, passage	1859
Committee amendment	1859
Committee report adopted	1862
Placed on calendar under unfinished business	1862
Amendment filed	1890
Committee amendment adopted	1942
Amendment filed	1942
Point of order raised	1942
Amendments adopted	1943
Passed Senate. Ayes 37, nays 3	1943
Message from House	2007
Senate concurred	2021

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Senate receded	2021
Passed Senate. Ayes 39, nays none	2022
Signed by President	2038

710 By Appropriations. A bill for an act relating to sewage treatment projects and to appropriate from the general fund of the state for the sewage works construction fund.	
Received, passed on file	1547
Referred to appropriations	1560
Committee report	1635
Recommended amendment, passage	1635
Committee amendment	1635
Amendment filed	1686
Committee report adopted	1689
Amendment withdrawn	1689
Committee amendment lost	1689
Passed Senate. Ayes 45, nays none	1690
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713 By Drake and Uban. A bill for an act relating to the election laws.	
Received, passed on file	1692
Referred to state government	1742
Amendment filed	1758
Committee report	1921
Recommended amendment, passage	1921
Committee amendment	1921
Committee report adopted	1922
Committee amendment adopted	1922
Amendment filed	1922
Amendment adopted	1923
Amendment lost	1924
Passed Senate. Ayes 44, nays none	1924
Signed by President	2038

715 By Appropriations. A bill for an act to appropriate from moneys received by the department of public safety motor vehicle dealers license fee fund.	
Received, referred to appropriations	1557
Committee report	1577
Recommended passage	1577
Committee report adopted	1628
Passed Senate. Ayes 41, nays none	1628
Signed by President	1751

716 By Judiciary. A bill for an act to legalize and validate the procedures followed by the Poweshiek County board of supervisors in contracting with the Frank Wheeler Construction Company of Montezuma, Iowa, for the repair and remodeling of the Poweshiek county jail located at Montezuma, Iowa.	
Received, passed on file	1599
Referred to judiciary	1632
Committee report	1742
Recommended passage	1743
Steering recommends calendar	1863
Committee report adopted	1892
Passed Senate. Ayes 37, nays 1	1892
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719 By Appropriations. A bill for an act appropriating funds transferred to the marine fuel tax fund to the state conservation commission.		Referred to appropriations	1659
Received, passed on file	1691	Committee report	1757
Committee report	1722	Recommended amendment, passage	1757
Recommended passage	1722	Committee amendment	1757
Committee report adopted	1730	Amendments filed	1759
Passed Senate. Ayes 44, nays none	1731	Call of the Senate requested	1774
Signed by President	2007	Call of the Senate	1774
720 By Appropriations. A bill for an act to appropriate the fish and game protection fund for use by the state conservation commission.		Committee report adopted	1774
Received, referred to appropriations	1647	Amendment lost	1777
Committee report	1722	Amendment filed	1779
Recommended passage	1722	Amendment adopted	1779
Committee report adopted	1731	Amendment filed	1780
Passed Senate. Ayes 46, nays none	1731	Amendment adopted	1781
Signed by President	2007	Motion filed to reconsider vote	1781
721 By Appropriations. A bill for an act relating to the administration fund of the state conservation commission.		Motion to reconsider vote prevailed	1782
Received, referred to appropriations	1647	Amendment lost	1782
Committee report	1722	Committee amendment adopted	1782
Recommended passage	1722	Amendments filed	1782
Committee report adopted	1732	Amendments adopted	1782
Passed Senate. Ayes 47, nays none	1732	Amendment withdrawn	1782
Signed by President	2007	Passed Senate. Ayes 39, nays 8	1782
722 By Appropriations. A bill for an act to appropriate from the general fund of the State of Iowa to the state conservation commission.		Motion filed to reconsider vote	1783
Received, referred to appropriations	1647	Motion to reconsider vote laid on table prevailed	1783
Committee report	1722	Message from House	2006
Recommended passage	1722	Senate refused to concur	2008
Committee report adopted	1732	Conference committee appointed	2008
Passed Senate. Ayes 44, nays none	1733	Conference committee report	2017
Signed by President	2007	Second conference committee appointed	2017
722 By Appropriations. A bill for an act to appropriate from the general fund of the State of Iowa to the state conservation commission for carrying out specific projects.		Second conference committee report	2028
Received, referred to appropriations	1573	Second conference committee report adopted	2028
Committee report	1722	Passed Senate. Ayes 42, nays 4	2030
Recommended passage	1722	Signed by President	2038
Committee report adopted	1733	727 By Transportation. A bill for an act relating to the movement of oversized and overweight vehicles and loads and providing penalties for violations thereof.	
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Committee report	1722	Referred to appropriations	1742
Recommended passage	1722	Committee report	1859
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Passed Senate. Ayes 43, nays 2	1734	Committee report adopted	1871
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724 By Appropriations. A bill for an act to appropriate funds from the general fund of the state to the state board of regents and institutions under the control of the board and to the higher education facilities commission for the tuition grant program.		Amendment lost	1871
Received, passed on file	1630	Passed Senate. Ayes 43, nays none	1871
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		729 By State Government. A bill for an act relating to the appointment of notaries public by the secretary of state.	
		Received, passed on file	1779
		Referred to state government	1806
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		Passed Senate. Ayes 45, nays none	1940
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731 By Appropriations. A bill for an act to appropriate from the general fund of the state to the higher education facilities commission.
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738 By Appropriations. A bill for an act to appropriate from the general fund of the state to the educational radio and television facility board.
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740 By Appropriations. A bill for an act making an appropriation to the state comptroller for payment of certain publication costs of the Iowa academy of science.		Committee report adopted	2001
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Urge banks, landlords, industry, public, etc., to understand and seek fair and economically sound solutions to the critical problems of the farmer. H. C. R. 10; H. J. 191, 271 adopted; S. J. 208.

Improvements in drainage and levee districts. S. F. 137, Keith.

Extend congratulations to Welp's breeding farm for earning 'E' award. H. C. R. 13; H. J. 250, 271 adopted; S. J. 209 adopted.

Extend congratulations to Welp's breeding farm for earning 'E' award. S. C. R. 11; S. J. 203, 209 withdrawn. (H. C. R. 13 substituted.)

Towing of four-wheeled trailers with steering axles. S. F. 366, Curran and Keith.

Feed

Commercial feed inspection fee to be fixed annually. H. F. 381, agriculture; S. F. 362, Potgeter and Coleman. S.

Grain

Liability of a warehouseman for grain in his licensed facilities. H. F. 237, Fischer of Grundy and Logemann.

Purchasers and transporters of unprocessed grain licensed by commerce commission, penalties. S. F. 400, Pierson, et al.

Inspection

Commercial feed inspection fee to be fixed annually. H. F. 381, agriculture; S. F. 362, Potgeter and Coleman. S.

Increase inspection fees for weights and measures. H. F. 527, agriculture.

Require livestock dealers record brands, inspectors from department of agriculture authorized to inspect records. H. F. 589, Patton, et al.

Inspection of food establishments, etc., penalty. H. F. 631, Strothman.

Marketing

Abolish marketing division of the department of agriculture, transfer duties to development commission and secretary of agriculture. S. F. 88, Neu and Curran; H. F. 147, Shaw; S. F. 504, state government.

Create Iowa turkey federation, promote marketing of turkeys, excise tax for. H. F. 145, Rex and Hansen; S. F. 230, Coleman.

Create Iowa egg fund, promote marketing of eggs, excise tax for. S. F. 255, Coleman; H. F. 350, Rex.

Create Iowa soybean promotion board. S. F. 296, agriculture; H. F. 349, agriculture.

Update references in code, Iowa Poultry Association, Inc. H. F. 384, Rex.

Create Iowa corn marketing and research board, promote marketing of corn, excise tax for. S. F. 375, Stephens, et al.

Meat and Poultry

Restaurants and grocery stores exempt from obtaining meat and poultry inspection licenses. H. F. 55, Radl.

Advertisement of meat and poultry products must state grade. H. F. 116, Mayberry and Franklin.

Repeal meat and poultry inspection act. S. F. 351, Schaben, et al.

Repeal section 191.9 requiring labeling of foreign meat. H. F. 382, agriculture.

Update references in code, Iowa Poultry Association, Inc. H. F. 384, Rex.

Pesticides—Entomology

Entomologist, state, office of, department of agriculture. H. F. 22, Fisher of Greene, et al.

Application of pesticides, regulation of aerial, damage and enforcement procedures. H. F. 39, Pierson, et al.

Authority of the chemical technology review board, agricultural chemicals, etc. S. F. 326, Laverty.

Use and application of pesticides, update law. H. F. 602, agriculture.

Secretary of

Application of pesticides, regulation of aerial, damage and enforcement procedures. H. F. 39, Pierson, et al.

Abolish marketing division of the department of agriculture, transfer duties to development commission and secretary of agriculture. S. F. 88, Neu and Curran; H. F. 147, Shaw; S. F. 504, state government.

Create Iowa turkey federation, promote marketing of turkeys, excise tax for. H. F. 145, Rex and Hansen; S. F. 230, Coleman.

Governor appoint secretary of agriculture. H. F. 246, Blouin, et al.

Exempt supervisory employees and their confidential assistants of elected officials, etc., from merit system. H. F. 253, Fischer of Grundy, et al.

Create Iowa egg fund, promote marketing of eggs, excise tax for. S. F. 255, Coleman; H. F. 350, Rex.

Exempt employees of elected officials from provisions of merit system. S. F. 273, Mowry, et al.
 Create Iowa soybean promotion board. S. F. 296, agriculture; H. F. 349, agriculture.
 Use of dead animals. S. F. 301, Shawver, et al.; H. F. 380, Strothman, et al.
 Commercial feed inspection fee to be fixed annually. H. F. 381, agriculture; S. F. 362, Potgeter and Coleman. S.
 Supplement the federal laboratory animal welfare act, provide standards for the care of animals, etc., penalties. H. F. 389, Radl, et al.; S. F. 435, Walsh and Riley.
 Create Iowa corn marketing and research board, promote marketing of corn, excise tax for. S. F. 375, Stephens, et al.
 Sale or transfer of livestock brands. H. F. 470, Winkelman.
 Use and application of pesticides, update law. H. F. 602, agriculture.
 Agriculture, department of, statutory salary of secretary of. H. F. 739, appropriations.

Seed

Hemp a noxious weed. H. F. 71, Stromer.
 Labeling of seed corn containers. H. F. 287, Rex, et al.
 Removes requirement of printing seed permit number on each package, establish progressive fee schedule for a seed permit. H. F. 335, Pierson, et al.
 Teasel a noxious weed. S. F. 480, agriculture.

Warehouses

Warehouse re-examination fees. H. F. 2, Fisher of Greene, et al.; S. F. 48, Neu, et al.
 Liability of a warehouseman for grain in his licensed facilities. H. F. 237, Fischer of Grundy and Logemann.

Weights and Measures

Automatic recorders on scales, no exceptions. H. F. 451, agriculture.
 Increase inspection fees for weights and measures. H. F. 527, agriculture.

AIR POLLUTION—

(See Pollution)

AIR POLLUTION CONTROL COMMISSION—

General

Prevention, abatement or control of noise pollution, penalties. S. F. 450, Potgeter; H. F. 585, Lipsky and Shaw.

AIRCRAFT—

(See Aeronautics)

ALARMS—

General

False alarms, fire, explosion, or other. H. F. 240, Knoke.

ALCOHOLIC BEVERAGES—

(Also see Liquor Control Commission)

General

Reorganization of the liquor control commission, sale of, violations of, etc. S. F. 55, Curran and Neu; H. F. 172, state government. S.
 Penalties for unlawfully transporting intoxicating liquors. S. F. 93, Kennedy; H. F. 125, Doyle.
 Criminal action to deliver drugs or liquor or to help an inmate to escape from institutions under department of social services. S. F. 108, Kennedy.
 Time during which alcoholic liquor and beer may be delivered, sold, and consumed. S. F. 169, Thordsen, et al.
 Increase fee charged for a class "A" beer permit. H. F. 176, Larson.
 Definition of alcoholic beverages re operation of a motor vehicle by an operator under the influence of. H. F. 195, Holden, et al.
 Unlawful to possess alcoholic beverages by minors in a motor vehicle. H. F. 250, Doyle, et al.
 Property tax exemption for establishments holding a federal retail liquor sales permit. S. F. 227, Miller, et al.
 Issue wine licenses to restaurants, fee. H. F. 306, Rodgers, et al.
 Prohibit sale of certain beverages in cans and disposable bottles, penalty. H. F. 313, Larson and Small.
 Property tax exemptions to country clubs, fraternal clubs and veterans organizations, liquor stamp. H. F. 344, Kreamer.
 Sale of alcoholic beverages by certain liquor licensees and beer permittees on Sunday, fees. H. F. 345, Shaw, et al.
 Penalties imposed for driving while under the influence of alcoholic beverages or drugs. S. F. 178, Shaff, et al.; H. F. 241, Andersen, et al.
 Prohibit sale or distribution of certain beverages in certain disposable containers, penalty. H. F. 485, Rodgers, et al.
 Sale and distributing of wine, 17% alcohol, penalties. S. F. 443, Walsh, et al.; H. F. 674, Trowbridge, et al.
 Requests for withdrawal of body substances under the implied consent law may be oral unless requested written. H. F. 639, Schmeiser.
 Increase tax on beverages containing alcohol. S. F. 514, ways and means.
 Hours during which alcoholic liquor and beer may be sold. H. F. 685, Gluba, et al. (Similar subject matter as H. F. 345)

Create an alcoholism rehabilitation fund, impose tax on consumers of alcoholic beverages. H. F. 743, Kruse, et al.

ALCOHOLISM—

General

Allow prosecution of minors as adults for violation of beer and liquor laws, removes jurisdiction of juvenile courts. S. F. 43, Stephens.

Counties may use institution funds for rehabilitative services to an alcoholic. H. F. 331, Andersen.

Alcoholism, commission on, appropriation. S. F. 544, appropriations.

Alcoholism, commission on, statutory salary of director. H. F. 739, appropriations.

Create an alcoholism rehabilitation fund, impose tax on consumers of alcoholic beverages. H. F. 743, Kruse, et al.

AMBULANCES—

(See Motor Vehicles, sub.-ref. Ambulances)

AMERICAN REVOLUTION BICENTENNIAL COMMISSION—

General

Iowa American Revolution Bicentennial Commission, appropriations. S. F. 350, Lavery and Gaudineer.

Iowa American Revolution Bicentennial Commission, appropriations. S. F. 591, appropriations.

ANIMALS—

General

Bonding of operators of slaughterhouses, agents, dealers, etc., penalties. H. F. 160, Stromer, et al.; H. F. 391, agriculture.

Use of dead animals. S. F. 301, Shawver, et al.; H. F. 380, Strothman, et al.

Repeal bounties on certain wild animals. H. F. 360, Bray, et al.

Sale or transfer of livestock brands. H. F. 470, Winkelman.

Require livestock dealers record brands, inspectors from department of agriculture authorized to inspect records. H. F. 589, Patton, et al.

Diseases

Sale and resale of cattle, health certificate. H. F. 50, Rex.

Brucellosis tests, department of agriculture approve type of, and establish standards. H. F. 130, agriculture.

Eradication of hog cholera and control and eradication of the swine diseases. S. F. 392, agriculture.

Domesticated Other Than Farm

Increase county dog license fees, and disposition of dogs. S. F. 92, Mowry; H. F. 224, Miller.

Supplement the federal laboratory animal welfare act, provide standards for the care of animals, etc., penalties. H. F. 389, Radl, et al.; S. F. 435, Walsh and Riley.

Licensing of dogs, county required to, also pay cities and towns for lost revenue, etc. H. F. 500, Ellsworth and Radl.

Farm

Registration of animals, agriculture, repeal section and chapter. H. F. 47, Schroeder.

Non-domesticated

County conservation boards manage wildlife areas. H. F. 438, Lipsky.

ANNEXATION—

(Also see Zoning)

General

Levee and drainage districts, annexation of additional lands, may cross county lines. H. P. 503, Waugh.

ANNUITIES—

General

Exempt from state income tax a portion of annuities received by retired federal employees. H. F. 196, Andersen, et al.; S. F. 253, Nicholson, et al.

Authorize purchase of tax-sheltered annuities for employees of educational radio and TV facility board. S. F. 208, Neu, et al.; H. F. 244, Alt, et al.

Repeal authorization for purchase of tax-sheltered annuities for employees of county boards of education, state board of public instruction, and merged area schools. H. F. 548, Schroeder.

APPEAL BOARD, STATE—

General

Embezzled county funds, replaced by county, maximum one mill property tax. H. F. 60, Rex.

Appeal board cannot pay claims over \$5,000 without approval of legislature. S. F. 192, Graham; S. F. 221, Stephens. S.

APPEALS—

General

Rehearing and appeal procedures, commerce commission action or decisions. S. F. 72, Neu, et al.; H. F. 235, Shaw, et al. S.

Improvements in drainage and levee districts. S. F. 137, Keith.

Appeals to employment safety commission, actions of labor commissioner upheld if 5 affirmative votes. H. F. 245, Kehe and Waugh.
Provide that criminal appeals will be in the same manner as civil appeals. S. F. 235, Gaudineer.
Post conviction procedure. S. F. 206, Neu, et al.
Establish a radiation control program, penalties, appropriation. S. F. 262, Walsh and Griffin; H. F. 461, Freeman, et al. (Same subject matter)
Consolidate all trial courts into a unified trial court—district court judges and magistrates. S. F. 428, judiciary.
Collection of court costs re appeals. H. F. 675, judiciary.

Commission

Private employment agency fees, appeals. S. F. 117, Thordsen, et al.; H. F. 156, Ellsworth, et al. (Same as S. F. 566.)
Private employment agency fees, appeals. S. F. 566, human and industrial relations. (Same as S. F. 117 and H. F. 156.)

APPOINTEES—

General

Payment of civil rights commission appointees. H. F. 408, Franklin, et al.

APPROPRIATIONS—

General

Advances to state employees to cover expenses. H. F. 5, Welden, et al.; S. F. 13, Curran and Neu.
Increase salaries of highway commission and other state employees, appropriation. S. F. 84, Van Drie, et al.; H. F. 212, Egenes, et al.
Create a department of general services, appropriation. S. F. 87, Curran, et al.; H. F. 129, Welden, et al.
Counties may enter into agreements with community health centers for their services, appropriations. S. F. 142, Briles and Miller; H. F. 284, Mendenhall, et al.
Reduce expenditures of state funds. (July 1, 1971) S. F. 179, appropriations.
Establish a midwestern medical education board, appropriation. S. F. 154, Walsh, et al.; H. F. 316, Tieden, et al.
State assistance to local governments following major disasters, appropriation. S. F. 321, Coleman, et al.
Iowa American Revolution Bicentennial Commission, appropriation. S. F. 350, Laverty and Gaudineer.
Salaries of judges of the district court, 87.5 per cent of supreme court judges. H. F. 417, Kelly.
Construction of the College of Osteopathic Medicine and Surgery, appropriation for. S. F. 404, Tapscott, et al.; H. F. 513, Kreamer, et al.
Create office of state architect, appropriation. H. F. 564, Priebe and Fischer of Grundy.
War orphans' educational aid fund, appropriation. H. F. 606, appropriations.
Payment of certain damages by nonnegligent operation of a highway patrol vehicle, appropriation. S. F. 483, Lamborn; S. F. 580, appropriations.
Members of committee on appropriations appointed to budget and financial control committee. H. F. 679, Pelton.
Legislative salaries, Senator Sullivan, deceased, Senator Gross, successor. S. J. R. 10, appropriations.
Repeal provision of law requiring every treasurer of political subdivisions, except townships, to submit report each year to the auditor of state re investments. S. F. 527, appropriations.
Sewage works construction fund, appropriation. H. F. 710, appropriations.
Appropriate to drug abuse program, office of governor. S. F. 576, appropriations.
Appropriate to national conference of state legislative leaders. S. F. 576, appropriations.
Appropriate to pharmacy examiners. S. F. 576, appropriations.
Appropriate to supreme court, clerk of—code editor and court administrator. S. F. 576, appropriations.
Geologist, office of, statutory salary of. H. F. 739, appropriations.
Pharmacy examiners, board of, statutory salary of secretary. H. F. 739, appropriations.
Payment of certain publication costs of the academy of science, appropriation to comptroller for. H. F. 740, appropriations.
Iowa American Revolution Bicentennial Commission, appropriation. S. F. 591, appropriations.
Committee on child labor, appropriation to members of. S. F. 589, appropriations.
Public safety, appropriation to, and sales and use tax on all registered automobiles, etc. S. F. 510, ways and means.

Accountancy

Accountancy, board of—architectural examiners, board of—banking department of—engineering examiners, board of—watchmaking, board of examiners in, appropriation to. S. F. 552, appropriations.

Aeronautics

Aeronautics commission, appropriation. H. F. 693, appropriations.
Aeronautics commission, statutory salary of director. H. F. 739, appropriations.

Aging

Aging, commission on, salaries, etc., appropriation. H. F. 708, appropriations.
Aging, commission on, statutory salary of executive secretary. H. F. 739, appropriations.

Agriculture

Department of agriculture, appropriate from moneys received. H. F. 700, appropriations.

Appropriate from general fund to department of agriculture for general administration—animal health and veterinary, agriculture statistics—bee inspection—moisture measuring inspection—meat and poultry inspection—agriculture marketing—all for salaries, etc.—market news poultry—horticulture society—chemical technology review board—all for support, etc., none for capital improvements. H. F. 728, appropriations.

Agriculture, department of, statutory salary of secretary of. H. F. 739, appropriations.

Alcoholism

Alcoholism, commission on, appropriation. S. F. 544, appropriations.

Alcoholism, commission on, statutory salary of director. H. F. 739, appropriations.

Architectural Examiners

Accountancy, board of—architectural examiners, board of—banking, department of—engineering examiners, board of—watchmaking, board of examiners in, appropriation to. S. F. 552, appropriations.

Arts Council

Appropriate to arts council. S. F. 576, appropriations.

Arts council, statutory salary of director. H. F. 739, appropriations.

Attorney General

Appropriate to attorney general. S. F. 576, appropriations.

Attorney general, statutory salary of. H. F. 739, appropriations.

Auditor of State

Appropriate to auditor of state. S. F. 576, appropriations.

Auditor of state, statutory salary of. H. F. 739, appropriations.

Banking Department, State

Accountancy, board of—architectural examiners, board of—banking, department of—engineering examiners, board of—watchmaking, board of examiners in, appropriation to. S. F. 552, appropriations.

Banking, department of, statutory salary of superintendent. H. F. 739, appropriations.

Blind, Commission on

Blind, commission for, statutory salary of director. H. F. 739, appropriations.

Appropriate from general fund to commission for the blind. S. F. 570, appropriations.

Budget and Financial Control Committee

Budget and financial control committee, powers of, control and use of state funds, capital improvements, sale of land, etc., appropriation for. S. F. 572, appropriations. (Item veto)

Buildings and Grounds

Buildings and grounds, appropriation, capital improvements. S. F. 545, appropriations.

Appropriate to buildings and grounds, superintendent of. S. F. 576, appropriations.

Capitol Planning Commission

Appointive members, capitol planning commission, appropriation for per diem compensation. S. F. 526, appropriations.

Appropriate to capitol planning commission. S. F. 576, appropriations.

Car Dispatcher

Appropriate and authorize expenditures from the car dispatcher revolving fund for salaries, etc.—gasoline, oil, tires, etc. S. F. 559, appropriations.

Car dispatcher, statutory salary of. H. F. 739, appropriations.

Cities and Towns

Establish a municipal tax relief fund, appropriation for street purposes. S. F. 398, Gaudineer, et al.

Civil Rights

Appropriate to civil rights commission. S. F. 576, appropriations.

Civil rights commission, statutory salary of executive secretary. H. F. 739, appropriations.

Claims

Appropriation, settlement of claims. H. F. 699, appropriations.

Appropriation to members of advisory investment board of IPERS, claims. S. F. 564, appropriations.

Code Editor

Appropriate to supreme court, clerk of—code editor and court administrator. S. F. 576, appropriations.

Supreme court, statutory salaries of the judges, 9 legal assistants, clerk of, code editor, and court administrator. H. F. 739, appropriations.

Commerce Commission

Appropriate from general fund to commerce commission for general administration, motor transportation division, warehouse division, utilities division, all for salaries, etc.—and any other utilities. S. F. 558, appropriations.

Commerce commission, statutory salary of executive secretary and each member. H. F. 739, appropriations.

Comptroller

Appropriate from motor vehicle fuel tax fund to state comptroller, refund warrants. H. F. 695, appropriations.

Appropriate to comptroller. S. F. 576, appropriations.

Comptroller, statutory salary of. H. F. 739, appropriations.

Conservation Commission

Appropriate to conservation commission, division of lands and waters, from marine fuel tax fund for recreational boating program. H. F. 719, appropriations.

Appropriate the fish and game protection fund for use by conservation commission for salaries, equipment, etc., and for capital improvements, etc. H. F. 720, appropriations.

Transfer of funds from state conservation fund and fish and game protection fund to administration fund. H. F. 721, appropriations.

Appropriate from general fund to conservation commission, division of lands and waters for salaries, etc., and for maintenance of state parks, etc.—prison labor program—state advisory board for preserves. H. F. 722, appropriations.

Appropriate from general fund to conservation commission for projects re state parks, preserves, waters, lakes, land, erosion, trees, etc. H. F. 723, appropriations.

Conservation commission, statutory salary of director. H. F. 739, appropriations.

Constitutional Revision Committee

Establish a constitutional revision commission to study need for a constitutional convention, revision of the constitution, appropriation. S. J. R. 6, Doderer and Gaudineer.

Council of State Governments

Appropriate to council of state governments. S. F. 576, appropriations.

Counties

Provide aid to juvenile homes, appropriation. S. F. 358, Gaudineer.

Crime Commission

Appropriate to crime commission. S. F. 576, appropriations.

Crime commission, statutory salary of executive secretary. H. F. 739, appropriations.

Development Commission

Development commission, appropriation to, for salaries, agricultural products promotion, etc. S. F. 578, appropriations.

Development commission, statutory salary of director. H. F. 739, appropriations.

Economic Opportunity, Office of

Appropriate to office of economic opportunity. S. F. 576, appropriations.

Economic opportunity, office of, statutory salary of director. H. F. 739, appropriations.

Educational Radio and Television

Per diem and expenses for members of educational radio and TV facility board and communications advisory council. S. F. 207, Neu, et al.; H. F. 272, Hansen, et al.

Educational radio and TV facility board, appropriation to, for salaries, support, etc. H. F. 738, appropriations.

Educational radio and TV facility board, statutory salary of the director. H. F. 739, appropriations.

Employment of the Handicapped

Appropriate to employment of the handicapped. S. F. 576, appropriations.

Employment of the handicapped, committee on, statutory salary of the executive secretary. H. F. 739, appropriations.

Employment Security Commission

Appropriate from IPERS to employment security commission, cost of administration. H. F. 696, appropriations.

Appropriate to employment security commission. S. F. 576, appropriations.

Employment security commission, statutory salary of each commissioner. H. F. 739, appropriations.

Engineers

Accountancy, board of—architectural examiners, board of—banking, department of—engineering examiners, board of—watchmaking, board of examiners in, appropriation to. S. F. 552, appropriations.

Executive Council

Construction of the College of Osteopathic Medicine and Surgery, appropriation for. S. F. 404, Tapscott, et al.; H. F. 513, Kreamer, et al.

Executive council general contingent fund, appropriation to. S. F. 556, appropriations.

Appropriate to executive council. S. F. 576, appropriations.
 Executive council, statutory salary of the secretary. H. F. 739, appropriations.
 College of Osteopathic Medicine and Surgery, appropriation to executive council for. S. F. 593, appropriations.

Fair Board

State fair board, appropriation. S. F. 554, appropriations.
 Appropriate from general fund to fair board for major repairs to buildings and grounds. S. F. 561, appropriations.
 Fair board, statutory salary of the secretary. H. F. 739, appropriations.

Funds

State grand juries, appropriation. H. F. 184, law enforcement. (H. F. 706 revision of H. F. 184)
 State aid to cities and towns, appropriation. S. F. 337, Gaudineer, et al.
 Create a vocational youth organization fund appropriation. H. F. 457, Kreamer.
 State grand juries, appropriation. H. F. 706, law enforcement. (Revision of H. F. 184)

Geological Survey

Geological survey—natural resources council—mines and minerals, department of, appropriation to. S. F. 553, appropriations.

Governor

Governor-elect expense fund. H. F. 4, Welden, et al.; S. F. 14, Curran and Neu.
 Establish pilot programs for drug abuse, treatment, rehabilitation, education, etc., appropriation. S. F. 130, Gaudineer, et al.
 Establish study of the public information activities of state departments and agencies under governor, appropriation. H. F. 628, Pelton.
 Appropriate to governor. S. F. 576, appropriations.
 Appropriate to drug abuse program, office of governor. S. F. 576, appropriations.
 Governor, office of, statutory salary of the governor, and drug abuse director. H. F. 739, appropriations.

Health, Department of

Kidney disease program, appropriation. S. F. 125, Smith, et al.; H. F. 221, Roorda, et al.; S. F. 590, appropriations. Very similar.
 Establish a radiation control program, penalties, appropriation. S. F. 262, Walsh and Griffin; H. F. 461, Freeman, et al. (Same subject matter)
 Compensation and mileage of physician and attorney serving on commission of hospitalization. H. F. 372, Sorg.
 Health, department of, appropriation. H. F. 702, appropriations.
 Appropriate from general fund to department of health for central administration, chronic illness and aging service, health facilities services, environmental engineering service, preventive medical service, records and statistical division, board of eugenics, licensing and certification division, general health services, community health services, comprehensive health planning—all for salaries, etc., none for capital improvements. H. F. 730, appropriations.
 Health, department of, statutory salary of commissioner. H. F. 739, appropriations.

Herbert Hoover Foundation

Appropriation to Herbert Hoover Foundation and Mississippi Parkway Planning Commission. S. F. 487, appropriations.

Higher Education Facilities Commission

Appropriation to higher education facilities commission for scholarship and medical student tuition loan programs. S. F. 528, appropriations.
 Appropriate from general fund to higher education facilities commission for salaries, etc. H. F. 731, appropriations.
 Higher education facilities commission, statutory salary of executive director. H. F. 739, appropriations.
 Higher education facilities commission, tuition grant program, appropriation. S. F. 592, appropriations.

Highway Commission

Increase salaries of highway commission and other state employees, appropriation. S. F. 84, Van Drie, et al.; H. F. 212, Egenes, et al.
 Appropriation to highway commission, deficiencies in funds appropriated for field operations. S. F. 171, appropriations.
 Appropriate to highway commission from primary road fund for expenses incurred in administering the merit employment system. S. F. 569, appropriations.
 Appropriate to the highway commission for administration, finance and support services, planning, headquarters operations, development, field operations—all for salaries, support, etc.—equipment, inventory and replacement, educational leave, and contingency fund. S. F. 573, appropriations.
 Highway commission, statutory salary of director, and of each highway commissioner. H. F. 739, appropriations.

Historical Society

Appropriate from general fund to historical society for development of Toolesboro mounds and museum area, also Gardner log cabin. S. F. 562, appropriations.

Appropriate from general fund to historical society for salaries, etc. S. F. 563, appropriations.
Historical society, statutory salary of director. H. F. 739, appropriations.

History and Archives

Department of history and archives, appropriation. H. F. 691, appropriations. (H. F. 705, same subject matter)
Department of history and archives, appropriation. H. F. 705, appropriations.
History and archives, department of, statutory salary of the curator. H. F. 739, appropriations.

Inaugural Ceremonies

Appropriate funds to defray expenses of inaugural ceremonies. H. F. 373, Ellsworth.

Industrial Commission

Appropriate to industrial commission. S. F. 576, appropriations.
Industrial commissioner, statutory salary of. H. F. 739, appropriations.
Appropriate to industrial commission from primary road fund, payment of workmen's compensation claims of employees of highway commission. S. F. 568, appropriations.

Insurance

Appropriate to insurance department. S. F. 576, appropriations.
Insurance department, statutory salary of commissioner. H. F. 739, appropriations.

Interstate Cooperation

Appropriate to interstate cooperation, commission on. S. F. 576, appropriations.

IPERS

Appropriation to members of advisory investment board of IPERS, claims. S. F. 564, appropriations.

Judicial Department, Statistician, Etc.

Increase compensation of appointive jury commissioners. S. F. 132, Curran and Messerly; H. F. 276, Hansen.
Supreme court and district courts, appropriation to, for salaries of the judges, retirement system, expenses, rules of procedure, etc., and none for capital improvements. S. F. 579, appropriations.
District court judges, statutory salary of each. H. F. 739, appropriations.
Supreme court, statutory salaries of the judges, 9 legal assistants, clerk of, code editor, and court administrator. H. F. 739, appropriations.

Labor

Appropriate to bureau of labor. S. F. 576, appropriations.
Labor, bureau of, statutory salary of commissioner. H. F. 739, appropriations.

Legislative Service Bureau

Appropriate to legislative service bureau. S. F. 576, appropriations.

Libraries

Appropriate to law, medical and traveling libraries. S. F. 576, appropriations.
Law library, statutory salary of librarian. H. F. 739, appropriations.
Medical library, statutory salary of librarian. H. F. 739, appropriations.
Traveling library, statutory salary of director. H. F. 739, appropriations.

Lieutenant Governor

Appropriate to lieutenant governor. S. F. 576, appropriations.

Liquor Control Commission

Appropriate to liquor control commission. S. F. 576, appropriations.
Liquor control commission, capital improvements, appropriation. H. F. 736, appropriations.
Liquor control commission, statutory salary of each commissioner. H. F. 739, appropriations.

Medical and Other Professions

Establish a midwestern medical education board, appropriation. S. F. 154, Walsh, et al.; H. F. 316, Tieden, et al.

Mental Health

Create state mental health aid fund, appropriate \$75,000. S. F. 560, appropriations.

Merit System

Appropriate to merit employment department. S. F. 576, appropriations.
Merit employment commission, statutory salary of director. H. F. 739, appropriations.

Mines and Minerals

Geological survey—natural resources council—mines and minerals, department of, appropriation to. S. F. 553, appropriations.
Mines and minerals, department of, statutory salary of inspector. H. F. 739, appropriations.

Mississippi Parkway Planning Commission

Appropriation to Herbert Hoover Foundation and Mississippi Parkway Planning Commission. S. F. 487, appropriations.

Natural Resources Council

Geological survey—natural resources council—mines and minerals, department of, appropriation to. S. F. 553, appropriations.

Natural resources council, statutory salary of director. H. F. 739, appropriations.

Pioneer Lawmakers

Appropriate to pioneer lawmakers. S. F. 576, appropriations.

Planning and Programming

Office for planning and programming, establish programs and courses in area vocational schools and community colleges, new and expanding industries, appropriation. H. F. 498, Lawson, et al.

Appropriate to planning and programming. S. F. 576, appropriations.

Planning and programming, office of, statutory salary of director. H. F. 739, appropriations.

Printing Board

Appropriate to printing board. S. F. 576, appropriations.

Printing board, statutory salary of superintendent of. H. F. 739, appropriations.

Public Defense

Department of public defense, appropriation, capital improvements. S. F. 542, appropriations.

Appropriate to public defense, department of. S. F. 576, appropriations.

Public defense, department of, statutory salary of director of civil defense. H. F. 739, appropriations.

Public Instruction

Limitations on property tax levy for general fund expenditures of school corporations, etc., appropriation to public instruction for school districts. H. F. 121, ways and means; S. F. 145, ways and means.

Department of public instruction study feasibility of implementing a 12-month school year, appropriation. H. F. 580, Willits, et al.

Appropriation to public instruction. S. F. 522, ways and means.

School lunch assistance to department of public instruction, appropriation. H. F. 688, appropriations.

Appropriate administration and educational and training aid funds to public instruction. H. F. 692, appropriations.

Appropriation to department of public instruction, professional teaching practices commission. H. F. 697, appropriations.

General office administration and vocational education administration for salaries, etc.—vocational education aid to secondary and area schools for programs and equipment, etc.—vocational rehabilitation for salaries, etc.—public instruction. H. F. 709, appropriations.

Payment of general school aid to merged areas, public instruction, appropriation. H. F. 741, appropriations.

Public Safety

Radio equipment for public safety, appropriation to. S. F. 551, appropriations. Law enforcement academy, capital improvements, appropriation to. S. F. 555, appropriations.

Public safety, department of, appropriate from moneys received, dealers license fee fund, for salaries, etc. H. F. 715, appropriations.

Appropriate to department of public safety from general fund—division of administration, division of criminal investigation and bureau of identification, division of fire protection, division of highway safety and uniformed force, division of drug law enforcement, division of motor registration, division of radio communication, division of safety education all for salaries, etc. S. F. 557, appropriations.

Appropriate to law enforcement academy. S. F. 576, appropriations.

Law enforcement academy, statutory salary of directors. H. F. 739, appropriations.

Public safety, department of, statutory salary of commissioner, chief of highway patrol, director of division of criminal investigation and bureau of identification. H. F. 739, appropriations.

Public safety, appropriation to, and sales and use tax on all registered automobiles, etc. S. F. 510, ways and means.

Real Estate

Appropriate to real estate commission. S. F. 576, appropriations.

Real estate commission, statutory salary of director. H. F. 739, appropriations.

Reciprocity

Reciprocity board, appropriation. H. F. 703, appropriations.

Reciprocity board, statutory salary of executive secretary. H. F. 739, appropriations.

Regents, Board of

Board of regents, office of, for salaries, etc., also for social security tax, fuel and postage—University of Iowa—general university, university hospitals, psychopathic hospital, bacteriological laboratory, hospital school, state sanatorium, Oakdale, all for salaries, etc.—Iowa State University of science and technology—general university, agricultural experiment station, cooperative extension service in agriculture and home economics, University of Northern Iowa, Iowa Braille and Sight-Saving School, and School for the Deaf, all for salaries, etc. H. F. 724, appropriations.

Regents, board of, statutory salary of executive secretary. H. F. 739, appropriations.

Board of regents, capital improvements, appropriation. S. F. 584, appropriations.

Board of regents, for deficiencies in operating revenues (\$3,151,000), appropriation. S. F. 586, appropriations.

Board of regents, for deficiencies in operating revenues (\$1,000,000), appropriation. S. F. 587, appropriations.

Board of regents, to replace building space and equipment lost through fire at University of Northern Iowa, appropriation. S. F. 588, appropriations.

Revenue, Department of

Appropriate from motor vehicle fuel tax fund to department of revenue. H. F. 694, appropriations.

Appropriate to department of revenue. S. F. 576, appropriations.

Revenue, department of, statutory salary of director. H. F. 739, appropriations.

Schools

Establish cooperative educational service agencies, abolish county school systems, appropriation. H. F. 592, Grassley, et al.

Appropriation to public instruction. S. F. 522, ways and means.

Appropriation to merged area I, operating funds for required attendance center. H. F. 683, Tieden, et al. (Same subject matter as H. F. 744)

School lunch assistance to department of public instruction, appropriation. H. F. 688, appropriations.

Appropriate administration and educational and training aid funds to public instruction. H. F. 692, appropriations.

Public instruction, department of, appropriation to, for school boards, etc., for special education. S. F. 577, appropriations.

Costs of auditing accounts of area schools paid by area schools. H. F. 615, appropriations; S. F. 585, appropriations.

Appropriation to merged area I, operating funds for required attendance center. H. F. 744, appropriations. (Same subject matter as H. F. 683)

Secretary of State

Appropriate to secretary of state. S. F. 576, appropriations.

Secretary of state, statutory salary of. H. F. 739, appropriations.

Social Services

Establish housing for disabled persons, appropriation. S. F. 311, Tapscott.

Department of social services purchase additional services from other public or private social service agencies, appropriation. S. F. 315, Walsh, et al.

Provide aid to juvenile homes, appropriation. S. F. 358, Gaudineer.

Establish day care centers, appropriation. S. F. 508, Tapscott.

Social services, appropriation, capital improvements. S. F. 543, appropriations.

Appropriation to social services for administration and departmental operations, area service and administration, family and children's services, adult corrections services, assistance grants, mental health services, mental retardation services, specified federal matching funds, board of parole, and study by department. S. F. 565, appropriations. (Item veto)

Parole, board of, statutory salary of chief parole officer. H. F. 739, appropriations.

Social services, department of, statutory salary of the commissioner. H. F. 739, appropriations.

Soil Conservation

Soil conservation, appropriation. H. F. 701 appropriations.

Soil conservation, department of, statutory salary of director. H. F. 739, appropriations.

Treasurer of State

Appropriate to treasurer of state. S. F. 576, appropriations.

Treasurer of state, statutory salary of. H. F. 739, appropriations.

Uniform Laws, Commission on

Appropriate to commission on uniform state laws. S. F. 576, appropriations.

Veterans

Vietnam veterans' service compensation fund, bonds. H. F. 352, Wyckoff and Ellsworth.

War orphans' educational aid fund, appropriation. H. F. 606, appropriations.

Appropriate to Spanish-American War veterans. S. F. 576, appropriations.

Watchmakers

Accountancy, board of—architectural examiners, board of—banking, department of—engineering examiners, board of—watchmaking, board of examiners in, appropriation to. S. F. 552, appropriations.

Water Pollution Control Commission, Iowa

State funds appropriated for sewage works projects used for matching federal funds, appropriation. H. F. 189, Welden and Kehe.

ARCHITECTS—

General

Add medical, dental, legal, accounting, engineering, consultant and research services to taxable services. S. F. 440, Potgeter and Potter.

Create office of state architect, appropriation. H. F. 564, Priebe and Fischer of Grundy.

Accountancy, board of—architectural examiners, board of—banking, department of—engineering examiners, board of—watchmaking, board of examiners in, appropriation to. S. F. 552, appropriations.

AREA VOCATIONAL SCHOOLS—

(See Schools, sub-ref. Area—Area Vocational)

ARTS—

General

Appropriate to arts council. S. F. 576, appropriations.

Arts council, statutory salary of director. H. F. 739, appropriations.

ASSEMBLAGES—

General

Regulation of assemblages of persons, certain acts unlawful, penalties. S. F. 194, Kennedy, et al.; H. F. 292, Knoblauch.

Issuance of permits by counties, cities and towns authorizing commercial entertainment events, penalties. S. F. 319, Smith.

ASSESSMENTS—

General

Assessment of real estate, personal property and buildings. H. F. 49, Middleswart.

Notification, upon request, sent to property owner if assessment increases or decreases. S. F. 67, county government; H. F. 87, county government.

Assessment of agricultural property, eliminate productivity, etc. H. F. 81, Urban.

Maximum property tax levy, 4 mills, for county general fund. H. F. 89, Mendenhall.

Increase rate of any special assessment for cities and towns, public improvements. H. F. 154, Stromer.

Taxation of rural electric cooperative property. H. F. 197, ways and means.

Interest payments on drainage district assessments. H. F. 218, Stromer and Schroeder.

Assessments levied by drainage and levee districts not less than \$2.00. S. F. 205, Neu; H. F. 257, Cochran.

Board of supervisors establish revolving funds, maintenance of drainage or levee districts. H. F. 294, county government.

Create Iowa soybean promotion board. S. F. 296, agriculture; H. F. 349, agriculture.

Forest and fruit tree reservations assessed in same manner as other agricultural land. H. F. 426, Stromer, et al.

Notification, by county assessor, not later than March 15, valuation of property. H. F. 452, Schmeiser, et al.

Legalize proceedings of the town council of Peterson, Clay county, special assessments and issuance of street improvement bonds. S. F. 425, Milligan.

Remit, by mortgagor to county treasurer, all property taxes collected each month. S. F. 432, Potter.

Board of review may change assessments of any taxable property. H. F. 528, Priebe and Schmeiser.

ASSESSORS—

General

Notification, upon request, sent to property owner if assessment increases or decreases. S. F. 67, county government; H. F. 87, county government.

File one time for homestead tax credit and disabled veterans' tax credit. S. F. 276, Lamborn.

Salaries of county assessors. H. F. 356, Fischer of Grundy.

Notification, by county assessor, not later than March 15, valuation of property. H. F. 452, Schmeiser, et al.

Board of review may change assessments of any taxable property. H. F. 528, Priebe and Schmeiser.

ASSISTANCE GRANTS—

General

Committee to study present laws and regulations, etc. for determining eligibility of recipients of categorical assistance payments, etc. H. C. R. 48; H. J. 2141.

ATHLETICS—

(Also see Schools, sub-ref. Athletics and/or Sports)

General

Scheduling of football games between S.U.I. and I.S.U. S. F. 99, Van Drie, et al. Licenses for professional boxing and wrestling matches. S. F. 223, Briles; H. F. 562, Fischer of Grundy. S.

Create an Iowa athletic council. S. F. 378, Gaudineer.

Permit cities and towns, after approval by voters, to impose a sales tax on tickets to athletic events. H. F. 636, Doyle.

ATTORNEY GENERAL—**General**

- Four-year terms for governor, lieutenant governor, secretary of state, treasurer, auditor and attorney general. H. J. R. 7, Schwieger, et al.
- Prohibit manufacture, distribution, possession, etc., by unauthorized personnel of devices designed for interception of wire or oral communications—penalties and rights to recovery. H. F. 127, Fischer of Grundy.
- State grand juries, appropriation. H. F. 184, law enforcement. (H. F. 706, revision of H. F. 184)
- Exempt supervisory employees and their confidential assistants of elected officials, etc., from merit system. H. F. 253, Fischer of Grundy, et al.
- Exempt employees of elected officials from provisions of merit system. S. F. 273, Mowry, et al.
- Prohibit certain business entities from engaging in business in the agricultural industry, penalties. S. F. 292, agriculture.
- Allow departments of revenue and social services, and highway commission to employ legal counsel. S. F. 373, Schaben, et al.
- State grand juries, appropriation. H. F. 706, law enforcement. (Revision of H. F. 184)
- Appropriate to attorney general. S. F. 576, appropriations.
- Attorney general, statutory salary of. H. F. 739, appropriations.

ATTORNEYS—**General**

- Assistant county attorneys and their salaries, board of supervisors. S. F. 41, Briles; H. F. 131, Rex and Menefee.
- Attorneys, reciprocity with other states. H. F. 101, Doyle.
- Attorney's fees, judgments on written contracts. S. F. 180, Griffin; H. F. 368, Freeman.
- Four-year term for county attorneys. H. F. 211, Grassley and Knoke.
- Appointment of county attorneys by boards of supervisors. H. F. 228, Grassley.
- Establish office of district attorney. S. F. 232, Mowry; H. F. 338, Grassley, et al.
- Provide that criminal appeals will be in the same manner as civil appeals. S. F. 235, Gaudineer.
- Salary of the county attorney in counties over 200,000 population. S. F. 265, Gaudineer and Palmer.
- Salary of county attorneys. H. F. 483, Andersen, et al.
- Add medical, dental, legal, accounting, engineering, consultant and research services to taxable services. S. F. 440, Potgeter and Potter.
- Inspection of patients' records. H. F. 533, Kelly.

AUCTIONS—**General**

- Sale and resale of cattle, health certificate. H. F. 50, Rex.
- Provide for disposal of abandoned motor vehicles. H. F. 566, Trowbridge.

AUDITOR OF STATE—**General**

- Establish an environmental pollution control loan authority. H. F. 61, Winkelman.
- Four year terms for governor, lieutenant governor, secretary of state, treasurer, auditor and attorney general. H. J. R. 7, Schwieger, et al.
- Abolish soldiers relief commission, duties placed under county welfare. H. F. 126, Mayberry.
- Exempt supervisory employees and their confidential assistants of elected officials, etc., from merit system. H. F. 253, Fischer of Grundy, et al.
- Exempt employees of elected officials from provisions of merit system. S. F. 273, Mowry, et al.
- Governor request comptroller or auditor of state review statutory bonding provisions for state employees. H. C. R. 33; H. J. 842, 912 adopted; S. J. 788.
- Require auditor of state to approve of certified or registered public accountant auditing county, county hospital, city, town, or school district. H. F. 588, Pelton.
- Costs of auditing accounts of area schools paid by area schools. H. F. 615, appropriations.
- Repeal provision of law requiring every treasurer of political subdivisions, except townships, to submit report each year to the auditor of state re investments. S. F. 527, appropriations.
- Auditor of state shall audit annually the books and accounts of political subdivisions, etc. H. F. 687, county government.
- Appropriate to auditor of state. S. F. 576, appropriations.
- Auditor of state, statutory salary of. H. F. 739, appropriations.

AUDITS—**General**

- Auditing committee of a credit union may delegate auditing function. S. F. 83, Van Drie.
- Require auditor of state to approve of certified or registered public accountant auditing county, county hospital, city, town, or school district. H. F. 588, Pelton.
- Costs of auditing accounts of area schools paid by area schools. H. F. 615, appropriations.

Auditor of state shall audit annually the books and accounts of political subdivisions, etc. H. F. 687, county government.

AUTOMOBILES—

(See Motor Vehicles and Liability)

AUTOPSY—

General

Costs of performing an autopsy. H. F. 137, Grassley and Trowbridge.

AWARDS—

General

Incentive awards for state employees. S. F. 164, Van Drie; H. F. 231, state government. S.

BAIL—

General

Require higher bail for persons accused of violent crimes. S. F. 335, Mowry and Briles; H. F. 496, Knoke. S.

BAILIFFS—

District court bailiffs, judge may employ, population basis. H. F. 70, Kreamer and Hill; S. F. 57, Milligan.

Court bailiffs receive free Code. H. F. 204, Doyle, et al.

BALLOTS—

(See elections)

BANDS—

General

Uniforms for vocal and instrumental school music groups, purchase. H. F. 40, McCormick and Stromer.

BANKING—

General

Bank offices, discontinue if more than one bank is established. H. F. 100, Sorg, et al.; S. F. 341, Griffin.

Prohibit operation of mobile units by banks and other financial institutions. H. F. 128, Hamilton.

Urge banks, landlords, industry, public, etc., to understand and seek fair and economically sound solutions to the critical problems of the farmer. H. C. R. 10; H. J. 191, 271 adopted; S. J. 208.

Control of banks, penalties for violations. H. F. 148, Fischer of Grundy and Schroeder.

Dissolution of credit unions. S. F. 209, Van Drie, et al.; H. F. 333, Grassley and Wells.

Conversion of credit union charters. S. F. 210, Van Drie, et al.

Retention from payments on public contracts and escrow agreements. S. F. 229, Griffin, et al.; H. F. 300, Kehe, et al.

Deposit and investment of public funds. S. F. 243, county government; H. F. 334, county government.

Federal share insurance for credit unions. S. F. 249, Van Drie, et al.; H. F. 377, Curtis and Doyle.

Nonprobate transfers, survivors, beneficiaries, etc. S. F. 295, judiciary.

Place of payment of public bonds. S. F. 389, cities and towns.

Require financial institutions or officers or employees to inform their depositors they are licensed insurance agents, etc., except. S. F. 408, Palmer, et al.

Committee to study if need exists for legislation in regulating operations and acquisitions of bank holding companies, etc., submit report. S. C. R. 28; S. J. 554, 555, 1890.

Accountancy, board of—architectural examiners, board of—banking, department of—engineering examiners, board of—watchmaking, board of examiners in, appropriation to. S. F. 552, appropriations.

Banking, department of, statutory salary of superintendent. H. F. 739, appropriations.

State Board

Regulation of industrial loan companies. H. F. 7, Shaw, et al.; S. F. 44, Curran, et al.

Auditing committee of a credit union may delegate auditing function. S. F. 83, Van Drie.

BANKRUPT—

General

Uniform partnership act. S. F. 460, judiciary.

Strike reference to superior court and insert "municipal court," re debts and debtors, judgments, etc. H. F. 646, Monroe.

BEER—

(See Alcoholic Beverages)

BENEFICIARIES—

General

Nonprobate transfers, survivors, beneficiaries, etc. S. F. 295, judiciary.

Assignment of group life insurance, beneficiaries. S. F. 386, commerce; H. F. 541, Freeman, et al. S.

BENEFITED FIRE DISTRICTS—
(See Fire, sub-ref. Districts)**BENEFITS—****General**

- Provide for a procedure, state employees to meet and confer with merit employment commission, wages, hours, benefits, etc., and terms of employment. H. F. 421, Fisher of Greene and Millen.
- Eligibility to receive benefits of certain welfare programs, stoppage of work re labor dispute. H. F. 477, Kreamer.
- Veterans' benefits in state employment. S. F. 60, Tapscott; S. F. 418, Gaudineer. S. (Same subject matter)
- Workmen's compensation benefits based on 66½ per cent of worker's weekly pay. H. F. 650, Monroe, et al.

BEVERAGES—**General**

- Prohibit use of throw-away containers, regulate other, penalty. H. F. 78, Mendenhall.
- One cent tax on any beverage in a disposable bottle or can, use for development and maintenance of recreational facilities. S. F. 162, Erskine.
- Prohibit sale of certain beverages in cans and disposable bottles, penalty. H. F. 313, Larson and Small.
- Vending of foods and beverages, penalty. S. F. 334, agriculture.
- Prohibit sale or distribution of certain beverages in certain disposable containers, penalty. H. F. 485, Rodgers, et al.

BILLBOARDS—

(See Advertising, sub-ref. Billboards and/or Signs)

BILLS—**General**

- Friday, February 26, 1971, final day for Senate members to submit bill requests to legislative service bureau, and Monday, March 8, 1971, final day for House members. S. C. R. 13; S. J. 234, 337 adopted; H. J. 426, 465 adopted.
- Recall House File 29 from Governor. S. C. R. 24; S. J. 436 adopted; H. J. 540 adopted.
- Additional amendments to the Code in conformity to Senate File 1 of Sixty-fourth General Assembly, etc. S. F. 468, law enforcement.
- Effective date of Acts passed by the General Assembly. S. F. 445, Goode.
- Recall H. F. 654 from the Governor. S. C. R. 47; S. J. 2035.

BINGO—

(Also see Gambling)

General

- Repeal lottery prohibition (H. J. R. 10 adopted 1970). H. J. R. 8, Ellsworth; S. J. R. 3, Walsh.
- Defining bingo, conduction of, etc., penalties. H. F. 348, Ellsworth.

BIRTH CONTROL—**General**

- Authorized department of health to distribute information concerning birth control and establish family planning clinics. H. F. 504, Lipsky, et al.

BLIND—**General**

- ADC, blind assistance, and aid to disabled, payment shifted from property tax to sales, income tax and other. H. F. 517, Cochran, et al.; S. F. 436, Tapscott.
- Payments to welfare recipients in health care facilities. S. F. 497, Walsh, et al.
- Appropriate from general fund to commission for the blind. S. F. 570, appropriations.
- Blind, commission for, statutory salary of director. H. F. 739, appropriations.

BLOOD—**General**

- Blood donors, 18 years or older. S. F. 3, Brownlee; H. F. 41, Middleswart and Freeman.
- Liability for negligence in rendition of services re donating of blood, human tissues, etc. H. F. 556, Shaw.
- Blood tests of persons dying as a result of motor vehicle accidents, driver. S. F. 464, Conklin.

BOARD OF REGENTS—

(See Regents, Board of)

BOARD OF REVIEW—

(See Assessments and/or Property)

BOATS—

(See Watercraft)

BOILERS—**General**

Increase fees charged by bureau of labor for certificates of inspection, boilers. S. F. 98, Curran, et al.; H. F. 186, Shaw, et al.

BONDS—**General**

Require bond issues of the board of regents for self-liquidating dormitories to be approved by the voters. H. F. 51, Fischer of Grundy.
 Ceiling on millage levies for 1971 by all taxing districts, with exceptions. S. F. 33, Griffin.
 Acquisition of existing bridges by cities and towns. H. F. 27, Holden, et al.; S. F. 8, Briles, et al.
 Bonds may be posted as security in lieu of cashiers checks or other, public improvement projects. H. F. 112, Kehe, et al.
 Bonding of operators of slaughterhouses, agents, dealers, etc., penalties. H. F. 160, Stromer, et al.; H. F. 391, agriculture.
 Deposit and investment of public funds. S. F. 243, county government; H. F. 334, county government.
 Authorize cities and towns to acquire land by lease for park purposes, bonds. S. F. 256, cities and towns.
 Impose a tax on trading stamps, penalties. H. F. 290, Rodgers, et al.
 Issuance of bonds by cities and towns, if purposes related. S. F. 282, Riley.
 Permit pari-mutuel betting in Iowa. S. F. 300, Griffin, et al.; H. F. 435, Knoblauch, et al.; H. F. 659, conservation and recreation. S.
 Vietnam veterans' service compensation fund, bonds. H. F. 352, Wyckoff and Ellsworth.
 More leeway in the time in which an individual must appear in court to prosecute action before a replevin bond is forfeited. S. F. 336, Gaudineer.
 Authorize merged areas to acquire and operate student centers and parking facilities, finance with revenue bonds. S. F. 374, higher education; H. F. 545, Dunton, et al. S.
 Place of payment of public bonds. S. F. 389, cities and towns.
 Authorize issuance of industrial aid bonds for railroad and bus transportation, hospital, clinic, and health care facilities, and industrial pollution control projects. H. F. 418, Hansen and Holden.
 Authorize merged areas to issue general obligation bonds for purchase of community vocational school or college buildings. H. F. 456, Waugh; S. F. 498, higher education.
 Support of certain dependents, enforcement of, defining desertion, penalties. H. F. 464, Knoke.
 Authorize counties operating county public hospitals to issue revenue bonds. H. F. 466, Priebe, et al.; S. F. 401, Kyhl, et al.
 Legalize proceedings of the town council of Peterson, Clay county, special assessments and issuance of street improvement bonds. S. F. 425, Milligan.
 Investment of funds—school districts, counties, cities, towns, and others. S. F. 442, Riley.
 Authorize cities and other governmental bodies to form a public authority, electric power and energy, gas, or water. H. F. 563, cities and towns.
 Governor request comptroller or auditor of state review statutory bonding provisions for state employees. H. C. R. 33; H. J. 842, 912 adopted; S. J. 788.
 Investment of public funds by school corporations. S. F. 501, schools.
 Corrective amendments to statute on self-liquidating improvements. H. F. 677, judiciary.

Cities and Towns

(See Cities and Towns, sub-ref. Bonds)

Schools

(See Schools, sub-ref. Bonds)

BOUNTIES—

(See Animals, sub-ref. General)

BOXING—

(See Sports and/or Athletics)

BRANDING—

(See Animals, sub-ref. Farm and/or General)

BRIDGES—**General**

Acquisition of existing bridges by cities and towns. H. F. 27, Holden, et al.; S. F. 8, Briles, et al.
 Authorize highway commission to acquire existing interstate bridges, to complete, improve, repair, or reconstruct interstate bridges, etc.; also issue bonds therefor. H. F. 735, judiciary.

BRUCELLOSIS—

(See Animals, sub-ref. Diseases)

BUDGET AND FINANCIAL CONTROL COMMITTEE—

General

- Abolish budget and financial control committee, create office of legislative fiscal director. S. F. 62, Hill and Neu.
- Establish pilot programs for drug abuse, treatment, rehabilitation, education, etc., appropriation. S. F. 130, Gaudineer, et al.
- Powers and duties of the budget and financial control committee, fiscal director. S. F. 153, Gaudineer.
- Members of committee on appropriations appointed to budget and financial control committee. H. F. 679, Pelton.
- Budget and financial control committee, powers of, control and use of state funds, capital improvements, sale of land, etc., appropriation for. S. F. 572, appropriations. (Item veto)

BUDGETS—

General

- Annual budgeting and reporting for state departments. S. F. 112, Hill and Potter.
- Comptroller prescribe budget preparation procedures for school districts. H. F. 317, Kehe, et al.
- Creates a department of executive services, general services, reorganization. S. F. 420, Coleman, et al.
- School budget review committee and district school boards meet in May and June re budgets. H. F. 686, ways and means.
- Information concerning school district budgets and expenditures. H. F. 698, Hansen.
- Change the budget year of cities and towns, counties, and other political subdivisions. H. F. 733, ways and means; S. F. 575, ways and means. Very similar.

BUILDINGS—

General

- Establish a state building code. H. F. 6, Camp, et al.; S. F. 32, Griffin, et al.
- Assessment of real estate, personal property and buildings. H. F. 49, Middleewart.
- Penalty for unauthorized entry into public buildings and destruction of property. S. F. 53, Nicholson, et al.; H. F. 77, Holden and Shaw.
- Sale of real property owned by a school district, student erected buildings. H. F. 66, Millen and Clark.
- Bonds may be posted as security in lieu of cashiers checks or other, public improvement projects. H. F. 112, Kehe, et al.
- Payment of interest by public corporations on contracts for public improvements. H. F. 117, Kehe, et al.
- Five year limitation of damage actions, improvements or work upon real property. S. F. 127, Walsh, et al.
- Joint purchase, ownership, construction, and maintenance of buildings by counties. H. F. 283, social services.
- Reduce penalty for malicious injury to buildings and fixtures. H. F. 475, Johnston.
- Authorize merged areas to issue general obligation bonds for purchase of community vocational school or college buildings. H. F. 456, Waugh; S. F. 493, higher education.
- Mechanics' liens—contractors—retailer notify owner of property. H. F. 469, Millen, et al.
- Local boards of health, inspections by. H. F. 472, Lawson.
- Ten-year building program, board of regents. S. C. R. 32; S. J. 833, 853, 1951, 1953-1957 adopted, 2037 reported correctly enrolled, 2038 signed by the president and sent to the governor; H. J. 2152-2154, 2198-2201 adopted, 2214 signed by the speaker; S. J. 2049 signed by the governor on June 30, 1971.
- Board of regents authorized to complete projects of building program. S. C. R. 33; S. J. 842, 853, 1951, 1952-1953 adopted, 2037 reported correctly enrolled, 2038 signed by the president and sent to the governor; H. J. 2154-2156, 2201-2204 adopted, 2214 signed by the speaker; S. J. 2049 signed by the governor on June 30, 1971.

BUILDINGS AND GROUNDS, STATE—

General

- Penalty for unauthorized entry into public buildings and destruction of property. S. F. 53, Nicholson, et al.; H. F. 77, Holden and Shaw.
- Create a department of general services, appropriation. S. F. 37, Curran, et al.; H. F. 129, Welden, et al.
- Buildings and grounds, appropriation, capital improvements. S. F. 545, appropriations.

Superintendent of

- Appropriate to buildings and grounds, superintendent of. S. F. 576, appropriations.

BURIALS—

(Also see Funerals and/or Cemeteries)

General

- Abolish soldiers relief commission, duties placed under county welfare. H. F. 126, Mayberry.

Removal of eyes after death by licensed funeral directors or embalmers. S. F. 143, Milligan, et al.; H. F. 170, Tieden, et al.
 Licensing of funeral homes. S. F. 306, social services.
 Increase funeral benefits for welfare recipients. S. F. 317, Van Gilst and Curran.

BUSES—

(See Motor Vehicles, sub-ref. Buses and/or Schools, sub-ref. Buses and/or Transportation)

CAPITAL IMPROVEMENTS—

General

Department of public defense, appropriation, capital improvements. S. F. 542, appropriations.
 Social services, appropriation, capital improvements. S. F. 543, appropriations.
 Buildings and grounds, appropriation, capital improvements. S. F. 545, appropriations.
 Law enforcement academy, capital improvements, appropriation to. S. F. 555, appropriations.
 Appropriate from general fund to fair board for major repairs to buildings and grounds. S. F. 561, appropriations.
 Liquor control commission, capital improvements, appropriation. H. F. 736, appropriations.
 Board of regents, capital improvements, appropriation. S. F. 584, appropriations.

CAPITOL PLANNING COMMISSION—

General

Appointive members, capitol planning commission, appropriations for per diem compensation. S. F. 526, appropriations.
 Appropriate to capitol planning commission. S. F. 576, appropriations.

CAR DISPATCHER—

General

Create a department of general services, appropriation. S. F. 87, Curran, et al.; H. F. 129, Welden, et al.
 Disposal of certain used state motor vehicles, may trade or sell at auction. S. F. 146, state government.
 Local governmental bodies participate in purchase of motor vehicles by state car dispatcher. H. F. 395, Johnston.
 State car dispatcher changed to state vehicle dispatcher, include aircraft, etc. H. F. 523, Priebe and Fischer of Grundy.
 Appropriate and authorize expenditures from the car dispatcher revolving fund for salaries, etc.—gasoline, oil, tires, etc. S. F. 559, appropriations.
 Car dispatcher, statutory salary of. H. F. 739, appropriations.

CARRIERS—

(See Common Carriers)

CEMETERIES—

(Also see Burials and/or Funerals)

General

May increase mill levy rate for maintenance of cemeteries not owned by townships. H. F. 118, Nystrom and Rex.

CENSUS—

General

Fees for census searches charged by department of history and archives. S. F. 290, Nicholson, et al.; H. F. 369, Holden.
 Establish the state historical board, increase fee for search of census records. H. F. 458, Larson and Schwieger.

CENTRAL COMMITTEES—

General

Increase number of members of state central committees. S. F. 193, Milligan, et al.; H. F. 277, Kreamer, et al.

CERTIFICATES—

General

Commerce commission may issue certificates of convenience to motor vehicle carriers without a public hearing. S. F. 89, Neu, et al.; H. F. 136, Shaw, et al.
 Increase fees for teacher certificates, and classes to be issued. S. F. 97, Curran; H. F. 144, Shaw, et al.
 Increase fees charged by bureau of labor for certificates of inspections, boilers. S. F. 98, Curran, et al.; H. F. 186, Shaw, et al.
 Issuance of liquid transport carrier certificates. S. F. 100, Anderson and Schaben.
 Establish and regulate nonprofit prepaid comprehensive health care corporations. S. F. 239, Doderer and Messerly; H. F. 525, Schwieger, et al.
 Establish plumbing code for installation of plumbing and certification of plumbers, fee. H. F. 311, Nystrom, et al.
 Issuance of new birth certificates for persons born outside the U. S. and adopted in Iowa. S. F. 354, DeKoster and Potgeter.

Monetary penalty against trucking companies violating terms of their certificates of convenience and necessity re routes and schedules of service. H. F. 620, Dunton.

CHARITABLE INSTITUTIONS AND ORGANIZATIONS—

General

Repeal lottery prohibition (H. J. R. 10 adopted 1970). H. J. R. 8, Ellsworth; S. J. R. 3, Walsh.
Require any organization, church, school, etc., soliciting public donations must file annual report. H. F. 174, Freeman, et al.
Require any organization except church, etc., soliciting public donations must file annual report listing all persons receiving funds. H. F. 353, Doyle, et al.
Private foundations and charitable trusts, tax advantages. S. F. 347, DeKoster and Gaudineer; H. F. 434, Kreamer and Pelton.
Employees of certain charitable corporations may be covered under IPERS. H. F. 535, Lawson.
Property now exempt from taxation if used for commercial purposes to be taxed. H. F. 678, Cochran.

CHECKS—

General

Penalties for false drawing and uttering of checks. H. F. 442, Doyle.
Allow holder of a bad check to file charges against the drawer at once. H. F. 599, Freeman.

CHEMICAL TECHNOLOGY REVIEW BOARD—

General

Authority of the chemical technology review board, agricultural chemicals, etc. S. F. 326, Lavery.

CHIEF CLERK—

General

Senate and House members, office of staff of Senate secretary and chief clerk and press to be furnished 1971 codes and session laws. S. C. R. 2; S. J. 11 adopted; H. J. 14 adopted.
Details of closing the 1971 first regular session of the Sixty-fourth General Assembly, interim staff and work, reconvening 1972, second regular session, etc. S. C. R. 41; S. J. 1237, 1714 adopted; H. J. 1891, 2076 adopted.
Secretary of Senate and chief clerk of the House authorized to attend national legislative conference. S. C. R. 42; S. J. 1238, 1714 adopted; H. J. 1892, 2076 adopted.
Expenses of legislators, pertaining to operation of legislative services between sessions, be paid after proper authorization. S. C. R. 43; S. J. 1238, 1714 adopted; H. J. 1892, 2076 adopted.
Interim expenses for the chief clerk of the House. H. R. 9; H. J. 2037, 2076 adopted.

CHILDREN—

(See Minors)

CHIROPRACTORS—

(See Medical—Professional, sub-ref. Chiropractors)

CHURCHES—

General

Require any organization, church, school, etc., soliciting public donations must file annual report. H. F. 174, Freeman, et al.
Registration fee for buses owned by religious organizations, used for its purposes. S. F. 248, Van Drie.
All property owned by religious institutions not used for worship or education to be taxed. S. F. 252, Griffin and Potgeter.
Require any organization except church, etc., soliciting public donations must file annual report listing all persons receiving funds. H. F. 353, Doyle, et al.

CIGARETTES—

(See Tobacco)

CITIES AND TOWNS—

General

Acquisition of existing bridges by cities and towns. H. F. 27, Holden, et al.; S. F. 8, Briles, et al.
Condemnation of existing utility facilities by cities and towns, procedure, etc. H. F. 31, Holden, et al.; S. F. 9, Briles, et al.
Establish a municipal tax relief fund. S. F. 80, Milligan and Carlson. H. F. 113, Alt, et al.
Bank offices, discontinue if more than one bank is established. H. F. 100, Sorg, et al.; S. F. 341, Griffin.
Tort liability of school districts and municipalities. H. F. 105, Alt; S. F. 220, Stephens.
Establish a metropolitan service corporation. S. F. 104, Milligan, et al.; H. F. 135, Andersen.
Increase rate of any special assessment for cities and towns, public improvements. H. F. 154, Stromer.

- Cities, towns, counties, and schools may impose local taxes, also axle tax. H. F. 165, Andersen, et al.; S. F. 172, Erskine.
- Retirement systems for policemen and firemen, vesting of and 5 highest salaried years. S. F. 163, cities and towns.
- Require use of flashing signal lights and stop arms by school buses in cities and towns. S. F. 168, Conklin; H. F. 199, Ewell and Schwieger.
- Require voter approval for aviation authority to levy a one mill tax. H. F. 173, Schroeder.
- Conflicts of interest of officers and employees of political subdivisions. S. F. 173, Stephens.
- Acquisition of property by public bodies, corporations and individuals. (Place grants of eminent domain into one chapter) S. F. 189, Briles, et al.; H. F. 314, Holden, et al. S.
- Increase number of municipal judges. H. F. 225, Bray, et al.
- Probationary period of city patrolmen, 12 months. H. F. 226, Monroe, et al.; S. F. 226, Miller and Kennedy.
- Permit city or town to grant a franchise for cable television without an election. H. F. 243, Jesse.
- Tort liability of governmental subdivisions, repeal chapter on. S. F. 219, Stephens.
- Require cities and towns to collect and dispose of garbage, etc. H. F. 261, Rodgers and Doyle.
- Qualifications for city employees under civil service, conscientious objectors. H. F. 273, Bray, et al.
- Temporary or part-time employees of state, political subdivisions or cities and towns not entitled to military leave with pay or job status. H. F. 274, Ellsworth and Taylor.
- Authorize cities and towns to acquire land by lease for park purposes, bonds. S. F. 256, cities and towns.
- Disposition of abandoned motor vehicles, penalties. H. F. 285, Kehe and Alt.
- Establish plumbing code for installation of plumbing and certification of plumbers, fee. H. F. 311, Nystrom, et al.
- Emergency vehicles owned by a city or town may use flashing blue or red lights. H. F. 319, Doyle and Rodgers.
- Any public appointee must possess qualifications of the office whether temporary or to complete unexpired term. S. F. 286, Gaudineer.
- Issuance of permits by counties, cities and towns authorizing commercial entertainment events, penalties. S. F. 319, Smith.
- State assistance to local governments following major disasters, appropriation. S. F. 321, Coleman, et al.
- Allows governing body of any municipality to delegate its power to compromise, adjust and settle tort claims. H. F. 342, Kreamer.
- Railroads no longer need to construct cattle guards—right to investigate cattle claims—speed limits, trains—repeal sections 478.7 and 478.9. S. F. 330, DeKoster.
- Purchase of real estate by counties, cities and towns, school districts, and other political subdivisions. H. F. 364, Norpel.
- Public officials may be appointed to joint planning commissions. H. F. 367, Lawson.
- State aid to cities and towns, appropriation. S. F. 337, Gaudineer, et al.
- Economic development by cities, use funds other than those from property taxes. H. F. 376, Iowa development.
- Prohibit league of Iowa municipalities, nonprofit corporations, agencies, departments of state, etc., from using funds derived from property tax for lobbying, penalty. H. F. 379, Fischer of Grundy and Schroeder.
- Local governmental bodies participate in purchase of motor vehicles by state car dispatcher. H. F. 395, Johnston.
- Place of payment of public bonds. S. F. 389, cities and towns.
- Use of sewer rental funds. S. F. 393, Potter.
- Authorize issuance of industrial aid bonds for railroad and bus transportation, hospital, clinic, and health care facilities, and industrial pollution control projects. H. F. 418, Hansen and Holden.
- City code of Iowa. S. F. 397, cities and towns. H. F. 574 and H. F. 563 combined are similar to S. F. 397.
- Repeal chapters 38A, 38C and 38D, Code 1971, emergency succession and emergency location of state and local governments. H. F. 463, Goode.
- Licensing of dogs, county required to, also pay cities and towns for lost revenue, etc. H. F. 500, Ellsworth and Radl.
- Authorize cities and towns to impose a tax on theaters. H. F. 510, Doyle, et al.
- Authorize cities and other governmental bodies to form a public authority, electric power and energy, gas, or water. H. F. 563, cities and towns.
- Reimburse local taxing authorities for loss of tax revenue from certain state tax-exempt real estate. H. F. 549, Schroeder.
- Deferred compensation for governmental employees. S. F. 470, Doderer; H. F. 613, Fisher of Greene.
- Require auditor of state to approve of certified or registered public accountant auditing county, county hospital, city, town, or school district. H. F. 588, Pelton.
- Conditions of withdrawal from a county library district. H. F. 621, Taylor; S. F. 530, county government.

Temporary restrictions on weights and load of motor vehicles, penalties. H. F. 629, transportation; S. F. 537, transportation.
 Permit cities and towns, after approval by voters, to impose a sales tax on tickets to athletic events. H. F. 636, Doyle.
 Establish municipal assistance fund, treasurer of state, one-fourth of a one cent sales tax. S. F. 521, ways and means.
 Repeal provision of law requiring every treasurer of political subdivisions, except townships, to submit report each year to the auditor of state re investments. S. F. 527, appropriations.
 Auditor of state shall audit annually the books and accounts of political subdivisions, etc. H. F. 687, county government.
 Permit cities, not less than 13,000 nor more than 17,000 population, located on a navigable river, construction of a waste treatment facility. (Keokuk) S. F. 538, cities and towns; H. F. 707, cities and towns.
 Change the budget year of cities and towns, counties, and other political subdivisions. H. F. 733, ways and means; S. F. 575, ways and means. Very similar.

Bonds

Issuance of bonds by cities and towns, if purposes related. S. F. 282, Riley.
 Enlarge purposes for which cities and towns may issue bonds to develop commercial projects. H. F. 332, Holden, et al.
 Investment of funds—school districts, counties, cities, towns, and others. S. F. 442, Riley.
 Legalize authorization and issuance of water revenue bonds, Bussey. H. F. 567, cities and towns; S. F. 469, cities and towns.

Councils

Establishing precinct boundaries, cities and towns and townships, etc., population. H. F. 119, Drake; S. F. 187, Potgeter. (See sections 21, 22, and 23 of H. F. 713)
 Counties and cities may provide programs for senior citizens. S. F. 140, Sullivan and Van Gilst; H. F. 209, Dougherty and Stokes.
 Railway companies must inspect crossings each year, make necessary repairs, penalties. S. F. 285, Gaudineer.
 Authorize certain vehicle safety regulations on streets and highways, penalty. S. F. 369, Kennedy, et al.
 Commission form cities, less than 30,000, voters decide number of councilmen. H. F. 567, Schwartz and Goode.
 Require railway improvements and crossings, penalty. S. F. 467, Potgeter and Potter.
 Correct H. F. 119—population of election precincts. H. F. 632, state government. (See sections 21, 22, and 23 of H. F. 713)
 Commission form of government, number of councilmen, Ottumwa. S. F. 541, cities and towns.
 Election laws. H. F. 713, Drake and Uban. (See H. F. 119)

Health

Rights of a tenant in maintainance and repair of rental property, housing. S. F. 367, Tapscott; H. F. 502, Jesse, et al.
 Local boards of health, powers of. S. F. 495, Walsh.

Housing

Remove provisions requiring elections to approve low-rent housing projects. S. F. 77, Tapscott; H. F. 111, Bray, et al.

Ordinances

Regulation of the manufacture, sale, transportation, etc., and use of explosive materials, penalties, etc. H. F. 522, law enforcement.
 City and town ordinances, need not be read in full if. H. F. 625, judiciary.

Parking

Exempt municipally-owned parking lots from service tax. H. F. 304, Lipsky, et al.

Streets

Local authorities designate snow routes, regulate traffic. H. F. 181, Alt, et al.; S. F. 353, cities and towns. S.
 Establish a municipal tax relief fund, appropriation for street purposes. S. F. 398, Gaudineer, et al.
 Permit city or town to levy, on agricultural land, for street purposes a millage rate equal to county levy for secondary roads. H. F. 595, cities and towns.

CIVIL DEFENSE—

General

Board of supervisors may levy up to one-fourth mill on property for county civil defense, etc. H. F. 91, Mendenhall.

CIVIL PROCEDURE—

General

Civil proceeding making possible an adversary hearing upon questions of obscenity. H. F. 642, county government.

CIVIL RIGHTS—

General

Age discrimination in employment. H. F. 64, Deugherty, et al.; S. F. 274, Riley.

Issuance of subpoenas, hearing costs, damages, civil rights commission, penalties. H. F. 388, Franklin, et al.
 Payment of civil rights commission appointees. H. F. 408, Franklin, et al.
 Additions to civil rights, etc., penalties. S. F. 406, Doderer, et al.
 Require civil rights commission hold a public hearing on proposed regulations and amendments. H. F. 453, Mollett, et al.
 Create a department of executive services, general services, reorganization. S. F. 420, Coleman, et al.
 Appropriate to civil rights commission. S. F. 576, appropriations.
 Civil rights commission, statutory salary of executive secretary. H. F. 739, appropriations.

CIVIL SERVICE—

General

Qualifications for city employees under civil service, conscientious objectors. H. F. 273, Bray, et al.
 Establish civil service for deputy sheriffs, penalties. S. F. 368, Kennedy; H. F. 449, Sorg.
 Establish civil service for deputy county sheriffs, penalties. S. F. 424, Riley, et al.; H. F. 618, Pelton, et al. (Same subject matter as S. F. 368 and H. F. 449)
 Civil service employment in cities of 185,000 or more population. H. F. 526, Bennett.

CLAIMS—

General

Application of pesticides, regulation of aerial, damage and enforcement procedures. H. F. 39, Pierson, et al.
 Liens on real estate owned by old age assistance recipients. H. F. 80, Christensen.
 Reimburse city of Harlan for expenses incurred, re site for proposed western Iowa college. S. F. 101, Schaben.
 Appeal board cannot pay claims over \$5,000 without approval of legislature. S. F. 192, Graham; S. F. 221, Stephens, S.
 Payment of claims, also certified original invoice can be used. H. F. 283, state government.
 Railroads no longer need to construct cattle guards—right to investigate cattle claims—speed limits, trains—repeal sections 478.7 and 478.9. S. F. 330, DeKoster.
 Nonnegligent damages caused by the highway patrol. S. F. 400, Lamborn.
 Consolidate all trial courts into a unified trial court—district court judges and magistrates. S. F. 428, judiciary.
 Appropriation, settlement of claims. H. F. 699, appropriations.
 Claim rejected by joint claims committee be resubmitted for consideration by the General Assembly. H. C. R. 37; H. J. 1501, 1608, 1811 adopted; S. J. 1630.
 Listed claims be held over for consideration by second session of the Sixty-fourth General Assembly. H. C. R. 38; H. J. 1586, 1812 adopted; S. J. 1614.
 Appropriation to members of advisory investment board of IPERS, claims. S. F. 564, appropriations.

CLAIMS COURT—

(See Courts, sub-ref. Claims)

CODE—CODE EDITOR—

General

Senate and House members, office of staff of Senate secretary and chief clerk and press to be furnished 1971 Codes and Sessions Laws. S.C.R. 2; S. J. 11 adopted; H. J. 14 adopted.
 Provide one Code, Journal, etc., to each member of the Iowa congressional delegation. S. F. 134, Potter, et al.
 Committee to study functions of commerce commission to update Code, submit report. S. C. R. 10; S. J. 178, 359, 564 adopted; H. J. 674.
 Court bailiffs receive free Code. H. F. 204, Doyle, et al.
 Juvenile court and referee along with judge determine interest re dependent, delinquent, etc., children, referee receive copy of Code. H. F. 267, Doyle and Kelly.
 County engineers receive free Code. H. F. 297, Rodgers.
 Insert in Code the text of the probation and parole compact. H. F. 326, social services.
 Organization of corporations. S. F. 312, judiciary.
 City Code of Iowa. S. F. 397, cities and towns; H. F. 574 and H. F. 563 combined are similar to S. F. 397.
 Authorize cities and other governmental bodies to form a public authority, electric power and energy, gas, or water. H. F. 563, cities and towns.
 Rules of statutory construction. H. F. 587, judiciary.
 Justices of the peace, number of per county, salaries, appointment and removal, etc.—abolish position of constable. H. F. 653, Grassley, et al.
 Revise, update, and correct certain sections of the Code re school districts and corporations. S. F. 517, schools.
 Appropriate to supreme court, clerk of—Code editor and court administrator. S. F. 576, appropriations.

Supreme court, statutory salaries of the judges, 9 legal assistants, clerk of, Code editor, and court administrator. H. F. 739, appropriations.

COIN MACHINES—

General

Increase penalties for the operation of coin machines by false means. H. F. 374, Waugh and Strand; S. F. 360, Thordsen, et al.

COLLATERAL—

General

Penalty for embezzlement of secured interests in collateral. S. F. 105, Shaff.

COLLEGES—UNIVERSITIES—

General

Require bond issues of the board of regents for self-liquidating dormitories to be approved by the voters. H. F. 51, Fischer of Grundy.

Remove three-fourths mill property tax levy for operation of area vocational and community colleges. S. F. 75, Stephens; H. F. 238, Stromer; H. F. 248, Tieden. S.

College of criminal justice be established at University of Northern Iowa. S. C. R. 9; S. J. 99, 178.

Remove provision granting leaves of absence for staff members of board of regents institutions. H. F. 99, Fischer of Grundy and Skinner.

Scheduling of football games between S. U. I. and I. S. U. S. F. 99, Van Drie, et al.

Reimburse city of Harlan for expenses incurred re site for promised western Iowa college. S. F. 101, Schaben.

Master plan for higher education, develop legislative proposals, submit recommendations. H. C. R. 9; H. J. 176, 968 adopted; S. J. 868, 901.

Remove equipment from approval by legislature and governor, and federal grants, etc., to be mixed together with tuition fees, etc.—board of regents. S. F. 122, higher education; H. F. 157, higher education.

College of criminal justice be established at University of Northern Iowa. H. C. R. 14; H. J. 287, 1704.

Method for the termination of employment agreements executed by board of regents, also repeals provision for board of regents to establish administrative offices. S. F. 240, Messerly, et al.

Legalize and validate proceedings of board of directors of Iowa Lakes Community College (Emmet, Dickinson, Clay, Palo Alto, and Kossuth). S. F. 263, Keith.

Admission to University of Iowa college of medicine. H. F. 341, Campbell.

Limit enrollments at the state universities. S. F. 324, Griffin.

Income tax deduction for education expenses. H. F. 343, Kreamer.

Prevent expansion of curriculum of area vocational schools in order to qualify as an area community college. H. F. 378, Kennedy.

Commend Drake University basketball team and extend full support in its upcoming playoff game. H. C. R. 24; H. J. 568, 577 adopted; S. J. 468, 503 adopted.

Urge crime commission designate a portion of federal funds received to the University of Northern Iowa for establishing and operating a college of criminal justice. S. C. R. 17; S. J. 357, 383.

Urge crime commission designate a portion of federal funds received to the University of Northern Iowa for establishing and operating a college of criminal justice. H. C. R. 19; H. J. 443.

Establish a college education program for law enforcement officers. H. F. 481, Lipsky.

Authorize merged areas to issue general obligation bonds for purchase of community vocational school or college buildings. H. F. 456, Waugh; S. F. 498, higher education.

Levy of a tax for buildings and sites in merged areas, not to exceed 10 years. H. F. 467, Lawson, et al.; S. F. 413, higher education.

Establish a professional standards board governing approval of teacher preparation institutions and certification of teachers, replace board of education examiners. H. F. 471, Willits.

Office for planning and programming, establish programs and courses in area vocational schools and community colleges, new and expanding industries, appropriation. H. F. 498, Lawson, et al.

Provide tuition grants for post baccalaureate students. H. F. 482, Alt, et al.; S. F. 407, Milligan, et al.

Contributions for retirement systems by board of regents institutions. H. F. 593, Schroeder.

Congratulate Ed Gagner and Iowa State University gymnastics team on their achievements. S. C. R. 30; S. J. 747, 768 adopted; H. J. 900, 969.

Appropriation to higher education facilities commission for scholarship and medical student tuition loan programs. S. F. 528, appropriations.

Tuition

Tuition rates set by the board of regents, reciprocal agreements. H. F. 72, Mendenhall.

Tuition charged to nonresident students, board of regents. H. F. 402, Schroeder and Knoke.

COMMERCE— General

- Regulation of industrial loan companies. H. F. 7, Shaw, et al.; S. F. 44, Curran, et al.
- Legal description of land remaining after condemnation or purchase, furnished by purchaser. H. F. 25, Holden, et al.; S. F. 22, Briles, et al.
- Removes power of eminent domain for utilization of water or water power. H. F. 26, Holden, et al.; S. F. 19, Briles, et al.
- Acquisition of existing bridges by cities and towns. H. F. 27, Holden, et al.; S. F. 8, Briles, et al.
- Use of eminent domain by boards of supervisors for any secondary road, water-course, etc. H. F. 28, Holden, et al.; S. F. 6, Briles, et al.
- Payment of subsequent damages to property owners after purchase of condemnation, 3 years. H. F. 29, Holden, et al.; S. F. 21, Briles, et al.
- Inspection of pipeline construction paid for by pipeline company or contractor. H. F. 30, Holden, et al.; S. F. 18, Briles, et al.
- Condemnation of existing utility facilities by cities and towns, procedure, etc. H. F. 31, Holden, et al.; S. F. 9, Briles, et al.
- Remove powers to grant a franchise to an electric utility company by board of supervisors. H. F. 32, Holden, et al.; S. F. 23, Briles, et al.
- Restaurants and grocery stores exempt from obtaining meat and poultry inspection licenses. H. F. 55, Radl.
- Update state Code to conform with federal regulations, savings and loan associations. H. F. 94, Alt, et al.; S. F. 118, Van Drie and DeKoster.
- Bank offices, discontinue if more than one bank is established. H. F. 100, Sorg, et al.; S. F. 341, Griffin.
- Prohibit accident and health insurance companies from reducing insurance coverage of an aged or other subscriber without reducing proportionately amount premium charged. H. F. 110, Mendenhall.
- Bonds may be posted as security in lieu of cashiers checks or other, public improvement projects. H. F. 112, Kehe, et al.
- Termination of insurance agency contracts, notice of one year. H. F. 124, Mendenhall.
- Prohibit operation of mobile units by banks and other financial institutions. H. F. 128, Hamilton.
- False use of credit cards and fraudulent use of wire services, penalties. H. F. 132, Kelly.
- Require insurance agents to collect interest on past-due insurance premiums. H. F. 142, Andersen.
- Control of banks, penalties for violations. H. F. 148, Fischer of Grundy and Schroeder.
- Electric transmission lines, power of eminent domain, notification to property owners, hearings. H. F. 151, Fischer of Grundy.
- Pipeline companies, power of eminent domain, notification to property owners, hearings. H. F. 152, Fischer of Grundy.
- Bonding of operations of slaughterhouses, agents, dealers, etc., penalties. H. F. 160, Stromer, et al.; H. F. 391, agriculture.
- Conversion of rented personal property, penalties. H. F. 175, Alt.
- Award of damages and judgment for costs, eminent domain. H. F. 229, Dunton.
- Real estate investment trust may pay higher rate of interest. H. F. 254, Shaw.
- Trading stamps redeemed for cash or merchandise, cash value printed on stamp, penalties. H. F. 263, Fischer of Grundy.
- Appointment of members of commerce commission, 1 from trucking, 1 railroad, and 1 public utilities. H. F. 301, Kennedy.
- Amount of credit life insurance that may be sold to a debtor. H. F. 307, Freeman and Hansen.
- Dissolution of credit unions. S. F. 209, Van Drie, et al.; H. F. 333, Grassley and Wells.
- Increase fees charged for insurance agent licenses. H. F. 365, Egenes and Ellsworth; H. F. 505, ways and means. S.
- Finance and delinquency charges on extensions of credit. H. F. 370, Fischer of Grundy and Freeman.
- Rental deposits on dwellings, imposing liabilities, penalties. H. F. 392, Johnston et al.
- Prohibit drive-in theaters from showing 'X' rated motion pictures. H. F. 401, Dougherty, et al.
- Remove exemption on all tangible personal property used in interstate transportation or commerce—use tax. H. F. 406, ways and means.
- Assignment of group life insurance, beneficiaries. S. F. 386, commerce; H. F. 541, Freeman, et al. S.
- Issuance of scale weight tickets and warehouse receipts. H. F. 424, Fischer of Grundy.
- Authorize issuance of industrial aid bonds for railroad and bus transportation, hospital, clinic, and health care facilities, and industrial pollution control projects. H. F. 418, Hansen and Holden.
- Improve state communications network. H. F. 431, Ellsworth, et al.
- Deceptive trade practices and providing for civil remedies. S. F. 382, DeKoster and Gaudineer; H. F. 487, Kreamer.
- Reduce statute of limitations on action to recover from uninsured motorist insurance. H. F. 478, Kreamer.

- Credit service charges for revolving charge accounts, penalties. H. F. 492, Uban, et al.
- Regulation of advertising and selling courses of instruction. H. F. 499, Grassley, et al.
- Fees charged for insurance agent licenses, make act retroactive. H. F. 505, ways and means. (Similar to H. F. 365)
- Prohibit sale of insurance by coercion, etc., penalties. S. F. 439, Conklin.
- Unauthorized insurers, teachers IAA and college retirement equity fund must pay premium tax. H. F. 583, Schroeder.
- Extension of credit, finance charges, etc. S. F. 466, commerce. (Same subject matter as H. F. 370)
- Railroads notify law enforcement agencies and commerce commission shipment of dangerous materials, penalties. H. F. 604; Blouin, et al.
- Regulation of public accounting, etc., penalties. H. F. 643, Ellsworth, et al.; S. F. 490, Walsh.
- Consumer contracts, etc., must be marked "consumer instrument". H. F. 635, Taylor, et al.
- Purchaser of copper wire or walnut logs must have bill of sale. H. F. 651, Dougherty.
- Regulate rates charged for credit life insurance, etc. H. F. 676, Norpel.
- Commission**
- Warehouse re-examination fees. H. F. 2, Fisher of Greene, et al.; S. F. 48, Neu, et al.
- Distance requirements for pipeline regulations, informational meetings. H. F. 33, Holden, et al.; S. F. 5, Briles, et al.
- Definition of pipeline and pipeline companies and substances. H. F. 23, Holden, et al.; S. F. 16, Briles, et al.
- Increase excise tax on motor fuel, portion going to cities and towns and grade separations. S. F. 25, Griffin.
- Rehearing and appeal procedures, commerce commission action or decisions. S. F. 72, Neu, et al.; H. F. 235, Shaw, et al. S.
- Commerce commission may issue certificates of convenience to motor vehicle carriers without a public hearing. S. F. 89, Neu, et al.; H. F. 136, Shaw, et al.
- Issuance of liquid transport carrier certificates. S. F. 100, Anderson and Schaben.
- Only certain small telephone companies exempt from rate regulations. S. F. 136, Sullivan.
- Changing procedures for enforcement of an artisan's lien. H. F. 167, Logemann.
- Committee to study functions of commerce commission to update Code, submit report. S. C. R. 10; S. J. 178, 359, 564 adopted; H. J. 674.
- Interest rate being charged on compensating balances. H. F. 190, Kennedy.
- Customer requesting hearing on utility rate increase, commission shall hold. H. F. 192, Kennedy, et al.
- Acquisition of property by public bodies, corporations and individuals. (Place grants of eminent domain into one chapter.) S. F. 189, Briles, et al.; H. F. 314, Holden, et al. S.
- Regulation of public utilities by commerce commission, public hearings held for all rate increases. H. F. 208, Fischer of Grundy.
- Liability of a warehouseman for grain in his licensed facilities. H. F. 237, Fischer of Grundy and Logemann.
- Licensing of insurance adjusters, penalties. S. F. 211, commerce.
- Provide commerce commission authority to regulate intrastate truck operators, penalties. S. F. 370, Griffin.
- Purchasers and transporters of unprocessed grain licensed by commerce commission, penalties. S. F. 400, Pierson, et al.
- Establish charges for installation or connection of telephone service or equipment. S. F. 377, Van Drie, et al.
- Safety standards and equipment on motor vehicles used by railroad companies, penalties. S. F. 379, Riley, et al.
- Insurance premiums collected by nonprofit hospital and medical service corporations subject to premiums tax. S. F. 299, Griffin, et al.; H. F. 530, commerce. S.
- Monetary penalty against trucking companies violating terms of their certificates of convenience and necessity re routes and schedules of service. H. F. 620, Dunton.
- Public hearings by commerce commission for rate increases of public utilities. H. F. 633, Willits. (Similar subject matter as H. F. 208)
- Franchises for transit systems, etc., counties right to grant. S. F. 493, Walsh.
- Transfer supervision over bonded warehouses from commerce commission to department of agriculture. H. F. 665, Logemann.
- Location of electric generating facilities. H. F. 672, Fischer of Grundy.
- Appropriate from general fund to commerce commission for general administration, motor transportation division, warehouse division, utilities division, all for salaries, etc. and any other utilities. S. F. 558, appropriations.
- Commerce commission, statutory salary of executive secretary and each member. H. F. 739, appropriations.

COMMISSIONERS—**Insurance**

Licensing of insurance adjusters, penalties. S. F. 211, commerce.
 Establish and regulate nonprofit prepaid comprehensive health care corporations. S. F. 239, Doderer and Messerly; H. F. 525, Schwieger, et al.
 Regulate rates charged for credit life insurance, etc. H. F. 676, Norpel.

Labor

Private employment agency fees, appeals. S. F. 117, Thordsen, et al.; H. F. 156, Ellsworth, et al. (Same as S. F. 566)
 Appeals to employment safety commission, actions of labor commissioner upheld if 5 affirmative votes. H. F. 245, Kehe and Waugh.
 Require railway employees be provided adequate sanitation and shelter. H. F. 271, Hansen, et al.; S. F. 342, Riley, et al.
 Increase term of labor commissioner. H. F. 511, Bennett.
 Establish uniform procedures for payment of wages by employers, settling disputes, penalties. S. F. 423, Robinson, et al.; H. F. 645, Gluba; S. F. 496, Walsh S.
 Transfer migratory labor camp inspections from department of health to bureau of labor. H. F. 634, Dougherty, et al.
 Private employment agency fees, appeals. S. F. 566, human and industrial relations. (Same as S. F. 117 and H. F. 156)

Public Health

Qualifications of commissioner of public health. S. F. 224, social services.
 Establish a radiation control program, penalties, appropriation. S. F. 262, Walsh and Griffin; H. F. 461, Freeman, et al. (Same subject matter)
 Establish plumbing code for installation of plumbing and certification of plumbers, fee. H. F. 311, Nystrom, et al.
 Establish board of residential care standards, etc. S. F. 305, social services.

Public Safety

Governor appoint commissioner of public safety, no fixed term, also need not be a resident for previous 5 years. S. F. 170, state government.
 Permits to carry concealed weapons, penalties. S. F. 356, Gaudineer, et al.
 Hearings on revocation or denial of driving privileges, 20 days. H. F. 490, law enforcement.

Social Services

Establish board of residential care standards, etc. S. F. 305, social services.
 Grant easements or rights-of-way to public lands under jurisdiction of social services. S. F. 438, social services.
 Sale of agricultural land by social services. H. F. 640, Mayberry.

Industrial

Private employment agency fees, appeals. S. F. 117, Thordsen, et al.; H. F. 156, Ellsworth, et al. (Same as S. F. 566)
 Private employment agency fees, appeals. S. F. 566, human and industrial relations. (Same as S. F. 117 and H. F. 156)

COMMON CARRIERS—**General**

Commerce commission may issue certificates of convenience to motor vehicle carriers without a public hearing. S. F. 89, Neu, et al.; H. F. 136, Shaw, et al.
 Issuance of liquid transport carrier certificates. S. F. 100, Anderson and Schaben.
 Provide commerce commission authority to regulate intrastate truck operators, penalties. S. F. 370, Griffin.

COMMUNICATIONS—**(Also see Schools, sub-ref. Radio and TV)****General**

Prohibit manufacture, distribution, possession, etc., by unauthorized personnel of devices designed for interception of wire or oral communications—penalties and rights to recovery. H. F. 127, Fischer of Grundy.
 False use of credit cards and fraudulent use of wire services, penalties. H. F. 132, Kelly.
 Only certain small telephone companies exempt from rate regulations. S. F. 136, Sullivan.
 Establish uniform statewide telephone number for police and fire departments. H. F. 207, Priebe, et al.
 Regulation of public utilities by commerce commission, public hearings held for all rate increases. H. F. 208, Fischer of Grundy.
 Per diem and expenses for members of educational radio and TV facility board and communications advisory council. S. F. 207, Neu, et al.; H. F. 272, Hansen, et al.
 Permit city or town to grant a franchise for cable television without an election. H. F. 243, Jesse.
 Committee to study state-owned communications, submit recommendations. H. C. R. 23; H. J. 524, 778 adopted; S. J. 682, 697.
 Prohibit manufacture, distribution, possession, etc., of devices designed for interception of wire or oral communications, penalties and right to recovery. H. F. 404, Fischer of Grundy and Skinner.
 Establish charges for installation or connection of telephone service or equipment. S. F. 377, Van Drie, et al.

Improve state communications network. H. F. 431, Ellsworth, et al.
Public hearings by commerce commission for rate increases of public utilities. H. F. 633, Willits. (Similar subject matter as H. F. 208)
Committee to study cable television. H. C. R. 42; H. J. 2036.

COMPENSATION—**General**

Compensation for public representatives serving on committee on child labor. H. F. 63, Lipsky.
Increase fees and mileage allowances of jurors. H. F. 67, Holden.
Eligibility for unemployment compensation for veterans. S. F. 70, Briles, et al.; H. F. 97, Anania and Fischer of Grundy.
Compensation for refinancing costs, property acquired for a public use, relocation advisory assistance program. S. F. 141, Briles, et al.; H. F. 182, Holden, et al.
Provide for allocation of corporate income on basis of sales, property; and payroll. S. F. 242, Hill; H. F. 320, Radl.
Increase compensation of appointive jury commissioners. S. F. 132, Curran and Messerly; H. F. 276, Hansen.
Compensation for feeding prisoners in certain counties. S. F. 322, Curran, et al.; H. F. 375, Lawson, et al. S.
Vietnam veterans' service compensation fund, bonds. H. F. 352, Wyckoff and Ellsworth.
Salaries and expenses of member of the General Assembly and lieutenant governor. H. F. 371, Pelton.
Compensation and mileage of physician and attorney serving on commission of hospitalization. H. F. 372, Sorg.
Payment of civil rights compensation appointees. H. F. 408, Franklin, et al.
Increase maximum amount of mileage compensation paid to a county supervisor. H. F. 474, Dunton.
Workmen's compensation for peace officers. H. F. 491, Welden.
Establish board of optometry, restructure operations, etc. of present board. H. F. 524, Freeman, et al.
Boards of supervisors fix compensation of all elected county officials. H. F. 547, Doyle and Andersen.
Deferred compensation for governmental employees. S. F. 470, Doderer; H. F. 613, Fisher of Greene.
Reduce state fair board members from 10 to 9, increase per diem compensation. H. F. 614, county government.
Payment of certain damages by nonnegligent operation of a highway patrol vehicle, appropriation. S. F. 483, Lamborn; S. F. 580, appropriations.
Establish minimum salaries for county officers. S. F. 503, county government.
Legislative salaries, Senator Sullivan, deceased, Senator Gross, successor. S. J. R. 10, appropriations.

Employees

Compensation of joint legislative employees. S. C. R. 6; S. J. 44, 61 adopted; H. J. 93, 119 adopted.
Compensation of chaplains, officers and employees of General Assembly. S. C. R. 5; S. J. 42, 61 adopted; H. J. 91, 119 adopted.
Time and a half for employees required to work on Sunday or a legal holiday. H. F. 609, Ewell.
Workmen's compensation benefits based on 66% of worker's weekly pay. H. F. 650, Monroe, et al.

Commission

Selection of compensation commissioners. H. F. 13, Holden, et al.; S. F. 17, Briles, et al.
Eminent domain for individual drainage rights, compensation commission. H. F. 21, Holden, et al.; S. F. 24, Briles, et al.
Notice of compensation commission appraisal of damages and appeal from the damages award. H. F. 215, Dunton.

COMPTROLLER OF STATE—**General**

Limitations on property tax levy for general fund expenditures of school corporations, etc., appropriation to public instruction for school districts. H. F. 121, ways and means; S. F. 145, ways and means.
Advances to state employees to cover expenses. H. F. 5, Welden, et al.; S. F. 13, Curran and Neu.
Administrative rules and regulations, state departments or agencies must establish burden of proof. S. F. 30, Mowry; S. F. 203, county government. S.
Establish an environmental pollution control loan authority. H. F. 61, Winkelman.
Change date of settlement (dues, fees, etc.) with county treasurers and boards of supervisors. S. F. 63, county government; H. F. 103, county government.
Reimburse city of Harlan for expenses incurred, re site for proposed western Iowa college. S. F. 101, Schaben.
Annual budgeting and reporting for state departments. S. F. 112, Hill and Potter.

- Create a department of general services, appropriation. S. F. 87, Curran, et al.; H. F. 129, Welden, et al.
- Create Iowa turkey federation, promote marketing of turkeys, excise tax for. H. F. 145, Rex and Hansen; S. F. 230, Coleman.
- Embezzled county funds, repayment from state general fund. H. F. 153, Schroeder, et al.
- Combine county fund for mental health with state institution fund. S. F. 185, Miller, et al.; H. F. 321, Shaw, et al.
- Increase income taxes, allocate to school districts and reduce property tax. S. F. 247, Stephens.
- Reimburse school districts for loss of tax revenue from certain tax-exempt land. H. F. 279, Schroeder and Knoke.
- Payment of claims, also certified original invoice can be used. H. F. 283, state government.
- Create Iowa egg fund, promote marketing of eggs, excise tax for. S. F. 255, Coleman; H. F. 350, Rex.
- Comptroller prescribe budget preparation procedures for school districts. H. F. 317, Kehe, et al.
- Vietnam veterans' service compensation fund, bonds. H. F. 352, Wyckoff and Ellsworth.
- Appropriate funds to defray expenses of inaugural ceremonies. H. F. 373, Ellsworth.
- Create Iowa corn marketing and research board, promote marketing of corn, excise tax for. S. F. 375, Stephens, et al.
- Establish a municipal tax relief fund, appropriation for street purposes. S. F. 398, Gaudineer, et al.
- Improve state communication network. H. F. 431, Ellsworth, et al.
- Establish a professional standards board governing approval of teacher preparation institutions and certification of teachers, replace board of education examiners. H. F. 471, Willits.
- Appointment of deputy state comptrollers. S. F. 411, Tapscott, et al.
- Create a department of executive services, general services, reorganization. S. F. 420, Coleman, et al.
- Reimburse local taxing authorities for loss of tax revenue from certain state tax-exempt real estate. H. F. 549, Schroeder.
- Governor request comptroller or auditor of state review statutory bonding provisions for state employees. H. C. R. 33; H. J. 842, 912 adopted; S. J. 788.
- Deferred compensation for governmental employees. S. F. 470, Doderer; H. F. 613, Fisher of Greene.
- Create state records commission. H. F. 597, Welden.
- Application of income tax refunds to court-ordered support payments. H. F. 623, Schwieger, et al.
- Establish new state aid plan for school districts, 20 mill property tax, repeals chapter 442 and section 422.78, etc. S. F. 511, ways and means.
- Appropriation to public instruction. S. F. 522, ways and means.
- Appointive members, capitol planning commission, appropriation for per diem compensation. S. F. 526, appropriations.
- Appropriation to merged area I, operating funds for required attendance center. H. F. 683, Tieden, et al. (Same subject matter as H. F. 744)
- Appropriate from motor vehicle fuel tax fund to state comptroller, refund warrants. H. F. 695, appropriations.
- Reciprocity board, appropriation. H. F. 703, appropriations.
- Radio equipment for public safety, appropriations to. S. F. 551, appropriations.
- Law enforcement academy, capital improvements, appropriation to. S. F. 555, appropriations.
- Executive council general contingent fund, appropriation to. S. F. 556, appropriations.
- Appropriation to public safety and various divisions thereof for salaries, etc. S. F. 557, appropriations. (See subject Appropriations, sub-ref. Public Safety for a more complete listing)
- Appropriate from general fund to conservation commission for projects re state parks, preserves, water, lakes, land, erosion, trees, etc. H. F. 723, appropriations.
- Board of regents, office of, for salaries, etc., and various other—and for institutions under board of regents, appropriations. H. F. 724, appropriations. (See subject Appropriations, sub-ref. Regents, Board of, for a more complete listing)
- Appropriate from general fund to historical society for development of Toolesboro mounds and museum area, also Gardner log cabin. S. F. 562, appropriations.
- Appropriate to the highway commission for administration, finance and support services, planning, headquarters operations, development, field operations—all for salaries, support, etc.—equipment, inventory and replacement, educational leave, and contingency fund. S. F. 573, appropriations.
- Appropriate to comptroller. S. F. 576, appropriations.
- Comptroller, statutory salary of. H. F. 739, appropriations.
- Payment of certain publication costs of the academy of science, appropriation to comptroller for. H. F. 740, appropriations.

Create an alcoholism rehabilitation fund, impose tax on consumers of alcoholic beverages. H. F. 743, Kruse, et al.
 Committee to study applications, capabilities, use, abuse and control of computer information. H. C. R. 44; H. J. 2050.
 Appropriation to merged area I, operating funds for required attendance center. H. F. 744, appropriations. (Same subject matter as H. F. 683)

CONDEMNATION—

General

Maintenance of access roads. H. F. 10, Holden et al.; S. F. 4, Briles, et al.
 Legal description of land remaining after condemnation or purchase, furnished by purchaser. H. F. 25, Holden, et al.; S. F. 22, Briles, et al.
 Payment of subsequent damages to property owners after purchase or condemnation, 3 years. H. F. 29, Holden, et al.; S. F. 21, Briles, et al.
 Condemnation of existing utility facilities by cities and towns, procedure, etc. H. F. 31, Holden, et al.; S. F. 9, Briles, et al.
 Compensation for refinancing costs, property acquired for a public use, relocation advisory assistance program. S. F. 141, Briles, et al.; H. F. 182, Holden, et al.
 Acquisition of property by public bodies, corporations and individuals. (Place grants of eminent domain into one chapter.) S. F. 189, Briles, et al.; H. F. 314, Holden, et al. S.
 Award of damages and judgment for costs, eminent domain. H. F. 229, Dunton.
 Condemnation of property by county for flood and erosion control projects. S. F. 518, county government.
 Possession of owner-occupied property condemned for highway purposes, acquired within 6 months. H. F. 347, Holden; S. F. 441, transportation.

CONFIDENTIAL INFORMATION—

General

Confidential information obtained by department of revenue may be divulged to other state officers. H. F. 550, ways and means.

CONFLICT OF INTEREST—

General

Conflicts of interest of officers and directors of insurance companies, serving on boards. S. F. 157, commerce.
 Conflicts of interest of officers and employees of political subdivisions. S. F. 173, Stephens.
 Conflicts of interest by officials, employees, legislative employees, and members of the General Assembly. S. F. 175, Stephens.

CONGRESSIONAL DISTRICTS—

General

Congressional districts. S. F. 236, constitutional amendments and reapportionment; H. F. 312, Varley, et al.
 Election of presidential electors. S. F. 270, Potgeter.
 Appointment and election of judicial nominating commissioners. S. F. 549, judiciary.
 Election laws. H. F. 713, Drake and Uban. (See H. F. 119)

CONSCIENTIOUS OBJECTORS—

General

Qualifications for city employees under civil service, conscientious objectors. H. F. 273, Bray, et al.

CONSERVANCY DISTRICTS—

(See Conservation)

CONSERVATION—

(Also See Soil Conservation)

General

Prohibit hunting along public highways. H. F. 59, Hamilton.
 Conservation of soil and water resources, control of water pollution. H. F. 73, Varley, et al.; S. F. 61, Laverty, et al.
 Conservation commission may establish uses and fees for use of state-owned land bordering on streams or lakes, zoning. S. F. 95, Kennedy, et al.; H. F. 410, Shaw and Drake.
 Persons over 64 may fish without a license. H. F. 158, Ellsworth and Taylor.
 Maintenance of state park and institutional road system. S. F. 148, conservation and recreation.
 Office facilities for county conservation boards. S. F. 150, Erskine, et al.; H. F. 216, Willits, et al.
 Consolidates 2 sections of the Code re trotlines. S. F. 147, conservation and recreation.
 Remove pickerel from species of fish which can be taken from Mississippi by commercial fishermen. S. F. 257, conservation and recreation.
 Authority of boat inspector, water safety officers, etc., to board and inspect vessels, penalties. S. F. 316, conservation and recreation.
 Extend definition of "land" that may be used for public recreation, include commercial and industrial. H. F. 355, Roerda.
 Exempt county conservation boards from paying state gasoline tax. S. F. 359, Potter.

- Boarding and inspection of vessels, penalty. S. F. 391, conservation and recreation.
- County conservation boards manage wildlife areas. H. F. 438, Lipsky.
- Public recreation on private lands, include snowmobiling, etc. H. F. 446, Scott.
- Persons eligible for appointment to county conservation boards. S. F. 416, Potter.
- Authorize and direct issuance of a patent to real estate (Boone county) by the governor and secretary of state to the U. S., Saylorville dam and reservoir. H. F. 742, conservation and recreation.
- Commission**
- Leasing of property by conservation commission. H. F. 14, Shaw, et al.; S. F. 10, Curran and Kennedy.
- Temporary registration of snowmobiles. S. F. 76, Ollenburg; H. F. 106, Stromer.
- Provide hunting-safety education, penalty. S. F. 79, Miller, et al.; H. F. 133, Monroe, et al.
- Increase fines for misuse of guns and firearms. H. F. 90, Mendenhall.
- Reduce penalty for violation of snowmobile regulations. S. F. 116, conservation and recreation; H. F. 202, conservation and recreation.
- Violations of the fish and game conservation laws, penalties. S. F. 149, conservation and recreation.
- Restrict use of firearms, fireworks, etc., on state preserves and parks. S. F. 158, conservation and recreation; H. F. 198, conservation and recreation.
- Water safety regulations, water-skiing, etc., sunrise to sunset. S. F. 159, conservation and recreation.
- Allow black bass to be bought, sold, etc. S. F. 160, conservation and recreation.
- Acquisition of property by public bodies, corporations and individuals. (Place grants of eminent domain into one chapter.) S. F. 189, Briles, et al.; H. F. 314, Holden, et al. S.
- Registration fee on all motorboats and sailboats in lieu of personal property taxes, penalties. S. F. 259, Erskine; H. F. 315, Shaw.
- State conservation commission promulgate and enforce departmental rules, safe operation of watercraft. H. F. 330, conservation and recreation.
- Season limits on fish and frogs. S. F. 332, conservation and recreation.
- Establish an endangered species list of wildlife. H. F. 362, Bray, et al.
- Impose fees for use of certain state recreational areas, penalties. S. F. 346, Erskine; H. F. 422, Tieden; H. F. 577, conservation and recreation. S.
- Each landowner and tenant may receive one license for deer hunting, also limit those licenses. S. F. 385, Conklin.
- Hunting restrictions, add to the list of game birds and animals to hunt, limits, etc. S. F. 431, conservation and recreation.
- Reorganize conservation commission, natural resources council, soil conservation commission, geologist, geological board, and advisory board for preserves—establish department of natural resource management. S. F. 451, Gaudineer.
- Increase fish and game licenses and fees. H. F. 573, conservation and recreation. (Similar subject matter as S. F. 478)
- Increase registration fees for snowmobiles, disposition of fees. S. F. 463, ways and means.
- Increase fish and game licenses and fees. S. F. 478, conservation and recreation. (Similar subject matter as H. F. 573)
- Increase fees for certain hunting and fishing licenses. H. F. 611, Larson.
- Provide method for payment of damages caused by hunters, penalties. S. F. 482, Shawver, et al.
- Status of law-enforcement officers appointed by conservation commission. H. F. 680, conservation and recreation.
- Registration and safety regulations for snowmobiles. H. F. 711, conservation and recreation.
- Establish an Iowa natural and scenic rivers system. H. F. 712, Tieden, et al.
- Appropriate to conservation commission, division of lands and waters, from marine fuel tax fund for recreational boating program. H. F. 719, appropriations.
- Appropriate the fish and game protection fund for use by conservation commission for salaries, equipment, etc., and for capital improvements, etc. H. F. 720, appropriations.
- Transfer of funds from state conservation fund and fish and game protection fund to administration fund. H. F. 721, appropriations.
- Appropriate from general fund to conservation commission, division of lands and waters for salaries, etc., and for maintenance of state parks, etc.—prison labor program—state advisory board for preserves. H. F. 722, appropriations.
- Appropriate from general fund to conservation commission for projects re state parks, preserves, waters, lakes, land, erosion, trees, etc. H. F. 723, appropriations.
- Imposing damage liability for unlawful destruction, etc., of wildlife owned by the state. H. F. 726, conservation and recreation.
- Conservation commission, statutory salary of director. H. F. 739, appropriations.

CONSERVATION COMMISSION—
(See Conservation, sub-ref. Commission)

CONSERVATOR—**General**

Provide for a public conservator. S. F. 234, Van Gilst.

CONSTABLES—**(See Officers)****CONSTITUTIONAL AMENDMENTS—****General**

- Tax sharing by all states from federal income taxes, call constitutional convention. H. J. R. 1, constitutional amendments and reapportionment; S. J. R. 1, constitutional amendments and reapportionment.
- Repeal of constitutional sections, fines for breach of penal laws, school districts. H. J. R. 2, Holden.
- State income tax percentage of federal tax. H. J. R. 3, Mendenhall.
- Four-year terms for members of the House of Representatives. H. J. R. 4, Mendenhall.
- Lower voting age to 18. H. J. R. 5, Gluba.
- School district may not obtain more than 50 percent of the general fund expenditures by property tax. S. J. R. 2, Stephens.
- Supreme court may retire judges. H. J. R. 6, Hill, et al.
- Four-year terms for governor, lieutenant governor, secretary of state, treasurer, auditor and attorney general. H. J. R. 7, Schwieger, et al.
- Repeal lottery prohibition (H. J. R. 10 adopted 1970). H. J. R. 8, Ellsworth; S. J. R. 3, Walsh.
- Acts of General Assembly shall take effect as time stated or as of July 1 without publication. H. J. R. 9, Grassley, et al.
- Repeal requirement motor vehicle registration fees, licenses, and excise taxes on motor vehicle fuel be used exclusively for highway purposes. H. J. R. 10, Larson and Small.
- Congressional districts. S. F. 236, constitutional amendments and reapportionment; H. F. 312, Varley, et al.
- Allow citizens of this state 18 years old or older to vote in all elections. S. J. R. 4, Tapscott.
- Governor appoint a representative or senator if vacancy occurs. H. J. R. 11, Stokes, et al.
- Method for the General Assembly to call itself into special session. H. J. R. 12, Doyle, et al.
- Individual rights to a healthful environment. H. J. R. 13, Blouin, et al.
- Empower the General Assembly to appropriate state funds to, and provide for the use of public funds by, private schools. S. J. R. 5, Gaudineer.
- Preparation of ballots and voting machines for constitutional questions, amendments and public measures. H. F. 429, constitutional amendments and reapportionment.
- Establish a constitutional revision commission to study need for a constitutional convention, revision of the constitution, appropriation. S. J. R. 6, Doderer and Gaudineer.
- Ratify a proposed amendment to the constitution of the United States, extending the right to vote to citizens 18 years of age or older. S. J. R. 7, Gaudineer, et al.; H. J. R. 15, constitutional amendments and reapportionment.
- Lieutenant governor, executive assistant to governor—Senate choose president. S. J. R. 8, Milligan.
- Composition of the General Assembly. H. F. 732, constitutional amendments and reapportionment.

CONSTITUTIONAL CONVENTION—**General**

- Tax sharing by all states from federal income taxes, call constitutional convention. H. J. R. 1, constitutional amendments and reapportionment; S. J. R. 1, constitutional amendments and reapportionment.
- Repeal procedure for establishment of a convention. S. F. 86, Doderer.
- Establish a constitutional revision commission to study need for a constitutional convention, revision of the constitution, appropriation. S. J. R. 6, Doderer and Gaudineer.

CONSTRUCTION—**General**

- Establish a state building code. H. F. 6, Camp, et al.; S. F. 32, Griffin, et al.
- Payment of interest by public corporations on contracts for public improvements. H. F. 117, Kehe, et al.
- Five-year limitation of damage actions, improvements or work upon real property. S. F. 127, Walsh, et al.
- Joint purchase, ownership, construction and maintenance of buildings by counties. H. F. 288, social services.
- Rights-of-way of secondary roads seeded to grass. S. F. 327, Lavery.
- Establish wage rates for public works projects, penalties. S. F. 414, Tapscott, et al.
- Service tax on new construction. H. F. 553, Dunton.
- Remodeling of the Hardin County courthouse, Eldora, legalize proceedings of board of supervisors. S. F. 539, state government.

CONSUMER—**General**

- Require consumer education be offered to, and taken by all secondary students. H. F. 398, Strothman.
 Consumer fraud, penalty. H. F. 594, Taylor, et al.
 Consumer contracts, etc., must be marked "consumer instrument." H. F. 635, Taylor, et al.

CONTAINERS—**General**

- Remove requirement state furnish containers for registration certificates. H. F. 74, Kreamer; S. F. 298, Griffin.
 Prohibit use of throw-away containers, regulate other, penalty. H. F. 78, Mendenhall.
 Labeling of seed corn containers. H. F. 287, Rex, et al.
 Prohibit sale or distribution of certain beverages in certain disposable containers, penalty. H. F. 485, Rodgers, et al.

CONTRACTORS—**General**

- Bonds may be posted as security in lieu of cashiers checks or other, public improvement projects. H. F. 112, Kehe, et al.
 Retention from payments on public contracts and escrow agreements. S. F. 229, Griffin, et al.; H. F. 300, Kehe, et al.
 Mechanics' liens—contractors—retailer notify owner of property. H. F. 469, Millen, et al.
 Establish wage rates for public works projects, penalties. S. F. 414, Tapscott, et al.

CONTRACTS—**General**

- Definition of a nonresident for the purpose of making service of process. S. F. 225, Gaudineer.
 Retention from payments on public contracts and escrow agreements. S. F. 229, Griffin, et al.; H. F. 300, Kehe, et al.
 Finance and delinquency charges on extensions of credit. H. F. 370, Fischer of Grundy and Freeman.
 Regulation of the sale of prearranged or prepaid funeral services, etc. penalties. S. F. 434, Walsh and Tapscott.
 Regulation of home solicitation sales. H. F. 568, Dougherty, et al. (Similar subject matter as H. F. 598)
 Extension of credit, finance charges, etc. S. F. 466, commerce. (Same subject matter as H. F. 370)
 Regulating home solicitation sales. H. F. 598, Millen, et al. (Similar subject matter as H. F. 568)
 Consumer contracts, etc., must be marked "consumer instrument." H. F. 635, Taylor, et al.

CONTRIBUTIONS—**General**

- Employees of county or state government not required to give an oath of political allegiance or contribution. H. F. 159, Blouin.
 Prohibit any person or political organization from soliciting or requiring contributions for political expenses from public employees. H. F. 187, Alt, et al.; S. F. 215, Milligan.
 Deduct contributions to individual political candidates from Iowa income tax. H. F. 299, Fischer of Grundy.

CONVENTIONS—**General**

- Joint convention January 11, 1971, 1:30 p.m., governor's message canvass of votes, January 12, 1971 at 10:00 a.m. H. C. R. 1; H. J. 9 adopted; S. J. 12, 13 adopted.
 Repeal procedure for establishment of a convention. S. F. 86, Doderer.

CO-OPERATIVE ASSOCIATIONS—**General**

- Taxation of rural electric cooperative property. H. F. 197, ways and means.

CORPORATIONS—**General**

- Corporations deduct full amount of federal income tax, net income for Iowa income tax. H. F. 120, Stokes; S. F. 151, Sullivan. S.
 Definition of a nonresident for the purpose of making service of process. S. F. 225, Gaudineer.
 Establish and regulate nonprofit prepaid comprehensive health care corporations. S. F. 239, Doderer and Messerly; H. F. 525, Schwieger, et al.
 Provide for allocation of corporate income on basis of sales, property, and payroll. S. F. 242, Hill; H. F. 320, Radl.
 Increase income taxes, allocate to school districts and reduce property tax. S. F. 247, Stephens.
 Acquisition of property by public bodies, corporations and individuals. (Place grants of eminent domain into one chapter.) S. F. 189, Briles, et al.; H. F. 314, Holden, et al. S.

- Prohibit certain business entities from engaging in business in the agricultural industry, penalties. S. F. 292, agriculture.
- Organization of corporations. S. F. 312, judiciary.
- Prohibit certain corporations from engaging in farming, etc. S. F. 320, Glenn, et al.
- Nonprofit corporations, tax advantages. S. F. 348, DeKoster and Gaudineer; H. F. 413, Kreamer and Pelton.
- Prohibit League of Iowa Municipalities, nonprofit corporations, agencies, departments of state, etc., from using funds derived from property tax for lobbying, penalty. H. F. 379, Fischer of Grundy and Schroeder.
- Tort liability due to acts or omissions of directors, officers, etc., of nonprofit corporations. H. F. 414, Kreamer.
- Employees of certain charitable corporations may be covered under IPERS. H. F. 535, Lawson.
- Increase rates of personal and corporation income tax, etc. S. F. 519, ways and means.
- Committee to study feasibility of prohibiting corporations, etc., from buying local industrial plants and closing them to obtain income tax deductions. H. C. R. 40; H. J. 1668.

CORRECTION CENTERS—

General

- Establishment of regional correction centers. H. F. 3, Drake, et al.; S. F. 2, Smith, et al.
- Establishment of area correction centers. S. F. 427, judiciary. (Same subject matter as S. F. 2 and H. F. 3)

COSMETOLOGY—

General

- Penalty for practicing cosmetology without a license. H. F. 223, social services.
- Cosmetology, require licensing of beauty salons, allow cutting of men's hair. S. F. 437, Van Drie, et al.; H. F. 540, Christensen, et al.

COUNCILMEN—

(See Cities and Towns, sub-ref. Councils)

COUNCILS—

(See Cities and Towns, sub-ref. Councils)

COUNTIES—

General

- Increase cost of filing mechanic's lien. S. F. 36, county government; H. F. 84, county government.
- Permit counties to become associated with the Iowa State Association of Counties. S. F. 37, county government.
- Errors and omissions insurance for county officers and employees, repeal law. H. F. 63, Schroeder, et al.
- Conservation of soil and water resources, control of water pollution. H. F. 73, Varley et al.; S. F. 61, Laverty, et al.
- Notification, upon request, sent to property owner if assessment increases or decreases. S. F. 67, county government; H. F. 87, county government.
- County not liable for hazardous condition, etc., on property bought at tax sale. H. F. 104, Schroeder, et al.
- Consolidation of counties. S. F. 90, county government.
- Increase county dog license fees, and disposition of dogs. S. F. 92, Mowry; H. F. 224, Miller.
- Establish a metropolitan service corporation. S. F. 104, Milligan, et al.; H. F. 135, Andersen.
- Number of official county newspapers. H. F. 122, Knoke, et al.; S. F. 310, Griffin.
- Consolidation of county offices. S. F. 124, Riley.
- Identification cards for person 65 or older. H. F. 143, Stokes and Strand; S. F. 139, Sullivan and Van Gilst.
- Hearings for the mentally ill, eliminate requirement commission of hospitalization meet to determine, emergencies. S. F. 135, Arbuckle; H. F. 201, Campbell.
- Employees of county or state government not required to give an oath of political allegiance or contribution. H. F. 159, Blouin.
- Conflicts of interest of officers and employees of political subdivisions. S. F. 173, Stephens.
- Require approval by voters of each county, merge county school systems. S. F. 174, Stephens and Coleman.
- Combine county fund for mental health with state institution fund. S. F. 185, Miller, et al.; H. F. 321, Shaw, et al.
- Prohibit any person or political organization from soliciting or requiring contributions for political expenses from public employees. H. F. 187, Alt, et al.; S. F. 215, Milligan.
- Acquisition of property by public bodies, corporations and individuals. (Place grants of eminent domain into one chapter.) S. F. 189, Briles, et al.; H. F. 314, Holden, et al. S.
- Interest payments on drainage district assessments. H. F. 218, Stromer and Schroeder.

- Tort liability of governmental subdivisions, repeal chapter on. S. F. 219, Stephens.
- Temporary or part-time employees of state, political subdivisions or cities and towns not entitled to military leave with pay or job status. H. F. 274, Ellsworth and Taylor.
- Disposition of abandoned motor vehicles, penalties. H. F. 285, Kehe and Alt.
- Joint purchase, ownership, construction, and maintenance of buildings by counties. H. F. 288, social services.
- Abolish county school system. H. F. 291, Schroeder.
- Leaves of absence for persons elected to public office. S. F. 266, Robinson and Doderer; H. F. 361, Ewell, et al.
- Any public appointee must possess qualifications of the office whether temporary or to complete unexpired term. S. F. 286, Gaudineer.
- Disbursement of support money. H. F. 324, Schwieger.
- Issuance of permits by counties, cities and towns authorizing commercial entertainment events, penalties. S. F. 319, Smith.
- State assistance to local governments following major disasters, appropriation. S. F. 321, Coleman, et al.
- Salaries of county assessors. H. F. 356, Fischer of Grundy.
- Purchase of real estate by counties, cities and towns, school districts, and other political subdivisions. H. F. 364, Norpel.
- Public officials may be appointed to joint planning commissions. H. F. 367, Lawson.
- Include clerk of court, grand jury, court reporters, etc., in court expense fund. S. F. 340, Tapscott.
- Provide aid to juvenile homes, appropriation. S. F. 358, Gaudineer.
- Prohibit League of Iowa Municipalities, nonprofit corporations, agencies, departments of state, etc., from using funds derived from property tax for lobbying, penalty. H. F. 379, Fischer of Grundy and Schroeder.
- Disposition of property owned by certain deceased old-age assistance recipients. H. F. 385, Moffitt.
- Local government bodies participate in purchase of motor vehicles by state car dispatcher. H. F. 395, Johnston.
- Preparation of ballots and voting machines for constitutional questions, amendments and public measures. H. F. 429, constitutional amendments and reapportionment.
- Notification, by county assessor, not later than March 15, valuation of property. H. F. 452, Schmeiser, et al.
- Repeal chapters 38A, 38C and 38D, Code 1971, emergency succession and emergency location of state and local governments. H. F. 463, Goode.
- Licensing of dogs, county required to, also pay cities and towns for lost revenue, etc. H. F. 500, Ellsworth and Radl.
- Authorize counties operating county public hospitals to issue revenue bonds. H. F. 466, Priebe, et al.; S. F. 401, Kyhl, et al.
- Consolidation of counties and county officers. H. F. 531, Blouin. (Similar subject matter as S. F. 90)
- Reimburse local taxing authorities for loss of tax revenue from certain state tax-exempt real estate. H. F. 549, Schroeder.
- Change date for school elections, organizational meetings of school boards, county and joint county boards of education, and boards of directors of merged areas. H. F. 582, Willits.
- Sanitary and improvement districts. S. F. 430, Griffin; H. F. 586, Mollett.
- Deferred compensation for governmental employees. S. F. 470, Doderer; H. F. 613, Fisher of Greene.
- Require auditor of state to approve of certified or registered public accountant auditing county, county hospital, city, town, or school district. H. F. 588, Pelton.
- Regulated use of ground water. H. F. 605, county government.
- Reduce state fair board members from 10 to 9, increase per diem compensation. H. F. 614, county government.
- Conditions of withdrawal from a county library district. H. F. 621, Taylor; S. F. 530, county government.
- Create a system of regional educational service agencies, eliminate county school systems. H. F. 657, Cochran.
- Create regional educational service agencies for the purpose of performing administrative and supervisory services, etc. H. F. 661, Blouin and Dunton. (Same subject matter as H. F. 657)
- Condemnation of property by county for flood and erosion control projects. S. F. 518, county government.
- Corrective amendments to statute on self-liquidating improvements. H. F. 677, judiciary.
- Auditor of state shall audit annually the books and accounts of political subdivisions, etc. H. F. 687, county government.
- Establish a county law enforcement unit. H. F. 689, Taylor, et al.
- Election of members of county zoning commissions and voter approval of county zoning plans. H. F. 725, Logemann, et al.
- Change the budget year of cities and towns, counties, and other political subdivisions. H. F. 733, ways and means; S. F. 575, ways and means. Very similar.

Attorneys

- Assistant county attorneys and their salaries, board of supervisors. S. F. 41, Briles; H. F. 131, Rex and Menefee.
- Prohibit manufacture, distribution, possession, etc., by unauthorized personnel of devices designed for interception of wire or oral communications—penalties and rights to recovery. H. F. 127, Fischer of Grundy.
- Four-year term for county attorneys. H. F. 211, Grassley and Knoke.
- Salary of the county attorney in counties over 200,000 population. S. F. 265, Gaudineer and Palmer.
- Prohibit certain business entities from engaging in business in the agricultural industry, penalties. S. F. 292, agriculture.
- Establish civil service for deputy county sheriffs, penalties. S. F. 368, Kennedy; H. F. 449, Sorg.
- Salary of county attorneys. H. F. 483, Andersen, et al.
- Establish civil service for deputy county sheriffs, penalties. S. F. 424, Riley, et al.; H. F. 618, Pelton, et al. (Same subject matter as S. F. 368 and H. F. 449)
- Consolidation of counties and county officers. H. F. 531, Blouin. (Similar subject matter as S. F. 90)
- Civil proceeding making possible an adversary hearing upon questions of obscenity. H. F. 642, county government.
- Authorizing supplement to salaries for county attorneys, sheriffs, etc., from private or federal funds. S. F. 548, judiciary; H. F. 717, judiciary. S.

Auditors

- Assessment of real estate, personal property and buildings. H. F. 49, Middle-swart.
- Journals, bills and binders to be furnished free to county auditors. S. C. R. 3; S. J. 11 adopted; H. J. 14 adopted.
- Embezzled county funds, replaced by county, maximum 1 mill property tax. H. F. 60, Rex.
- Consolidation of county offices. S. F. 124, Riley.
- Support of the mentally ill. S. F. 131, Potgeter, et al.; H. F. 183, Rex, et al.
- State board of tax review, valuation adjustments, or equalization orders. (Property taxes, etc.) S. F. 261, Potgeter, et al.
- Reimburse local taxing authorities for loss of tax revenue from certain state tax-exempt real estate. H. F. 549, Schroeder.
- Manner in which court reporters are compensated. S. F. 534, judiciary.

Conservation

- Office facilities for county conservation boards. S. F. 150, Erskine, et al.; H. F. 216, Willits, et al.
- Designating a certain water area of the Wapsipinicon river as an artificial lake. S. F. 287, Robinson; H. F. 437, Lipsky.
- Exempt county conservation boards from paying state gasoline tax. S. F. 359, Potter.
- County conservation boards manage wildlife areas. H. F. 438, Lipsky.
- Persons eligible for appointment to county conservation boards. S. F. 416, Potter.
- Allow county conservation boards to purchase land on a deferred payment plan when authorized by board of supervisors. H. F. 514, Alt, et al.
- Provide method for payment of damages caused by hunters, penalties. S. F. 482, Shawver, et al.

Engineers

- County engineers receive free Code. H. F. 297, Rodgers.

Funds

- Aid for local historical society, counties appropriate fund. S. F. 39, Ollenburg.
- Maximum property tax levy, 4 mills, for county general fund. H. F. 89, Mendenhall.
- Embezzled county funds, repayment from state general fund. H. F. 153, Schroeder, et al.
- County contingent funds, may be transferred. H. F. 194, county government; S. F. 245, county government.
- Boards of supervisors establish revolving funds, maintenance of drainage or levee districts. H. F. 294, county government.
- Counties may create an ambulance service expense fund. H. F. 234, Siglin and Rodgers.
- Property tax levy for ambulance service in certain counties. H. F. 328, Strothman.
- Include clerk of court, grand jury, court reporters, etc. in court expense fund. S. F. 340, Tapscott.
- Increase registration fees for snowmobiles, disposition of fees. S. F. 463, ways and means.

Health, Board of

- Prohibit discharge of sewage into open ditches, highways, etc. H. F. 123, Varley, et al.; S. F. 328, Laverty, et al.
- Expenses of members of local boards of health. S. F. 165, Coleman.
- Rights of a tenant in maintenance and repair of rental property, housing. S. F. 367, Tapscott; H. F. 502, Jesse, et al.
- Local boards of health, inspections by. H. F. 472, Lawson.
- Local boards of health, powers of. S. F. 495, Walsh.

Historical Boards

Aid for local historical society, counties appropriate fund. S. F. 39, Ollenburg.

Hospitals

Increase tax levy for county hospitals. S. F. 355, Tapscott, et al.; H. F. 519, Hill, et al.

Authorize counties operating county public hospitals to issue revenue bonds. H. F. 466, Priebe, et al.; S. F. 401, Kyhl, et al.

Require auditor of state to approve of certified or registered public accountant auditing county, county hospital, city, town, or school district. H. F. 588, Pelton.

Jails

Establishment of regional correction centers. H. F. 3, Drake, et al.; S. F. 2, Smith, et al.

Reduction of sentence for prisoners in county jails, good behavior. S. F. 381, Curran, et al.; H. F. 420, Lawson, et al.; H. F. 298, Monroe and Anna. S.

Establishment of area correction centers. S. F. 427, judiciary. (Same subject matter as S. F. 2 and H. F. 3)

Medical Examiner

Standards for ambulance services, penalties. S. F. 352, Potter and Riley; H. F. 425, Pelton and Lipsky.

Blood tests of persons dying as a result of motor vehicle accidents, driver. S. F. 464, Conklin.

Recorder

Recording fees charged by county recorders, increase. S. F. 38, county government; H. F. 85, county government.

Deposit of receipts from taxation of real estate transfers, 50 percent state general fund, 50 percent county. S. F. 64, county government.

Increase registration fees for motorboats. S. F. 96, Curran and Neu; H. F. 138, Shaw.

Marginal entries not required on mortgages. H. F. 140, Rex.

Increase fee for duplicate hunting and fishing licenses. H. F. 206, county government; S. F. 216, county government.

Changing of names by individuals. S. F. 202, county government.

Registration fee on all motorboats and sailboats in lieu of personal property taxes, penalties. S. F. 259, Erskine; H. F. 315, Shaw.

File one time for homestead tax credit and disabled veterans tax credit. S. F. 276, Lamborn.

Social Welfare

Computation of old age assistance grants. S. F. 42, Conklin.

Abolish soldiers relief commission, duties placed under county welfare. H. F. 126, Mayberry.

ADC recipient notify social welfare of any changes. H. F. 495, Knoke.

Eliminate residency requirement for eligibility for ADC. H. F. 520, Knoke.

Food stamp program, all counties participate in. S. F. 492, Walsh.

Supervisors, Board of

Maintenance of access roads. H. F. 10, Holden, et al.; S. F. 4, Briles, et al.

Selection of compensation commissioners. H. F. 13, Holden, et al.; S. F. 17, Briles, et al.

Use of eminent domain by boards of supervisors for any secondary road, watercourse, etc. H. F. 28, Holden, et al.; S. F. 6, Briles, et al.

Inspection of pipeline construction paid for by pipeline company or contractor. H. F. 30, Holden, et al.; S. F. 18, Briles, et al.

Remove powers to grant a franchise to an electric utility company by board of supervisors. H. F. 32, Holden, et al.; S. F. 23, Briles, et al.

Permit counties to become associated with the Iowa state association of counties. S. F. 37, county government.

Assistant county attorneys and their salaries, board of supervisors. S. F. 41, Briles; H. F. 131, Rex and Menefee.

Group insurance for elected county officials. H. F. 56, Doyle, et al.

Embezzled county funds, replaced by county, maximum 1 mill property tax. H. F. 60, Rex.

Salary for combined county offices. H. F. 62, Lipsky.

Increase property taxation of benefited fire districts. H. F. 65, Mendenhall.

Errors and omissions insurance for county officers and employees, repeal law. H. F. 69, Schroeder, et al.

District court bailiffs, judge may employ, population basis. H. F. 70, Kreamer and Hill; S. F. 57, Milligan.

Change date of settlement (dues, fees, etc.) with county treasurers and boards of supervisors. S. F. 63, county government; H. F. 103, county government.

Canvass of votes by board of supervisors, 1 o'clock instead of 12. H. F. 79, Trowbridge and Grassley.

Board of supervisors may levy up to one-fourth mill on property for county civil defense, etc. H. F. 91, Mendenhall.

Consolidation of counties. S. F. 90, county government.

- Increase county dog license fees, and disposition of dogs. S. F. 92, Mowry; H. F. 224, Miller.
- Establish a metropolitan service corporation. S. F. 104, Milligan, et al.; H. F. 135, Andersen.
- Prohibit discharge of sewage into open ditches, highways, etc.; H. F. 123, Varley, et al.; S. F. 328, Lavery, et al.
- Board of supervisors may combine 2 or more townships to make one election precinct. S. F. 115, Rabedaux; H. F. 230, Rex.
- Consolidation of county offices. S. F. 124, Riley.
- Establish pilot programs for drug abuse, treatment, rehabilitation, education, etc., appropriation. S. F. 130, Gaudineer, et al.
- Support of the mentally ill. S. F. 131, Potgeter, et al.; H. F. 188, Rex, et al.
- Provide for all-weather, surfaced, mailbox turnouts. H. F. 161, Christensen, et al.
- Counties and cities may provide programs for senior citizens. S. F. 140, Sullivan and Van Gilst; H. F. 209, Dougherty and Stokes.
- Counties may enter into agreements with community health centers for their services, appropriation. S. F. 142, Briles and Miller; H. F. 284, Mendenhall, et al.
- Office facilities for county conservation boards. S. F. 150, Erskine, et al.; H. F. 216, Willits, et al.
- Update laws re county homes. H. F. 169, Mayberry; S. F. 212, Miller.
- Combine county fund for mental health with state institution fund. S. F. 185, Miller, et al.; H. F. 321, Shaw, et al.
- County contingent funds, may be transferred. H. F. 194, county government; S. F. 245, county government.
- Board of supervisors approve salaries of probation officers and their staff. S. F. 204, county government; H. F. 295, county government.
- Appointment of county attorneys by boards of supervisors. H. F. 228, Grassley.
- Counties may create an ambulance service expense fund. H. F. 234, Siglin and Rodgers.
- Provide for a public conservator. S. F. 234, Van Gilst.
- Assessments levied by drainage and levee districts not less than \$2.00. S. F. 205, Neu; H. F. 257, Cochran.
- Establish weather modification board in counties, petitioned, levy tax. S. F. 260, Briles.
- Boards of supervisors establish revolving funds, maintenance of drainage or levee districts. H. F. 294, county government.
- Salary of the county attorney in counties over 200,000 population. S. F. 265, Gaudineer and Palmer.
- Count board of supervisors need not submit proposition to voters to relocate property, state and federal governments taking. S. F. 269, Miller, et al.; H. F. 329, Schmeiser, et al.
- Permit county offices to be combined (upon petition and election) and made appointive, managers, exclude sheriffs. S. F. 275, Riley.
- Erection of anti-litter signs along primary and secondary highways. H. F. 310, Rodgers, et al.
- Establish plumbing code for installation of plumbing and certification of plumbers, fee. H. F. 311, Nystrom, et al.
- Railway companies must inspect crossings each year, make necessary repairs, penalties. S. F. 285, Gaudineer.
- Property tax levy for ambulance service in certain counties. H. F. 328, Strothman.
- Counties may use institution funds for rehabilitative services to an alcoholic. H. F. 331, Andersen.
- Compensation for feeding prisoners in certain counties. S. F. 322, Curran, et al.; H. F. 375, Lawson, et al. S.
- Appointment of deputy sheriffs and secretaries in certain counties. H. F. 357, Dunton, et al.
- Repeal bounties on certain wild animals. H. F. 360, Bray, et al.
- Include clerk of court, grand jury, court reporters, etc., in court expense fund. S. F. 340, Tapscott.
- Salary of deputy sheriffs in counties having population of over 250,000. S. F. 363, county government. H. F. 465, Knoke. S.
- Establish civil service for deputy county sheriffs, penalties. S. F. 368, Kennedy; H. F. 449, Sorg.
- Authorize certain vehicle safety regulations on streets and highways, penalty. S. F. 369, Kennedy, et al.
- Increase maximum amount of mileage compensation paid to a county supervisor. H. F. 474, Dunton.
- Transfer of portions of the primary road system into secondary road system. H. F. 494, county government.
- Levee and drainage districts, annexation of additional lands, may cross county lines. H. F. 503, Waugh.
- Establish civil service for deputy county sheriffs, penalties. S. F. 424, Riley, et al.; H. F. 618, Pelton, et al. (Same subject matter as S. F. 368 and H. F. 449)
- Allow county conservation boards to purchase land on a deferred payment plan when authorized by board of supervisors. H. F. 514, Alt, et al.

Consolidation of counties and county officers. H. F. 531, Blouin. (Similar subject matter as S. F. 90)

Boards of supervisors fix compensation of all elected county officials. H. F. 547, Doyle and Andersen.

Installment payment of property taxes. H. F. 559, Uban, et al.

Require railway improvements and crossings, penalty. S. F. 467, Potgeter and Potter.

Authorize county boards of supervisors to adopt and enforce certain traffic ordinances, penalties. S. F. 484, county government.

Permit counties to license all business or industry dealing with general public. H. F. 641, Taylor, et al.

Create an error, omission and emblezzlement fund, tax therefor. H. F. 644, county government.

Boards of supervisors elected at large, single member, equal population district residence requirements. H. F. 652, Logemann.

Justices of the peace, number of per county, salaries, appointment and removal, etc.—abolish position of constable. H. F. 653, Grassley, et al.

Establish minimum salaries for county officers. S. F. 503, county government.

Establish benefited fire districts. H. F. 663, Rex.

Control of access to highways in secondary road system. H. F. 673, Taylor, et al.

Remodeling of the Hardin county court house, Eldora, legalize proceedings of board of supervisors. S. F. 539, state government.

Authorizing supplements to salaries for county attorneys, sheriffs, etc., from private or federal funds. S. F. 548, judiciary; H. F. 717, judiciary. S.

Election of members of county zoning commissions and voter approval of county zoning plans. H. F. 725, Logemann, et al.

Tax

(Also See Tax, sub-ref. County)

Cities, towns, counties, and schools may impose local taxes, also axle tax. H. F. 165, Andersen, et al.; S. F. 172, Erskine.

Treasurer

Tax assessments, mobile homeowners, notifications. S. F. 40, Van Gilst.

Amount of motor vehicle fees retained by counties, registration, titles, etc. H. F. 12, Drake, et al.; S. F. 11, Curran, et al.

Embezzled county funds, replaced by county, maximum 1 mill property tax. H. F. 60, Rex.

Change date of settlement (dues, fees, etc.) with county treasurers and boards of supervisors. S. F. 63, county government; H. F. 103, county government.

Effective date of certification of payment of taxes, (tax sales) 15 days after. S. F. 66, county government.

Increase motor vehicle title and registration transfer fees. S. F. 68, county government.

Deposits of public funds, invested in U.S. notes, certificates, bonds or other. S. F. 69, county government; H. F. 86, county government.

Property tax receipts, show where money is apportioned. S. F. 102, Potter; H. F. 168, Rex.

Embezzled county funds, repayment from state general fund. H. F. 153, Schroeder, et al.

Increase fee for issuance of tax deed. H. F. 227, Knoke.

Deposit and investment of public funds. S. F. 243, county government; H. F. 334, county government.

Regulation of odometers on motor vehicles, penalties. S. F. 250, Kyhl; H. F. 296, Nystrom.

Permits to carry concealed weapons, penalties. S. F. 356, Gaudineer, et al.

Remit, by mortgagor to county treasurer, all property taxes collected each month. S. F. 432, Potter.

Installment payment of property taxes. H. F. 559, Uban, et al.

Repeal provision of law requiring every treasurer of political subdivisions, except townships, to submit report each year to the auditor of state re investments. S. F. 527, appropriations.

Operation of unregistered vehicles, remove "knowingly" from statute, alterations of "titles" or "registration," etc. S. F. 547, transportation.

Effective date of S. F. 250, motor vehicle odometers, to be January 1, 1972. S. F. 571, law enforcement.

Sheriffs

State grand juries, appropriation. H. F. 184, law enforcement. (H. F. 706 revision of H. F. 184)

Notice of compensation commission appraisal of damages and appeal from the damages award. H. F. 215, Dunton.

Fees for issuance of permits to carry concealed weapons. S. F. 264, Gaudineer, et al.

Permit county offices to be combined (upon petition and election) and made appointive, managers, exclude sheriffs. S. F. 275, Riley.

Compensation for feeding prisoners in certain counties. S. F. 322, Curran, et al; H. F. 375, Lawson, et al. S.

Appointment of deputy sheriffs and secretaries in certain counties. H. F. 357, Dunton, et al.

Increase salary for sheriffs. H. F. 358, Ellsworth and Priebe.

- Salary** of deputy sheriffs in counties having population of over 250,000. S. F. 363, county government; H. F. 465, Knoke. S.
Establish civil service for deputy county sheriffs, penalties. S. F. 368, Kennedy; H. F. 449, Sorg.
Increase fees charged for civil processes by sheriffs. H. F. 489, Lawson.
Increase some of the fees charged by sheriffs. H. F. 507, Pelton and Fischer of Grundy.
Establish civil service for deputy county sheriffs, penalties. S. F. 424, Riley, et al.; H. F. 618, Pelton, et al. (Same subject matter as S. F. 368 and H. F. 449)
State grand juries, appropriation. H. F. 706, law enforcement. (Revision of H. F. 184)

COUNTIES—SPECIFIC—

Clay

- Legalize** and validate proceedings of board of directors of Iowa Lakes Community College, (Emmet, Dickinson, Clay, Palo Alto, and Kossuth). S. F. 263, Keith.
Legalize proceedings of the town council of Peterson, Clay County, special assessments and issuance of street improvement bonds. S. F. 425, Milligan.

Clinton

- Legalize** proceedings of the city of DeWitt, Clinton County. S. F. 71, Shaff; H. F. 83, Camp.

Dickinson

- Legalize** and validate proceedings of board of directors of Iowa Lakes Community College, (Emmet, Dickinson, Clay, Palo Alto, and Kossuth). S. F. 263, Keith.

Emmet

- Legalize** and validate proceedings of board of directors of Iowa Lakes Community College, (Emmet, Dickinson, Clay, Palo Alto, and Kossuth). S. F. 263, Keith.

Hardin

- Remodeling** of the Hardin County courthouse, Eldora, legalize proceedings of board of supervisors. S. F. 539, state government.

Henry

- Legalize** sale of certain land in Henry County. H. F. 516, Strothman.

Ida

- Property** tax levies for basic school tax in Ida, Johnson, and Kossuth Counties. S. F. 462, ways and means.

Johnson

- Property** tax levies for basic school tax in Ida, Johnson, and Kossuth Counties. S. F. 462, ways and means.

Kossuth

- Legalize** and validate proceedings of board of directors of Iowa Lakes Community College, (Emmet, Dickinson, Clay, Palo Alto, and Kossuth). S. F. 263, Keith.
Property tax levies for basic school tax in Ida, Johnson, and Kossuth Counties. S. F. 462, ways and means.

Lee

- Permit** cities, not less than 13,000 nor more than 17,000 population, located on a navigable river, construction of a waste treatment facility. (Keokuk) S. F. 538, cities and towns; H. F. 707, cities and towns.

Linn

- Designating** a certain water area of the Wapsipinicon river as an artificial lake. S. F. 287, Robinson; H. F. 437, Lipsky.

Marion

- Legalize** authorization and issuance of water revenue bonds, Bussey. H. F. 557, cities and towns; S. F. 469, cities and towns.

Marshall

- Legalize** and validate procedures re sale of real estate by west Marshall community school district, Marshall and Story Counties. S. F. 277, Mowry.

Mills

- Rest** areas, Mills and Pottawattamie Counties. H. F. 236, state government.

Montgomery

- Legalize** and validate proceedings of Red Oak, Montgomery County, purchase of property for off-street parking. S. F. 129, Bass.

Palo Alto

- Legalize** and validate proceedings of board of directors of Iowa Lakes Community College (Emmet, Dickinson, Clay, Palo Alto, and Kossuth). S. F. 263, Keith.

Polk

- Legalize** sale of a portion of the Wright school site, Des Moines, Polk County. S. F. 426, Milligan; H. F. 555, Kreamer.

Legalize proceedings of Delaware township trustees, Polk County, certain elections authorizing a tax levy for fire protection purposes and issuance of bonds. H. F. 515, Skinner.

Legalize intergovernmental corporation boundary agreement between Clive and Windsor Heights. H. F. 565, Alt.

Pottawattamie

Rest areas, Mills and Pottawattamie Counties. H. F. 236, state government.

Poweshiek

Legalize and validate procedures of Poweshiek County board of supervisors for repair and remodeling of the jail. H. F. 716, judiciary.

Shelby

Reimburse city of Harlan for expenses incurred, re site for proposed western Iowa college. S. F. 101, Schaben.

Story

Legalize and validate procedures re sale of real estate by west Marshall community school district, Marshall and Story Counties. S. F. 277, Mowry.

Wapello

Commission form government, number of councilmen, Ottumwa. S. F. 541, cities and towns.

COURT—

(Also See Judiciary)

General

Any criminal conviction, forfeiture of bond, etc., (traffic violation) shall be inadmissible as evidence in any civil action. H. F. 43, Doyle.

Allow prosecution of minors as adults for violation of beer and liquor laws, removes jurisdiction of juvenile courts. S. F. 43, Stephens.

Rehearing and appeal procedures, commerce commission action or decisions. S. F. 72, Neu, et al.; H. F. 235, Shaw, et al. S.

Full allowance made by court to surviving spouse and dependents, deducted as debt for inheritance tax purposes. H. F. 88, Knoblauch, et al.

Attorneys, reciprocity with other states. H. F. 101, Doyle.

Transfer jurors from one jury session to another. S. F. 103, Gaudineer.

Increase compensation of appointive jury commissioners. S. F. 132, Curran and Messerly; H. F. 276, Hansen.

Increase fees and mileage allowances of jurors. H. F. 67, Holden.

Increase juror fees and mileage allowances. S. F. 167, Gaudineer.

Require persons accused of having committed crimes together stand trial together, unless. H. F. 178, law enforcement.

Grant immunity to witnesses testifying in criminal proceedings. H. F. 180, law enforcement; S. F. 283, Gaudineer. S.

Attorney's fees, judgments on written contracts. S. F. 180, Griffin; H. F. 368, Freeman.

Court bailiffs receive free Code. H. F. 204, Doyle, et al.

Transfer of persons committed to jail, if jail unfit, or. S. F. 190, Tapscott, et al.; H. F. 351, Jesse, et al.

Only the index of a dissolution of marriage docket available to public. S. F. 191, judiciary.

Changing of names by individuals. S. F. 202, county government.

Board of supervisors approve salaries of probation officers and their staff. S. F. 204, county government; H. F. 295, county government.

Post conviction procedure. S. F. 206, Neu, et al.

Award of damages and judgment for costs, eminent domain. H. F. 229, Dunton.

Tort liability of governmental subdivisions, repeal chapter on. S. F. 219, Stephens.

Provide for a public conservator. S. F. 234, Van Gilst.

Pleas of no contest in trial of nonindictable motor vehicle offenses. H. F. 252, Doyle.

Appeal board cannot pay claims over \$5,000 without approval of legislature. S. F. 192, Graham; S. F. 221, Stephens. S.

Tort liability of school districts and municipalities. H. F. 105, Alt; S. F. 220, Stephens.

Additional penalties for commission of, or attempt to commit crimes when armed with firearms. H. F. 280, Fischer of Grundy.

Disbursement of support money. H. F. 324, Schwieger.

Allows governing body of any municipality to delegate its power to compromise, adjust and settle tort claims. H. F. 342, Kreamer.

Child and wife desertion and penalty therefor. S. F. 331, Palmer.

More leeway in the time in which an individual must appear in court to prosecute action before a replevin bond is forfeited. S. F. 336, Gaudineer.

Include clerk of court, grand jury, court reporters, etc., in court expense fund. S. F. 340, Tapscott.

Issuance of new birth certificates for persons born outside the U.S. and adopted in Iowa. S. F. 354, DeKoster and Potgeter.

Issuance of subpoenas, hearing costs, damages, civil rights commission, penalties. H. F. 388, Franklin, et al.

Rights of a tenant in maintenance and repair of rental property, housing. S. F. 367, Tapscott; H. F. 502, Jesse, et al.

- Waiver of right to jury trial in indictable misdemeanor cases. H. F. 393, Johnston.
- Payment of court fines, defendant may choose how. H. F. 394, Johnston.
- Dissolution of marriage, support, etc. H. F. 405, Doyle, et al.
- Tort liability due to acts or omissions of directors, officers, etc., of nonprofit corporations. H. F. 414, Kreamer.
- Establish full property rights between husband and wife, estates, divorce, etc. S. F. 388, Riley.
- Provide for uniform traffic summons and a schedule of minimum fines for certain traffic violations. H. F. 423, Kehe, et al.
- Justifiable defense of person or property, indemnification or reimbursement by state. S. F. 405, Graham.
- Penalties for false drawing and uttering of checks. H. F. 442, Doyle.
- Support of certain dependents, enforcement of, defining desertion, penalties. H. F. 464, Knoke.
- Local boards of health, inspections by. H. F. 472, Lawson.
- Certain injunctions issued in labor disputes. S. F. 422, Robinson, et al.
- Use of temporary injunctions for discrimination in housing. H. F. 501, Franklin, et al.
- Release and consent requirements in child placement and adoption proceedings. H. F. 506, Pelton.
- Rules of statutory construction. H. F. 587, judiciary.
- Uniform partnership act. S. F. 460, judiciary.
- Eliminate certain exemptions from jury duty, etc. H. F. 591, Johnston, et al.
- Consumer fraud, penalty. H. F. 594, Taylor, et al.
- Evaluation of emotional stability of parents or guardians, neglected, dependent, etc., children; court require psychiatric examination, etc. H. F. 624, Schwieger and Knoke.
- Strike reference to superior court and insert "municipal court," re debts and debtors, judgments, etc. H. F. 646, Monroe.
- Local boards of health, powers of. S. F. 495, Walsh.
- Lien of unpaid inheritance tax effective for 20 years, tax appraisals not necessary unless, etc. S. F. 500, judiciary.
- Tort claims act, clarify original intent. S. F. 520, judiciary.
- Claims**
- Establish a small claims court. S. F. 395, Glenn, et al.
- District**
- Eminent domain for individual drainage rights, compensation commission. H. F. 21, Holden, et al.; S. F. 24, Briles, et al.
- Increase cost of filing mechanic's lien. S. F. 36, county government; H. F. 84, county government.
- District court bailiffs, judge may employ, population basis. H. F. 70, Kreamer and Hill; S. F. 57, Milligan.
- Supreme court may retire judges. H. J. R. 6, Hill, et al.
- Supreme and district court judges allowed actual expenses. S. F. 123, judiciary.
- Establishment of a second grand jury in certain counties, appointment of assistant clerks in such counties. S. F. 133, judiciary.
- Determining number of district court judgeships and filling of vacancies. H. F. 150, Doyle, et al.; S. F. 267, Erskine, et al. S.
- Commission of hospitalization and clerk of district court not liable in admitting persons to mental health facilities. S. F. 181, Arbuckle, et al.; H. F. 264, Campbell, et al.
- Issuance of marriage licenses, 3-day waiting period may be waived. S. F. 201, county government.
- Establish a radiation control program, penalties, appropriation. S. F. 262, Walsh and Griffin; H. F. 461, Freeman, et al. (Same subject matter)
- Prohibit certain business entities from engaging in business in the agricultural industry, penalties. S. F. 292, agriculture.
- Reversion of unclaimed postal savings system accounts to the state. S. F. 325, Mowry; H. F. 397, Pelton.
- Establish civil service for deputy county sheriffs, penalties. S. F. 368, Kennedy; H. F. 449, Sorg.
- Judicial redistricting. H. F. 409, judiciary; S. F. 417, judiciary. S. (Same subject matter)
- Salaries of judges of the district court. 87.5 percent of supreme court judges. H. F. 417, Kelly.
- Support payments under a divorce, etc., employer required and liable to withhold payments. H. F. 447, Knoke.
- Establish wage rates for public works projects, penalties. S. F. 414, Tapscott, et al.
- Establish civil service for deputy county sheriffs, penalties. S. F. 424, Riley, et al.; H. F. 618, Pelton, et al. (Same subject matter as S. F. 368 and H. F. 449)
- Consolidate all trial courts into a unified trial court—district court judges and magistrates. S. F. 428, judiciary.
- Contempt actions in paternity cases. H. F. 546, Schwieger.
- Provide method for payment of damages caused by hunters, penalties. S. F. 482, Shawver, et al.
- Application of income tax refunds to court-ordered support payments. H. F. 623, Schwieger, et al.

Civil proceeding making possible an adversary hearing upon questions of obscenity. H. F. 642, county government.
 Create an error, omission and embezzlement fund, tax therefor. H. F. 644, county government.

Summary administration of small estates, etc. S. F. 532, Miller.

Supreme court and district courts, appropriation to, for salaries of the judges, retirement system, expenses, rules of procedure, etc., and none for capital improvements. S. F. 579, appropriations.

Juvenile

Juvenile court and referee along with judge determine interest re dependent, delinquent, etc., children, referee receive copy of Code. H. F. 267, Doyle and Kelly.

Permit court to seal arrest and juvenile court records for acts committed by persons under 18. H. F. 619, Schwieger.

Municipal

Increase salary of municipal court judges. S. F. 119, Gaudineer, et al.

Reporters

Shorthand notes of court reporters permissible in court proceedings. H. F. 42, Doyle and Kelly.

Create court administrator under supreme court, replace judicial statistician and reporter. S. F. 461, judiciary.

Manner in which court reporters are compensated. S. F. 534, judiciary.

Supreme

Condemnation of existing utility facilities by cities and towns, procedure, etc. H. F. 31, Holden, et al.; S. F. 9, Briles, et al.

Supreme court may retire judges. H. J. R. 6, Hill, et al.

Supreme and district court judges allowed actual expenses. S. F. 123, judiciary.

State grand juries, appropriation. H. F. 184, law enforcement. (H. F. 706 revision of H. F. 184)

Post conviction procedure. S. F. 206, Neu, et al.

Provide that criminal appeals will be in the same manner as civil appeals. S. F. 235, Gaudineer.

Chief justice and members of the supreme court, elected state officials and Iowa congressional delegation invited to attend joint convention re address by President Richard M. Nixon. S. C. R. 21; S. J. 387 adopted; H. J. 480 adopted.

Create court administrator under supreme court, replace judicial statistician and reporter. S. F. 461, judiciary.

Collection of court costs re appeals. H. F. 675, judiciary.

State grand juries, appropriation. H. F. 706, law enforcement. (Revision of H. F. 184)

Appropriate to supreme court, clerk of—Code editor and court administrator. S. F. 576, appropriations.

Supreme court and district courts, appropriation to, for salaries of the judges, retirement system, expenses, rules of procedure, etc., and none for capital improvements. S. F. 579, appropriations.

CREDIT—

General

Unauthorized possession of credit cards or other credit devices a crime. S. F. 237, Conklin.

Nonprobate transfers, survivors, beneficiaries, etc. S. F. 295, judiciary.

Finance and delinquency charges on extensions of credit. H. F. 370, Fischer of Grundy and Freeman.

Credit service charges for revolving charge accounts, penalties. H. F. 492, Urban, et al.

Extension of credit, finance charges, etc. S. F. 466, commerce. (Same subject matter as H. F. 370)

Sales tax credit, income tax. S. F. 515, ways and means.

CREDIT CARDS—

General

False use of credit cards and fraudulent use of wire services, penalties. H. F. 132, Kelly.

Unauthorized possession of credit cards or other credit devices a crime. S. F. 237, Conklin.

Credit service charges for revolving charge accounts, penalties. H. F. 492, Urban, et al.

Taxation of credit cards, penalties. S. F. 429, Arbuckle.

CREDIT UNIONS—

General

Auditing committee of a credit union may delegate auditing function. S. F. 83, Van Drie.

Dissolution of credit unions. S. F. 209, Van Drie, et al.; H. F. 333, Grassley and Wells.

Conversion of credit union charters. S. F. 210, Van Drie, et al.

Federal share insurance for credit unions. S. F. 249, Van Drie, et al.; H. F. 377, Curtis and Doyle.

Financing of governmental programs—state aid to schools, etc. H. F. 654, ways and means. (Tax bill)

CRIME—**(Also See Law Enforcement)****General**

- Criminal action to deliver drugs or liquor or to help an inmate to escape from institutions under department of social services. S. F. 108, Kennedy.
 Unauthorized possession of credit cards or other credit devices a crime. S. F. 237, Conklin.
 Additional penalties for commission of, or attempt to commit crimes when armed with firearms. H. F. 280, Fischer of Grundy.
 Require higher bail for persons accused of violent crimes. S. F. 335, Mowry and Briles; H. F. 496, Knoke. S.
 Justifiable defense of person or property, indemnification or reimbursement by state. S. F. 405, Graham.

Commission

- Urge crime commission designate a portion of federal funds received to the University of Northern Iowa for establishing and operating a college of criminal justice. S. C. R. 17; S. J. 357, 383.
 Urge crime commission designate a portion of federal funds received to the University of Northern Iowa for establishing and operating a college of criminal justice. H. C. R. 19; H. J. 443.
 Crime commission designated as law enforcement planning agency, also under governor only, and add chief of highway patrol. H. F. 649, state government; S. F. 507, state government.
 Appropriate to crime commission. S. F. 576, appropriations.
 Crime commission, statutory salary of executive secretary. H. F. 739, appropriations.

CUSTODY—**(See Minors and/or Court)****DAIRY—****(See Foods, sub-ref. Dairy)****DATA PROCESSING—****General**

- Create a department of general services, appropriation. S. F. 87, Curran et al.; H. F. 129, Welden, et al.
 Create a department of executive services, general services, reorganization. S. F. 420, Coleman, et al.
 Committee to study applications, capabilities, use, abuse and control of computer information. H. C. R. 44; H. J. 2050.

DAY CARE—**General**

- Establish day care centers, appropriation. S. F. 508, Tapscott.

DAYLIGHT TIME—**(See Time)****DEBTS—****General**

- Full allowance made by court to surviving spouse and dependents, deducted as debt for inheritance tax purposes. H. F. 88, Knoblauch, et al.
 Penalty for embezzlement of secured interests in collateral. S. F. 105, Shaff.
 Property exempt from execution, debts. H. F. 275, Wells; S. F. 246, Robinson.
 Amount of credit life insurance that may be sold to a debtor. H. F. 307, Freeman and Hansen.
 Nonprobate transfers, survivors, beneficiaries, etc. S. F. 295, judiciary.
 Strike reference to superior court and insert "municipal court", re debts and debtors, judgments. etc. H. F. 646, Monroe.

DECEPTION—**General**

- Deceptive trade practices and providing for civil remedies. S. F. 382, DeKoster and Gaudineer; H. F. 487, Kreamer.

DECREEES—**General**

- Increase interest rate on all money due on judgments and decrees. S. F. 31, Mowry; H. F. 53, Doyle.
 Changing of names by individuals. S. F. 202, county government.
 Dissolution of marriage, support, etc. H. F. 405, Doyle, et al.
 Support of certain dependents, enforcement of, defining desertion, penalties. H. F. 464, Knoke.

DEDUCTIONS—**General**

- Full allowance made by court to surviving spouse and dependents, deducted as debt for inheritance tax purposes. H. F. 88, Knoblauch, et al.
 Limit total state income tax deductions. S. F. 505, ways and means.

DEEDS—**General**

Increase fee for issuance of tax deed. H. F. 227, Knoke.

DEFENSE—**General**

Justifiable defense of person or property, indemnification or reimbursement by state. S. F. 405, Graham.

DEPENDENTS—**General**

Support of certain dependents, enforcement of, defining desertion, penalties. H. F. 464, Knoke.

DEPARTMENT OF HEALTH—

(See Health, Department of)

DEPARTMENT OF REVENUE—

(See Revenue, Department of)

DEPARTMENTAL RULES—

(See Rules)

DEPOSITS—**General**

Deposits of public funds, invested in United States notes, certificates, bonds or other. S. F. 69, county government; H. F. 86, county government.

Deposit and investment of public funds. S. F. 243, county government; H. F. 334, county government.

Rental deposits on dwellings, imposing liabilities, penalties. H. F. 392, Johnston, et al.

DESERTION—**General**

Support of certain dependents, enforcement of, defining desertion, penalties. H. F. 464, Knoke.

DETERGENTS—**General**

Prohibit sale of any detergent containing any phosphorous compound. S. F. 459, Riley.

DEVELOPMENT—**General**

Economic development by cities, use funds other than those from property taxes. H. F. 376, Iowa development.

Create committee to study use of land and other related resources. H. J. R. 14, Iowa development.

DEVELOPMENT COMMISSION—**General**

Development commission authorized to form a corporation, etc. H. F. 17, Drake, et al.; S. F. 50, Neu and Curran.

Abolish marketing division of the department of agriculture, transfer duties to development commission and secretary of agriculture. S. F. 88, Neu and Curran; H. F. 147, Shaw; S. F. 504, state government.

Development commission, appropriation to, for salaries, agricultural products promotion, etc. S. F. 578, appropriations.

Development commission, statutory salary of director. H. F. 739, appropriations.

DISASTERS—**General**

State assistance to local governments following major disasters, appropriation. S. F. 321, Coleman, et al.

DISCRIMINATION—**General**

Age discrimination in employment. H. F. 64, Dougherty, et al.; S. F. 274, Riley. Additions to civil rights, etc., penalties. S. F. 406, Doderer, et al.

Establish uniform procedures for payment of wages by employees, settling disputes, penalties. S. F. 423, Robinson, et al.; H. F. 645, Gluba; S. F. 496, Walsh, S.

Use of temporary injunctions for discrimination in housing. H. F. 501, Franklin, et al.

Age discrimination in employment. S. F. 516, social services.

DISEASE—

(Also See Animals, sub-ref. Diseases)

General

Sale and resale of cattle, health certificate. H. F. 50, Rex.

Kidney disease program, appropriation. S. F. 125, Smith, et al.; H. F. 221, Roorda, et al.; S. F. 590, appropriations. Very similar.
 Obtaining a test showing either susceptibility or immunity from rubella, condition to obtaining a marriage license. S. F. 303, Conklin.
 Testing of newborn babies for sickle cell anemia. H. F. 460, Franklin.

DISTRICT COURT—

(See Courts, sub-ref. District)

DIVORCE—

General

Only the index of a dissolution of marriage docket available to public. S. F. 191, judiciary.
 Disbursement of support money. H. F. 324, Schwiager.
 Dissolution of marriage, support, etc. H. F. 405, Doyle, et al.
 Establish full property rights between husband and wife, estates, divorce, etc. S. F. 388, Riley.
 Support payments under a divorce, etc., employer required and liable to withhold payments. H. F. 447, Knoke.
 Release and consent requirements in child placement and adoption proceedings. H. F. 506, Pelton.

DOCUMENTARY STAMPS—

General

Deposit of receipts from taxation of real estate transfers, 50 percent state general fund, 50 percent county. S. F. 64, county government.
 Taxation of real estate transfers, penalty. S. F. 410, Potter and Keith.

DOCUMENTS—

General

Disposal of unneeded documents. S. F. 183, Balloun.

DONATIONS—

General

Require any organization, church, school, etc. soliciting public donations must file annual report. H. F. 174, Freeman, et al.
 Require any organization except church, etc., soliciting public donations must file annual report listing all persons receiving funds. H. F. 353, Doyle, et al.

DRAINAGE—

General

Eminent domain for individual drainage rights, compensation commission. H. F. 21, Holden, et al.; S. F. 24, Briles, et al.

DRAINAGE DISTRICTS—

General

Improvements in drainage and levee districts. S. F. 137, Keith.
 Interest payments on drainage district assessments. H. F. 218, Stromer and Schroeder.
 Assessments levied by drainage and levee districts not less than \$2.00. S. F. 205, Neu; H. F. 257, Cochran.
 Boards of supervisors establish revolving funds, maintenance of drainage or levee districts. H. F. 294, county government.
 Levee and drainage districts, annexation of additional lands, may cross county lines. H. F. 503, Waugh.

DRIVER EDUCATION—

(See Schools, sub-ref. Driver Education)

DRIVING—

General

Penalties imposed for driving while under the influence of alcoholic beverages or drugs. S. F. 178, Shaff, et al.; H. F. 241, Andersen, et al.
 Driver education requirements. H. F. 214, Freeman, et al.
 Unlawful use of a driver's license, driving without a license, etc., punishable by imprisonment. S. F. 251, Kennedy.
 Eighteen, minimum age of taxicab drivers. S. F. 258, Tapscott and Carlson.
 Revocation of drivers license, two convictions of reckless driving within a period of two years. S. F. 281, Gaudineer.
 Hearings on revocation or denial of driving privileges, 20 days. H. F. 490, law enforcement.
 Restricted driving privileges for a person whose operator's or chauffeur's license has been revoked, penalties. H. F. 655, law enforcement.

DRUGS—

(Also See Pharmacy and/or Narcotics)

General

Regulation, control, enforcement and penalties, narcotics, etc. H. F. 1, Millen, et al.; S. F. 1, Mowry, et al.
 Confiscation of motor vehicles, unlawful transportation of drugs. H. F. 58, Doyle, et al.

Criminal action to deliver drugs or liquor or to help an inmate to escape from institutions under department of social services. S. F. 108, Kennedy.
 Storage and safekeeping of narcotic and other drugs, penalty. H. F. 115, Holden.
 Establish pilot programs for drug abuse, treatment, rehabilitation, education, etc., appropriation. S. F. 130, Gaudineer, et al.
 Penalties imposed for driving while under the influence of alcoholic beverages or drugs. S. F. 178, Shaff, et al.; H. F. 241, Andersen, et al.
 Additional amendments to the Code in conformity to S. F. 1 of the Sixty-fourth General Assembly, etc. S. F. 468, law enforcement.
 Appropriate to drug abuse program, office of governor. S. F. 576, appropriations.
 Governor, office of, statutory salary of the governor, and drug abuse director. H. F. 739, appropriations.

EASEMENTS—

General

Grant easements or rights-of-way to public lands under jurisdiction of social services. S. F. 438, social services.

ECOLOGY—

General

Create a department of environmental quality. S. F. 85, Laverty, et al.; H. F. 269, Varley, et al.

ECONOMIC OPPORTUNITY, OFFICE OF— (O.E.O.)

General

Appropriate to office of economic opportunity. S. F. 576, appropriations.
 Economic opportunity, office of, statutory salary of director. H. F. 739, appropriations.

EDUCATION—

(See Schools, all sub-refs.)

EDUCATIONAL INSTITUTIONS—

(See Schools, sub-ref. Institutions)

EGGS—

(See Foods, sub-ref. Dairy)

ELECTION—

General

Acquisition of existing bridges by cities and towns. H. F. 27, Holden, et al.; S. F. 8, Briles, et al.
 Joint convention January 11, 1971, 1:30 p.m., governor's message; canvass of votes, January 12, 1971 at 10:00 a.m. H. C. R. 1; H. J. 9 adopted; S. J. 12, 13 adopted.
 Four-year terms for members of the House of Representatives. H. J. R. 4, Mendenhall.
 Lower voting age to 18. H. J. R. 5, Gluba.
 Legalize proceedings of the city of DeWitt, Clinton County. S. F. 71, Shaff; H. F. 83, Camp.
 Canvass of votes by board of supervisors, 1 o'clock instead of 12. H. F. 79, Trowbridge and Grassley.
 Remove provisions requiring elections to approve low-rent housing projects. S. F. 77, Tapscott; H. F. 111, Bray, et al.
 Consolidation of counties. S. F. 90, county government.
 Establish a metropolitan service corporation. S. F. 104, Milligan, et al.; H. F. 135, Andersen.
 Supreme court may retire judges. H. J. R. 6, Hill, et al.
 Four-year terms for governor, lieutenant governor, secretary of state, treasurer, auditor and attorney general. H. J. R. 7, Schwieger, et al.
 Establishing precinct boundaries, cities and towns and townships, etc., population. H. F. 119, Drake; S. F. 187, Potgeter. (See sections 21, 22, and 23 of H. F. 713)
 Board of supervisors may combine 2 or more townships to make one election precinct. S. F. 115, Rabedaux; H. F. 230, Rex.
 Consolidation of county offices. S. F. 124, Riley.
 Cities, towns, counties, and schools may impose local taxes, also axle tax. H. F. 165, Andersen, et al.; S. F. 172, Erskine.
 Require voter approval for aviation authority to levy a one mill tax. H. F. 173, Schroeder.
 Require approval by voters of each county, merge county school systems. S. F. 174, Stephens and Coleman.
 Four-year term for county attorneys. H. F. 211, Grassley and Knoke.
 Permit city or town to grant a franchise for cable television without an election. H. F. 243, Jesse.
 Person or organization contesting election pay costs. H. F. 247, Andersen; S. F. 214, Erskine, et al.
 Qualifications of persons voting at precinct caucuses. S. F. 244, Coleman, et al.; H. F. 322, Monroe, et al. S. F. 308. S.

- That the Congress of the United States propose an amendment to the United States Constitution allowing citizens 18 years or older voting privileges for all elections.** H. C. R. 18; H. J. 423, 476, 477 adopted; S. J. 381, 383.
- County board of supervisors need not submit proposition to voters to relocate property, state and federal governments taking.** S. F. 269, Miller, et al.; H. F. 329, Schmeiser, et al.
- Election of presidential electors.** S. F. 270, Potgeter.
- Permit county offices to be combined (upon petition and election) and made appointive, managers, exclude sheriffs.** S. F. 275, Riley.
- Allow citizens of this state 18 years or older to vote in all elections.** S. J. R. 4, Tapscott.
- Age of majority.** H. F. 323, Larson and Blouin.
- Run-off elections in school districts.** H. F. 327, Kreamer.
- Delegates to political party caucuses and conventions, 18 years or older.** S. F. 308, Griffin and Walsh. (Similar to S. F. 244 and H. F. 322)
- That the Congress of the United States propose an amendment to the United States Constitution allowing citizens 18 years or older voting privileges for all elections.** S. C. R. 23; S. J. 430, 431, 676 withdrawn.
- Voting for president and vice-president of the United States, United States senators and representatives by persons 18 years or over—also residence for at least 30 days.** H. F. 390, Drake.
- Preparation of ballots and voting machines for constitutional questions, amendments and public measures.** H. F. 429, constitutional amendments and reapportionment.
- Authorize counties operating county public hospitals to issue revenue bonds.** H. F. 466, Priebe, et al.; S. F. 401, Kyhl, et al.
- Ratify a proposed amendment to the Constitution of the United States, extending the right to vote to citizens 18 years of age or older.** S. J. R. 7, Gaudineer, et al.; H. J. R. 15, constitutional amendments and reapportionment.
- Consolidation of counties and county officers.** H. F. 531, Blouin. (Similar subject matter as S. F. 90)
- Investment of funds—school districts, counties, cities, towns, and others.** S. F. 442, Riley.
- Commission form cities, less than 30,000, voters decide number of councilmen.** H. F. 567, Schwartz and Goode.
- Change date for school elections, organizational meetings of school boards, county and joint county boards of education, and boards of directors of merged areas.** H. F. 582, Willits
- Omit material from section 43.83 re elections to fill vacancies in General Assembly.** S. F. 485, judiciary.
- Correct H. F. 119—population of election precincts.** H. F. 632, state government. (See sections 21, 22, and 23 of H. F. 713)
- Permit cities and towns, after approval by voters, to impose a sales tax on tickets to athletic events.** H. F. 636, Doyle.
- Establishment and financing of school administrative units.** H. F. 637, Lipsky.
- Boards of supervisors elected at large, single member, equal population district residence requirements.** H. F. 652, Logemann.
- Week of May 17, 1971, be declared "Iowa high school senior voter registration week".** S. R. 3; S. J. 1070, 1169 adopted.
- Establish a county law enforcement unit.** H. F. 689, Taylor, et al.
- Election laws.** H. F. 713, Drake and Uban. (See H. F. 119)
- Election of members of county zoning commissions and voter approval of county zoning plans.** H. F. 725, Logemann, et al.
- Composition of the General Assembly.** H. F. 732, constitutional amendments and reapportionment.

ELECTRICITY—

General

- Exempt certain electric utility projects from petition requirements.** H. F. 24, Holden, et al.; S. F. 26, Briles, et al.
- Condemnation of existing utility facilities by cities and towns, procedure, etc.** H. F. 31, Holden, et al.; S. F. 9, Briles, et al.
- Remove powers to grant a franchise to an electric utility company by board of supervisors.** H. F. 32, Holden, et al.; S. F. 23, Briles, et al.
- Electric transmission lines, power of eminent domain, notification to property owners, hearings.** H. F. 151, Fischer of Grundy.
- Taxation of rural electric cooperative property.** H. F. 197, ways and means.
- Sanitary and improvement districts.** S. F. 430, Griffin; H. F. 586, Mollett.
- Authorize cities and other governmental bodies to form a public authority, electric power and energy, gas, or water.** H. F. 583, cities and towns.
- Location of electric generating facilities.** H. F. 672, Fischer of Grundy.

ELEVATORS—

General

- Create elevator safety division of the bureau of labor, inspection of elevators, dumbwaiters, escalators, etc., fees and penalties.** H. F. 542, Jesse.

EMBALMING—

(See Burials and/or Funerals)

EMERGENCIES—**General**

Emergency vehicles owned by a city or town may use flashing blue or red lights. H. F. 319, Doyle and Rodgers.

EMINENT DOMAIN—**General**

Eminent domain for individual drainage rights, compensation commission. H. F. 21, Holden, et al.; S. F. 24, Briles, et al.
 Legal description of land remaining after condemnation or purchase, furnished by purchaser. H. F. 25, Holden, et al.; S. F. 22, Briles, et al.
 Removes power of eminent domain for utilization of water or water power. H. F. 25, Holden, et al.; S. F. 19, Briles, et al.
 Acquisition of existing bridges by cities and towns. H. F. 27, Holden, et al.; S. F. 8, Briles, et al.
 Use of eminent domain by boards of supervisors for any secondary road, water-course, etc. H. F. 28, Holden, et al.; S. F. 6, Briles, et al.
 Payment of subsequent damages to property owners after purchase or condemnation, 3 years. H. F. 29, Holden, et al.; S. F. 21, Briles, et al.
 Condemnation of existing utility facilities by cities and towns, procedure, etc. H. F. 31, Holden, et al.; S. F. 9, Briles, et al.
 Remove powers to grant a franchise to an electric utility company by board of supervisors. H. F. 32, Holden, et al.; S. F. 23, Briles, et al.
 Distance requirements for pipeline regulation, informational meetings. H. F. 33, Holden, et al.; S. F. 5, Briles, et al.
 Electric transmission lines, power of eminent domain, notification to property owners, hearings. H. F. 151, Fischer of Grundy.
 Pipeline companies, power of eminent domain, notification to property owners, hearings. H. F. 152, Fischer of Grundy.
 Exempt certain electric utility projects from petition requirements. H. F. 24, Holden, et al.; S. F. 20, Briles, et al.
 Definition of pipeline and pipeline companies, and substances. H. F. 23, Holden, et al.; S. F. 16, Briles, et al.
 Acquisition of property by public bodies, corporations and individuals. (Place grants of eminent domain into one chapter.) S. F. 189, Briles, et al.; H. F. 314, Holden, et al. S.
 Compensation commission for damage to property. H. F. 13, Holden, et al.; S. F. 17, Briles, et al.
 Notice of compensation commission appraisal of damages and appeal from the damages award. H. F. 215, Dunton.
 Award of damages and judgment for costs, eminent domain. H. F. 229, Dunton.
 Possession of owner-occupied property condemned for highway purposes, acquired within 6 months. H. F. 347, Holden; S. F. 441, transportation.
 Compensation for refinancing costs, property required for a public use, relocation advisory assistance program. S. F. 141, Briles, et al.; H. F. 182, Holden, et al.

EMPLOYEES—

(See Employment, sub-ref. Employees—Also State Government, sub-ref. Employees)

EMPLOYMENT—**General**

Include housing and services in employment of the handicapped. H. F. 8, Alt, et al.; S. F. 7, DeKoster and Tapscott.
 Include services in employment of the handicapped. H. F. 9, Fisher of Greene, et al.; S. F. 49, Neu and Smith.
 Hiring of state employees, pay expenses. H. F. 11, Welden, et al.; S. F. 12, Curran and Neu.
 Age discrimination in employment. H. F. 64, Dougherty, et al.; S. F. 274, Riley.
 Unemployment compensation benefits, which employer to be charged. H. F. 102, Mayberry.
 Private employment agency fees, appeals. S. F. 117, Thordsen, et al.; H. F. 156, Ellsworth, et al. (Same as S. F. 566)
 Board of parole employ own office staff. S. F. 144, Thordsen, et al.; H. F. 217, Den Herder, et al.
 Force or violence used to prevent any person from pursuing any lawful employment, etc., a felony. H. F. 265, Grassley, et al.
 Eliminate detailed report requirements by bureau of labor, and eliminate requirement that one factory inspector be a woman. S. F. 372, Potgeter.
 Exempt summer employees from merit system, and provide work test appointments. H. F. 399, state government.
 Increase membership of the employment safety commission. S. F. 383, Palmer, et al.
 Membership in labor unions. H. F. 433, Bennett and Ellsworth; S. F. 421, Robinson, et al.
 Eligibility to receive benefits of certain welfare programs, stoppage of work re labor dispute. H. F. 477, Kreamer.
 Additions to civil rights, etc., penalties. S. F. 406, Doderer, et al.
 Establish a labor relations board, unfair labor practices, penalties. S. F. 412, Tapscott, et al.

- Establish wage rates for public works projects, penalties. S. F. 414, Tapscott, et al.
- Certain injunctions issued in labor disputes. S. F. 422, Robinson, et al.
- Establish uniform procedures for payment of wages by employers, settling disputes, penalties. S. F. 423, Robinson, et al.; H. F. 645, Gluba; S. F. 496, Walsh, S.
- Civil service employment in cities of 185,000 or more population. H. F. 526, Bennett.
- Require migrant workers register with state employment service, penalty. S. F. 452, Tapscott; H. F. 575, Gluba.
- Vocational training and apprenticeship programs, to conform with federal law. S. F. 509, human and industrial relations.
- Age discrimination in employment. S. F. 516, social services.
- Private employment agency fees, appeals. S. F. 566, human and industrial relations. (Same as S. F. 117 and H. F. 156)

Employees

(Also See Schools, sub-ref. Employees)

- Out of state travel expenses for state employees, executive council establish policy. H. F. 19, Welden, et al.; S. F. 46, Curran, et al.
- Additional employees, joint committee appointed. H. C. R. 2; H. J. 13 adopted; S. J. 12, 13 adopted.
- Collective bargaining in public employment. S. F. 52, Nicholson, et al.; H. F. 366, Pelton, et al.; S. F. 387, human and industrial relations, S.
- Veteran's benefits in state employment. S. F. 60, Tapscott; S. F. 418, Gaudineer, S. (Same subject matter)
- Contribution ceiling under IPERS. H. F. 95, Mendenhall; S. F. 343, Riley, et al. S.
- Increase salaries of highway commission and other state employees, appropriation. S. F. 84, Van Drie, et al.; H. F. 212, Egenes, et al.
- Incentive awards for state employees. S. F. 164, Van Drie; H. F. 231, state government, S.
- Conflicts of interest of officers and employees of political subdivisions. S. F. 173, Stephens.
- Conflicts of interest by officials, employees, legislative employees, and members of the General Assembly. S. F. 175, Stephens.
- Prohibit any person or political organization from soliciting or requiring contributions for political expenses from public employees. H. F. 187, Alt, et al.; S. F. 215, Milligan.
- Authorize purchase of tax-sheltered annuities for employees of educational radio and TV facilities board. S. F. 208, Neu, et al.; H. F. 244, Alt, et al.
- Require railway employees be provided adequate sanitation and shelter. H. F. 271, Hansen, et al.; S. F. 342, Riley, et al.
- Temporary or part-time employees of state, political subdivisions or cities and towns not entitled to military leave with pay or job status. H. F. 274, Ellsworth and Taylor.
- Leaves of absence for persons elected to public office. S. F. 266, Robinson and Doderer; H. F. 361, Ewell, et al.
- Garnishment of wages, liability for costs, and discharge of employees. S. F. 280, Riley.
- Allow injured employees, workmen's compensation, select doctor who treats them. S. F. 357, Palmer, et al.
- Provide for a procedure, state employees to meet and confer with merit employment commission, wages, hours, benefits, etc., and terms of employment. H. F. 421, Fisher of Greene and Millen.
- Wages subject to IPERS. S. F. 455, Walsh.
- Deferred compensation for governmental employees. S. F. 470, Doderer; H. F. 613, Fisher of Greene.
- Contributions for retirement systems by board of regents institutions. H. F. 593, Schroeder.
- Procedure allowing public employees and public employers to meet and confer to resolve disputes re wages, etc. S. F. 475, Potgeter. (Same as S. F. 567)
- Allow full unemployment compensation benefits for recipients of retirement benefits, social security benefits, etc. H. F. 607, Wells and Ellsworth.
- Time and a half for employees required to work on Sunday or a legal holiday. H. F. 609, Ewell.
- May pay salaries of state employees biweekly. H. F. 616, Andersen, et al.
- Leave of absence for state employees, also sick leave. H. F. 617, Andersen, et al.
- Longevity pay increases, highway commission employees or any person subject to merit system, etc. H. F. 630, Andersen, et al.
- Workmen's compensation benefits based on 66½ percent of worker's weekly pay. H. F. 650, Monroe, et al.
- Salaries, vacation, and sick leave for state employees. H. F. 666, state government.
- Vacations for state employees. H. F. 670, Andersen, et al.
- State agricultural workers covered by workmen's compensation. S. F. 524, human and industrial relations.
- State employees may be covered by workmen's compensation, also police officers. S. F. 525, human and industrial relations.

Procedure allowing public employees and public employers to meet and confer to resolve disputes re wages, etc. S. F. 567, human and industrial relations. (Same as S. F. 475)

EMPLOYMENT SAFETY COMMISSION—

General

Appeals to employment safety commission, actions of labor commissioner upheld if 5 affirmative votes. H. F. 245, Kehe and Waugh.
Increase membership of the employment safety commission. S. F. 383, Palmer, et al.

EMPLOYMENT SECURITY COMMISSION—

General

Appropriate from IPERS to employment security commission, cost of administration. H. F. 696, appropriations.
Extend and improve the federal-state unemployment compensation program. H. F. 704, human and industrial relations; S. F. 546, human and industrial relations.
Appropriate to employment security commission. S. F. 576, appropriations.
Employment security commission, statutory salary of each commissioner. H. F. 739, appropriations.

ENGINEERS—

General

Required qualifications for registration as a professional engineer. H. F. 403, Kehe, et al.
Add medical, dental, legal, accounting, engineering, consultant and research services to taxable services. S. F. 440, Potgeter and Potter.
Accountancy, board of—architectural examiners, board of—banking, department of—engineering examiners, board of—watchmaking, board of examiners in, appropriation to. S. F. 552, appropriations.

ENTERTAINMENT—

General

Issuance of permits by counties, cities and towns authorizing commercial entertainment events, penalties. S. F. 319, Smith.
Prohibit drive-in theaters from showing "X" rated motion pictures. H. F. 401, Dougherty, et al.
Authorize cities and towns to impose a tax on theaters. H. F. 510, Doyle, et al.
Obscenity and indecent material, etc., penalties. H. F. 571, Kreamer, et al.
Obscenity, punishment for violations thereof. S. F. 54, Kennedy.
Civil proceeding making possible an adversary hearing upon questions of obscenity. H. F. 642, county government.

ENTOMOLOGIST—

(Also see Agriculture, sub-ref. Entomology)

General

Entomologist, state, office of, department of agriculture. H. F. 22, Fisher of Greene, et al.; S. F. 51, Neu, et al.

ENVIRONMENTAL PRESERVATION—

General

Application of pesticides, regulation of aerial, damage and enforcement procedures. H. F. 39, Pierson, et al.
Establish an environmental pollution control loan authority. H. F. 61, Winkelman.
Conservation of soil and water resources, control of water pollution. H. F. 73, Varley, et al.; S. F. 61, Laverty, et al.
Create a department of environmental quality. S. F. 85, Laverty, et al.; H. F. 269, Varley, et al.
Prohibit discharge of sewage into open ditches, highways, etc. H. F. 123, Varley, et al.; S. F. 328, Laverty, et al.
Sales and use tax exemptions on expenditures for air and water pollution control. S. F. 195, Walsh, et al.; H. F. 305, Winkelman, et al. S.
Exempt facilities used to control air and water pollution from property taxation. S. F. 196, Walsh, et al.; H. F. 309, Winkelman, et al.
Require cities and towns to collect and dispose of garbage, etc. H. F. 261, Rodgers and Doyle.
Disposition of abandoned motor vehicles, penalties. H. F. 285, Kehe and Alt.
State funds appropriated for sewage works projects used for matching federal funds, appropriation. H. F. 189, Welden and Kehe.
Prohibit use of throw-away containers, regulate other, penalty. H. F. 78, Mendenhall.
Erection of anti-litter signs along primary and secondary highways. H. F. 310, Rodgers, et al.
Individual rights to a healthful environment. H. J. R. 13, Blouin, et al.
Authority of the chemical technology review board, agricultural chemicals, etc. S. F. 326, Laverty.
Collection and disposition of wastepaper by the state. H. F. 407, Rodgers, et al.
Authorize issuance of industrial aid bonds for railroad and bus transportation, hospital, clinic, and health care facilities, and industrial pollution control projects. H. F. 418, Hansen and Holden.

State regulation of aircraft noise, penalty. H. F. 554, Small.
Prevention, abatement or control of noise pollution, penalties. S. F. 450, Pot-
geter; H. F. 585, Lipsky and Shaw.
Prohibit sale of any detergent containing any phosphorous compound. S. F.
459, Riley.
Provide for disposal of abandoned motor vehicles. H. F. 566, Trowbridge.
Prohibit use of aerosol pesticide dispensers in restaurants and food establish-
ments, penalty. H. F. 596, Blouin.
Use and application of pesticides, update law. H. F. 602, agriculture.
Committee to study state environmental programs and agencies, submit rec-
ommendations, H. C. R. 34; H. J. 869.
Prohibit sale or distribution of certain beverages in certain disposable contain-
ers, penalty. H. F. 485, Rodgers, et al.
Committee to study state environmental programs, etc., submit report. S. C. R.
31; S. J. 806.
Littering of highways, penalty for deliberate. S. F. 494, Walsh.
Proclaim April 19-25, 1971, as "environmental week in Iowa." H. C. R. 35; H. J.
1004, 1013 adopted; S. J. 920, 943.
Establishment of water flowing standards. S. F. 502, environmental preserva-
tion.
Disposal of abandoned motor vehicles, etc. H. F. 671, environmental preserva-
tion.
Location of electric generating facilities. H. F. 672, Fischer of Grundy.
Committee to continue study of state environmental programs and agencies,
etc. S. C. R. 36; S. J. 958.
Permit cities, not less than 13,000 nor more than 17,000 population, located on a
navigable river, construction of a waste treatment facility. (Keo-
kuk) S. F. 538, cities and towns; H. F. 707, cities and towns.
Sewage works construction fund, appropriation. H. F. 710, appropriations.
Prohibit littering on any private or public land or water, penalties. H. F. 714,
Kelly.

EQUIPMENT—**General**

Remove equipment from approval by legislature and governor, and federal
grants, etc. to be mixed together with tuition, fees, etc.—board of re-
gents. S. F. 122, higher education; H. F. 157, higher education.
Exempt certain industrial materials and equipment from retail sales and use
taxes. S. F. 166, Walsh; H. F. 459, Lawson.
Machinery or equipment for soil conservation work also excluded from re-
strictions on highway. S. F. 238, Balloun.
Property exempt from execution, debts. H. F. 275, Wells; S. F. 246, Robinson.
Motor fuel and special fuel tax refunds, power-take-off equipment. S. F. 318,
Van Drie.
Vehicle equipment requirements. S. F. 376, Coleman and Kyhl.
Safety standards and equipment on motor vehicles used by railroad companies,
penalties. S. F. 379, Riley, et al.
In-transit vehicles may transport equipment which was purchased with vehi-
cle. S. F. 403, Coleman and Kyhl.

EROSION—

(See Land and/or Soil Conservation)

ERROR, OMISSION AND EMBEZZLEMENT FUND**General**

Create an error, omission and embezzlement fund, tax therefor. H. F. 644,
county government.

ESCROW—**General**

Retention from payments on public contracts and escrow agreements. S. F.
229, Griffin, et al.; H. F. 300, Kehe, et al.
Rights of a tenant in maintenance and repair of rental property, housing.
S. F. 367, Tapscott; H. F. 502, Jesse, et al.

ESTATES—**General**

Full allowance made by court to surviving spouse and dependents, deducted as
debt for inheritance tax purposes. H. F. 88, Knoblauch, et al.
Costs of performing an autopsy. H. F. 137, Grassley and Trowbridge.
Assignment of group life insurance, beneficiaries. S. F. 386, commerce; H. F.
541, Freeman, et al. S.
Establish full property rights between husband and wife, estates, divorce, etc.
S. F. 388, Riley.
Lien of unpaid inheritance tax effective for 20 years, tax appraisals not neces-
sary unless, etc. S. F. 500, judiciary.
Summary administration of small estates, etc. S. F. 532, Miller.

EVIDENCE—

(See Court, all sub-refs.)

EXAMINING BOARDS—**General**

Increase fees for teacher certificates, and classes to be issued. S. F. 97, Curran; H. F. 144, Shaw, et al.
Waiver of the basic science examination. S. F. 198, Miller.

EXECUTIVE COUNCIL—**General**

Out of state travel expenses for state employees, executive council establish policy. H. F. 19, Welden, et al.; S. F. 46, Curran, et al.
Abolish budget and financial control committee, create office of legislative fiscal director. S. F. 62, Hill and Neu.
Create a department of general services, appropriation. S. F. 87, Curran, et al.; H. F. 129, Welden, et al.
Reimburse school districts for loss of tax revenue from certain tax-exempt land. H. F. 279, Schroeder and Knoke.
Office space for members of the General Assembly. H. F. 302, Kennedy.
Collection and disposition of wastepaper by the state. H. F. 407, Rodgers, et al.
One-half of all paper purchased by the state be of recycled paper. H. F. 419, Willits and Blouin.
Construction of the College of Osteopathic Medicine and Surgery, appropriation for. S. F. 404, Tapscott, et al.; H. F. 513, Kreamer, et al.
Create a department of executive services, general services, reorganization. S. F. 420, Coleman, et al.
State car dispatcher changed to state vehicle dispatcher, include aircraft, etc. H. F. 523, Priebe and Fischer of Grundy.
Grant easements or rights-of-way to public lands under jurisdiction of social services. S. F. 438, social services.
Transfer of jurisdiction or sale of real estate between state agencies and political subdivisions. S. F. 488, transportation; H. F. 648, state government.
Authorize executive council to acquire Terrace Hill. S. J. R. 9, Lamborn, et al.; H. J. R. 16, Alt, et al.
Executive council general contingent fund, appropriation to S. F. 556, appropriations.
Appropriate to executive council. S. F. 576, appropriations.
Executive council, statutory salary of the secretary. H. F. 739, appropriations.
College of Osteopathic Medicine and Surgery, appropriation to executive council for. S. F. 593, appropriations.

EXEMPTIONS—**General**

Property tax exemption for establishments holding a federal retail liquor sales permit. S. F. 227, Miller, et al.
Temporary (2 years) tax exemption upon improvements to residences. H. F. 260, Bray, et al.
Property exempt from execution, debts. H. F. 275, Wells; S. F. 246, Robinson.
Provide an exemption from income tax for members of National Guard, duty and active service. H. F. 281, Ellsworth.
Extension of tax exemptions to certain members of reserve components of armed forces. H. F. 282, Ellsworth.

EXPENDITURES—**General**

Reduce expenditure of state funds. (July 1, 1971) S. F. 179, appropriations.
Legislative fiscal director prepare and submit, to each legislator, a monthly report on current status of revenue income and departmental expenditures, etc. H. F. 497, Hansen.

EXPLOSIVES—**General**

False alarms, fire, explosion, or other. H. F. 240, Knoke.
Regulation of the manufacture, sale, transportation, etc., and use of explosive materials, penalties, etc. H. F. 522, law enforcement.
Storage of dynamite and dynamite caps, penalty. H. F. 532, Priebe.
Railroads notify law enforcement agencies and commerce commission shipment of dangerous materials, penalties. H. F. 604, Blouin, et al.

EYES—

(See Medical—Professional, sub-ref. Optometry)

FAIRS—**General**

Regulation of assemblages of persons, certain acts unlawful, penalties. S. F. 194, Kennedy, et al.; H. F. 292, Knoblauch.
Reduce state fair board members from 10 to 9, increase per diem compensation. H. F. 614, county government.
State fair board, appropriation. S. F. 554, appropriations.
Appropriate from general fund to fair board for major repairs to buildings and grounds. S. F. 561, appropriations.
Fair board, statutory salary of the secretary. H. F. 739, appropriations.

FAMILY PLANNING**General**

Authorize department of health to distribute information concerning birth control and establish family planning clinics. H. F. 504, Lipsky, et al.

FARMS—

(See Agriculture, all sub-refs.)

FEDERAL AID—**General**

Conservation of soil and water resources, control of water pollution. H. F. 73, Varley, et al.; S. F. 61, Laverty, et al.

Remove equipment from approval by legislature and governor, and federal grants, etc. to be mixed together with tuition, fees, etc.—board of regents. S. F. 122, higher education; H. F. 157, higher education.

Department of social services purchase additional services from other public or private social service agencies, appropriation. S. F. 315, Walsh, et al.

FEDERAL GOVERNMENT—**General**

Senate and House journals and bills be mailed to Iowa's United States senators and congressmen and the council of state governments. S. C. R. 7; S. J. 58, 61 adopted; H. J. 94.

Urge congress to retain department of agriculture. H. C. R. 11; H. J. 192, 240 adopted; S. J. 182, 205.

Provide one Code, journal, etc. to each member of the Iowa congressional delegation. S. F. 134, Potter, et al.

Request congress and the President of the United States remove all military personnel from Southeast Asia by July 1, 1971. H. C. R. 12; H. J. 222, 266.

Acquisition of property by public bodies, corporations and individuals. (Place grants of eminent domain into one chapter) S. F. 189, Briles, et al.; H. F. 314, Holden, et al. S.

Exempt from state income tax a portion of annuities received by retired federal employees. H. F. 196, Andersen, et al.; S. F. 253, Nicholson, et al.

That the congress of the United States propose an amendment to the United States Constitution allowing citizens 18 years or older voting privileges for all elections. H. C. R. 18; H. J. 423, 476, 477 adopted; S. J. 381, 383.

Establish a radiation control program, penalties, appropriation. S. F. 262, Walsh and Griffin; H. F. 461, Freeman, et al. (Same subject matter)

County board of supervisors need not submit proposition to voters to relocate property, state and federal governments taking. S. F. 269, Miller, et al.; H. F. 329, Schmeiser, et al.

Reversion of unclaimed postal savings system accounts to the state. S. F. 325, Mowry; H. F. 397, Pelton.

That the congress of the United States propose an amendment to the United States Constitution allowing citizens 18 years or older voting privileges for all elections. S. C. R. 23; S. J. 430, 431, 676 withdrawn.

Voting for president and vice-president of the United States, United States senators and representatives by persons 18 years or over—also residence for at least 30 days. H. F. 390, Drake.

Ratify a proposed amendment to the constitution of the United States, extending the right to vote to citizens 18 years of age or older. S. J. R. 7, Gaudineer, et al.; H. J. R. 15, constitutional amendments and reapportionment.

That the General Assembly opposes any plan to move the United States department of agriculture veterinary biologics division laboratory from Ames. S. C. R. 34; S. J. 843, 849 adopted; H. J. 964 adopted.

Petition congress re railpax. S. C. R. 35; S. J. 884, 913 adopted; H. J. 1019, 1082 adopted.

Authorize and direct issuance of a patent to real estate (Boone County) by the governor and secretary of state to the United States, Saylorville dam and reservoir. H. F. 742, conservation and recreation.

FEDERAL INTERNAL REVENUE—

(Also see Tax, sub-ref. Federal Internal Revenue)

General

State income tax percentage of federal tax. H. J. R. 3, Mendenhall.

Assignment of group life insurance, beneficiaries. S. F. 386, commerce; H. F. 541, Freeman, et al. S.

State income tax levied on net income. S. F. 448, Tapscott, et al.; H. F. 664, Cochran, et al.

Application of income tax refunds to court-ordered support payments. H. F. 623, Schwieger, et al.

FEEDS—

(See Agriculture, sub-ref. Feeds)

FEES—**(Also See Motor Vehicles, sub-ref. Fees)****General**

- Warehouse re-examination fees. H. F. 2, Fisher of Greene, et al.; S. F. 43, Neu, et al.
- Amount of motor vehicle fees retained by counties, registration, titles, etc. H. F. 12, Drake, et al.; S. F. 11, Curran, et al.
- Recording fees charged by county recorders, increase. S. F. 38, county government; H. F. 85, county government.
- Increase fees and mileage allowances of jurors. H. F. 67, Holden.
- Reorganization of the liquor control commission, sale of, violations of, etc. S. F. 55, Curran and Neu; H. F. 172, state government. S.
- Doctors' assistants. S. F. 73, Tapscott, et al.; H. F. 92, Mayberry, et al.
- Increase registration fees for motorboats. S. F. 96, Curran and Neu; H. F. 138, Shaw.
- Increase fees for teacher certificates, and classes to be issued. S. F. 97, Curran; H. F. 144, Shaw, et al.
- Increase fees charged by bureau of labor for certificates of inspection, boilers. S. F. 98, Curran, et al.; H. F. 186, Shaw, et al.
- Private employment agency fees, appeals. S. F. 117, Thordsen, et al.; H. F. 156, Ellsworth, et al. (Same as S. F. 566)
- Establish chiropractic examining board fund, increase license renewal fee. S. F. 238, Miller.
- Bonding of operators of slaughterhouses, agents, dealers, etc., penalties. H. F. 160, Stromer, et al.; H. F. 391, agriculture.
- Increase juror fees and mileage allowances. S. F. 167, Gaudineer.
- Increase fee charged for a class "A" beer permit. H. F. 176, Larson.
- Attorney's fees, judgments on written contracts. S. F. 180, Griffin; H. F. 368, Freeman.
- Licensing and regulation of hearing aid dealers, penalties. S. F. 184, Nicholson, et al.; H. F. 239, Lawson, et al.
- Increase fee for duplicate hunting and fishing licenses. H. F. 206, county government; S. F. 216, county government.
- Collection of fees from students at area schools. H. F. 222, Tieden, et al. (Similar subject matter as H. F. 436 and S. F. 444)
- Increase fee for issuance of tax deed. H. F. 227, Knoke.
- Licensing of insurance adjusters, penalties. S. F. 211, commerce.
- Registration fee for buses owned by religious organizations, used for its purposes. S. F. 248, Van Drie.
- Impose a tax on trading stamps, penalties. H. F. 290, Rodgers, et al.
- Registration fee on all motorboats and sailboats in lieu of personal property taxes, penalties. S. F. 259, Erskine; H. F. 315, Shaw.
- Fees for issuance of permits to carry concealed weapons. S. F. 264, Gaudineer, et al.
- Issue wine licenses to restaurants, fee. H. F. 306, Rodgers, et al.
- Establish plumbing code for installation of plumbing and certification of plumbers, fee. H. F. 311, Nystrom, et al.
- Removes requirement of printing seed permit number on each package, establish progressive fee schedule for a seed permit. H. F. 335, Pierson, et al.
- Motor vehicle inspection and safety, penalties. S. F. 297, law enforcement.
- Permit pari-mutuel betting in Iowa. S. F. 300, Griffin, et al.; H. F. 435, Knoblauch, et al.; H. F. 659, conservation and recreation. S.
- Sale of alcoholic beverages by certain liquor licensees and beer permittees on Sunday, fees. H. F. 345, Shaw, et al.
- Increase fees charged for insurance agent licenses. H. F. 365, Egenes and Ellsworth; H. F. 505, ways and means. S.
- Impose fees for use of certain state recreational areas, penalties. S. F. 346, Erskine; H. F. 422, Tieden; H. F. 577, conservation and recreation. S.
- Permits to carry concealed weapons, penalties. S. F. 356, Gaudineer, et al.
- Commercial feed inspection fee to be fixed annually. H. F. 381, agriculture; S. F. 362, Potgeiter and Coleman. S.
- Supplement the federal laboratory animal welfare act, provide standards for the care of animals, etc., penalties. H. F. 389, Radl, et al.; S. F. 435, Walsh and Riley.
- Purchasers and transporters of unprocessed grain licensed by commerce commission, penalties. S. F. 400, Pierson, et al.
- Permit and license fees for certain advertising devices, etc., penalties. H. F. 411, Rodgers.
- Establish a small claims court. S. F. 395, Glenn, et al.
- Establish a water conditioning examining board, license and regulate contractors for. S. F. 399, Shaff; H. F. 480, Alt.
- Collection of fees from students at area schools. H. F. 436, Dunton, et al. (Similar subject matter as H. F. 222 and S. F. 444)
- Increase fees charged for civil processes by sheriffs. H. F. 489, Lawson.
- Tax on hotel or motel, etc., accommodations. H. F. 462, ways and means.
- Fees charged for insurance agent licenses, make act retroactive. H. F. 505, ways and means. (Similar to H. F. 365)
- Increase some of the fees charged by sheriffs. H. F. 507, Pelton and Fischer of Grundy.

Establish board of optometry, restructure operations, etc., of present board. H. F. 524, Freeman, et al.
 Increase inspection fees for weights and measures. H. F. 527, agriculture.
 Create elevator safety division of the bureau of labor, inspection of elevators, dumbwaiters, escalators, etc., fees and penalties. H. F. 542, Jesse.
 Collection of fees from students at area schools. S. F. 444, higher education. (Similar subject matter as H. F. 222 and H. F. 436)
 Increase fish and game licenses and fees. H. F. 573, conservation and recreation.
 Increase registration fees for snowmobiles, disposition of fees. S. F. 463, ways and means.
 Decrease annual registration fee for urban transit company vehicles. S. F. 471, transportation.
 Increase registration fees for airmen and aeronautics instructors. H. F. 608, Dunton.
 Regulation of public accounting, etc., penalties. H. F. 643, Ellsworth, et al.; S. F. 490, Walsh.
 Registration of vending machines, permit fees, penalties. H. F. 681, Logemann. (Similar subject matter as S. F. 334)
 Private employment agency fees, appeals. S. F. 566, human and industrial relations. (Same as S. F. 117 and H. F. 156)

FELONY—

(See Law Enforcement)

FENCES—

General

Fences on multiple dwelling property lines. H. F. 36, Schroeder.
 Partition fences. H. F. 612, Stromer, et al.

FINES—

(Also see Law Enforcement)

General

Repeal of constitutional sections, fines for breach of penal laws, school districts. H. J. R. 2, Holden.
 Increase fines for misuse of guns and firearms. H. F. 90, Mendenhall.
 No hunting and fishing on private property without written consent, penalty. H. F. 93, Hamilton; S. F. 182, Anderson.
 Penalties for unlawfully transporting intoxicating liquors. S. F. 93, Kennedy; H. F. 125, Doyle.
 Subdivisions of land, in-state or out-of-state, must file with real estate commission, penalties. S. F. 111, Neu, et al.; H. F. 220, Shaw, et al.
 Reduce penalty for violation of snowmobile regulations. S. F. 116, conservation and recreation; H. F. 202, conservation and recreation.
 Trespassing—digging, etc., or cutting down of trees—stone, minerals, fruit, etc., penalties. S. F. 176, Stephens.
 Payment of court fines, defendant may choose how. H. F. 394, Johnston.
 Provide for uniform traffic summons and a schedule of minimum fines for certain traffic violations. H. F. 423, Kehe, et al.
 Reduce penalty for malicious injury to buildings and fixtures. H. F. 475, Johnston.
 Consolidate all trial courts into a unified trial court—district court judges and magistrates. S. F. 428, judiciary.
 Computation of fines for violations, maximum gross weight law for motor vehicles. S. F. 540, transportation. (Similar subject matter as H. F. 727.)
 Movement of oversized and overweight vehicles and loads, penalties. H. F. 727, transportation. (Similar subject matter as S. F. 540)

FIRE—

General

Establish uniform statewide telephone number for police and fire departments. H. F. 207, Priebe, et al.
 Carbon tetrachloride fire extinguishers not approved for use in migratory labor camps. H. F. 219, social services.
 False alarms, fire, explosion, or other. H. F. 240, Knoke.
 Definition of flammable liquids. H. F. 325, Holden. (Similar to H. F. 668, social services)
 Permits to carry concealed weapons, penalties. S. F. 356, Gaudineer, et al.
 Civil service employment in cities of 185,000 or more population. H. F. 526, Bennett.
 Definition of flammable liquids. H. F. 668, social services. (H. F. 325 similar)

Districts

Increase property taxation of benefited fire districts. H. F. 65, Mendenhall.
 Establish benefited fire districts. H. F. 663, Rex.

Marshal—State

Regulation of model rocketry, safety, penalties. H. F. 354, Jesse.
 Duties of the state fire marshal, inspections. H. F. 455, Weiden.

Regulation of the manufacture, sale, transportation, etc., and use of explosive materials, penalties, etc. H. F. 522, law enforcement.
Storage of dynamite and dynamite caps, penalty. H. F. 532, Priebe.

FIREARMS—

(Also see Weapons)

General

Provide hunting-safety education, penalty. S. F. 79, Miller, et al.; H. F. 133, Monroe, et al.
Increase fines for misuse of guns and firearms. H. F. 90, Mendenhall.
Criminal action to deliver drugs or liquor or to help an inmate to escape from institutions under department of social services. S. F. 108, Kennedy.
Restrict use of firearms, fireworks, etc., on state preserves and parks. S. F. 158, conservation and recreation; H. F. 198, conservation and recreation.
Additional penalties for commission of, or attempt to commit crimes when armed with firearms. H. F. 280, Fischer of Grundy.
Fees for issuance of permits to carry concealed weapons. S. F. 264, Gaudineer, et al.

FIRE DISTRICTS—

(See Fire, sub-ref. Districts)

FIREMEN—

General

Retirement systems for policemen and firemen, vesting of and five highest salaried years. S. F. 163, cities and towns.
Pensions granted to the widows of retired policemen and firemen, change definition of widow or spouse. H. F. 476, Franklin.
Elected and appointed officials defined as employees for purposes of workmen's compensation. S. F. 474, law enforcement; H. F. 660, judiciary.

FISH AND GAME—

(Also see Conservation and/or Hunting and/or Licenses, sub-ref. Fish and Game)

General

Prohibit hunting along public highways. H. F. 59, Hamilton.
No hunting and fishing on private property without written consent, penalty. H. F. 93, Hamilton; S. F. 182, Anderson.
Persons over 64 may fish without a license. H. F. 158, Ellsworth and Taylor.
Consolidates 2 sections of the Code re trotlines. S. F. 147, conservation and recreation.
Violations of the fish and game conservation laws, penalties. S. F. 149, conservation and recreation.
Allow black bass to be bought, sold, etc. S. F. 160, conservation and recreation.
Juveniles subject to same penalties for violation of fish and game laws. H. F. 251, Knoke.
Issuance of special deer hunting licenses to spouse of landlords and tenants. S. F. 218, Potgeter.
Remove pickerel from species of fish which can be taken from Mississippi by commercial fishermen. S. F. 257, conservation and recreation.
Seasons and limits on fish and frogs. S. F. 332, conservation and recreation.
Repeal bounties on certain wild animals. H. F. 360, Bray, et al.
Establish an endangered species list of wildlife. H. F. 362, Bray, et al.
County conservation boards manage wildlife areas. H. F. 438, Lipsky.
Increase fish and game licenses and fees. H. F. 573, conservation and recreation. (Similar subject matter as S. F. 478)
Combined hunting and fishing licenses issued to residents 65 years of age or older remain valid lifetime of the licensee. S. F. 457, Walsh.
Increase fish and game licenses and fees. S. F. 478, conservation and recreation. (Similar subject matter as H. F. 573)
Increase fees for certain hunting and fishing licenses. H. F. 611, Larson.
Imposing damage liability for unlawful destruction, etc., of wildlife owned by the state. H. F. 726, conservation and recreation.

Licenses

(See Licenses, sub-ref. Fish and Game)

FLAGS—

General

Issuance and use of distress flags by handicapped persons, penalties. H. F. 268, Dunton.
Pay tribute to the memory of Dixie Cornell Gebhardt of Knoxville as the designer of the Iowa State Flag on its fiftieth anniversary. H. C. R. 28; H. J. 733 adopted; S. J. 635 adopted.

FLOODS—

General

Conservation of soil and water resources, control of water pollution. H. F. 73, Varley, et al.; S. F. 61, Laverty, et al.
Condemnation of property by county for flood and erosion control projects. S. F. 518, county government.

FOOD STAMPS—

General

Misuse of food stamps, penalty. H. F. 439, Schwieger.
Food stamp program, all counties participate in. S. F. 492, Walsh.

FOODS—

General

Restaurants and grocery stores exempt from obtaining meat and poultry inspection licenses. H. F. 55, Radl.
Abolish marketing division of the department of agriculture, transfer duties to development commission and secretary of agriculture. S. F. 88, Neu and Curran; H. F. 147, Shaw; S. F. 504, state government.
Advertisement of meat and poultry products must state grade. H. F. 116, Mayberry and Franklin.
Create Iowa turkey federation, promote marketing of turkeys, excise tax for. H. F. 145, Rex and Hansen; S. F. 230, Coleman.
Destruction of food products, repeal law. S. F. 200, Potgeter.
Use of dead animals. S. F. 301, Shawver, et al.; H. F. 380, Strothman, et al.
Compensation for feeding prisoners in certain counties. S. F. 322, Curran, et al.; H. F. 375, Lawson, et al. S.
Vending of foods and beverages, penalty. S. F. 334, agriculture.
Repeal meat and poultry inspection act. S. F. 351, Schaben, et al.
Repeal section 191.9 requiring labeling of foreign meat. H. F. 382, agriculture.
Update references in Code, Iowa Poultry Association, Inc. H. F. 384, Rex.
Prohibit use of aerosol pesticide dispensers in restaurants and food establishments, penalty. H. F. 596, Blouin.
Inspection of food establishments, etc., penalty. H. F. 631, Strothman.

Dairy

Specifications and standards for cheese and cheese products. H. F. 114, Mene-fee; S. F. 152, agriculture.
Create Iowa egg fund, promote marketing of eggs, excise tax for. S. F. 255, Coleman; H. F. 350, Rex.

FOUNDATIONS—

General

Private foundation and charitable trusts, tax advantages. S. F. 347, DeKoster and Gaudineer; H. F. 434, Kreamer and Pelton.
Nonprofit corporations, tax advantages. S. F. 348, DeKoster and Gaudineer; H. F. 413, Kreamer and Pelton.

FRANCHISES—

(Also see Tax, sub-ref. Franchise)

General

Electric transmission lines, power of eminent domain, notification to property owners, hearings. H. F. 151, Fischer of Grundy.
Pipeline companies, power of eminent domain, notification to property owners, hearings. H. F. 152, Fischer of Grundy.
Remove powers to grant a franchise to an electric utility company by board of supervisors. H. F. 32, Holden, et al.; S. F. 23, Briles, et al.
Permit city or town to grant a franchise for cable television without an election. H. F. 243, Jesse.
Franchises for transit systems, etc., counties right to grant. S. F. 493, Walsh.

FRAUDS—

General

Penalty for embezzlement of secured interests in collateral. S. F. 105, Shafl.
Consumer fraud, penalty. H. F. 594, Taylor, et al.

FUEL—

(Also See Taxes, sub-ref. Fuel)

General

Definition of pipeline and pipeline companies and substances. H. F. 23, Holden, et al.; S. F. 16, Briles, et al.
Increase excise tax on motor fuel, portion going to cities and towns and grade separations. S. F. 25, Griffin.
Repeal requirement motor vehicle registration fees, licenses, and excise taxes on motor vehicle fuel be used exclusively for highway purposes. H. J. R. 10, Larson and Small.
Time of filing for motor fuel and special fuel tax refunds. H. F. 255, Fischer of Grundy.
Definition of flammable liquids. H. F. 325, Holden. (Similar to H. F. 668, social services)
Motor fuel and special fuel tax refunds, power-take-off equipment. S. F. 318, Van Drie.
Refunding of motor fuel tax. H. F. 346, ways and means.
Type of fuel used must be stated on registration of motor vehicles. H. F. 551, ways and means.
Deduct or claim fuel tax, (used for nonhighway purposes) from income tax at end of year. H. F. 576, Schmeiser, et al.
Definition of flammable liquids. H. F. 668, social services. (H. F. 325 similar)

Reduce motor fuel tax refunds allowable on aircraft, divide unclaimed refunds between airports, etc. S. F. 535, transportation.

FUNDS—

(Also See Schools, sub-ref. Funds)

General

- Financial disclosure by legislators, elected state officials and judges. S. F. 26, Glenn.
 Conservation of soil and water resources, control of water pollution. H. F. 73, Varley, et al.; S. F. 61, Lavery, et al.
 Reduce expenditure of state funds. (July 1, 1971) S. F. 179, appropriations.
 Nonprobate transfers, survivors, beneficiaries, etc. S. F. 295, judiciary.
 Permit pari-mutuel betting in Iowa. S. F. 300, Griffin, et al.; H. F. 435, Knoblauch, et al.; H. F. 659, conservation and recreation. S.
 Vietnam veterans' service compensation fund, bonds. H. F. 352, Wyckoff and Ellsworth.
 Empower the General Assembly to appropriate state funds to, and provide for the use of public funds by, private schools. S. J. R. 5, Gaudineer.
 Create a vocational youth organization fund, appropriation. H. F. 457, Kreamer.
 Legislative fiscal director prepare and submit, to each legislator, a monthly report on current status of revenue income and departmental expenditures, etc. H. F. 497, Hansen.
 Investment of funds—school districts, counties, cities, towns, and others. S. F. 442, Riley.
 Public safety, appropriation to, and sales and use tax on all registered automobiles, etc. S. F. 510, ways and means.
 Authorizing supplements to salaries for county attorneys, sheriffs, etc. from private or federal funds. S. F. 548, judiciary; H. F. 717, judiciary. S

Cities and Towns

- Establish a municipal tax relief fund. S. F. 80, Milligan and Carlson; H. F. 113, Alt, et al.

Counties

- Deposit of receipts from taxation of real estate transfers, 50 percent state general fund, 50 percent county. S. F. 64, county government.

Treasurer of State

- Increase excise tax on motor fuel, portion going to cities and towns and grade separations. S. F. 25, Griffin.
 Deposit of receipts from taxation of real estate transfers, 50 percent state general fund, 50 percent county. S. F. 64, county government.
 Deposits of public funds, invested in U.S. notes, certificates, bonds or other. S. F. 69, county government; H. F. 86, county government.
 Deposit and investment of public funds. S. F. 243, county government; H. F. 334, county government.

FUNERALS—

(Also See Burials and/or Cemeteries)

General

- Licensing of funeral homes. S. F. 306, social services.
 Removal of eyes after death by licensed funeral directors or embalmers. S. F. 143, Milligan, et al.; H. F. 170, Tieden, et al.
 Increase funeral benefits for welfare recipients. S. F. 317, Van Gilst and Curran.
 Regulation of the sale of prearranged or prepaid funeral services, etc., penalties. S. F. 434, Walsh and Tapscott.

GAMBLING—

(Also see Bingo and/or Pari-mutuel)

General

- Permit pari-mutuel betting in Iowa. S. F. 300, Griffin, et al.; H. F. 435, Knoblauch, et al.; H. F. 659, conservation and recreation. S.
 Defining bingo, conduction of etc., penalties. H. F. 348, Ellsworth.

GARBAGE—

General

- Require cities and towns to collect and dispose of garbage, etc. H. F. 261, Rodgers and Doyle.

GAS—

(See Fuel and/or Taxes, sub-ref. Gas or Fuel)

GENERAL ASSEMBLY—

General

- Financial disclosure by legislators, elected state officials and judges. S. F. 26, Glenn.
 Superintendent of public instruction appointed by governor, requirements. H. F. 52, Kehe, et al.
 Compensation of joint legislative employees. S. C. R. 6; S. J. 44, 61 adopted; H. J. 93, 119 adopted.

- Compensation of chaplains, officers and employees of General Assembly. S. C. R. 5; S. J. 42, 61 adopted; H. J. 91, 119 adopted.
- Adjournment Friday, March 12, 1971; reconvene Monday, March 22, 1971 at 10:00 a.m. S. C. R. 4; S. J. 42, 61 adopted; H. J. 91, 407 adopted.
- Journals, bills and binders to be furnished free to county auditors. S. C. R. 3; S. J. 11 adopted; H. J. 14 adopted.
- Senate and House members, office of staff of Senate Secretary and Chief Clerk and press to be furnished 1971 codes and session laws. S. C. R. 2; S. J. 11 adopted; H. J. 14 adopted.
- Joint committee to arrange for inauguration. S. C. R. 1; S. J. 14 adopted; H. J. 13 adopted.
- Lieutenant governor and each senator authorized to appoint a competent secretary. S. R. 1; S. J. 11 adopted.
- Senate and House Journals and bills be mailed to Iowa's U. S. senators and congressmen and the council of state governments. S. C. R. 7; S. J. 58, 61 adopted; H. J. 94.
- Additional employees, joint committee appointed. H. C. R. 2; H. J. 13 adopted; S. J. 12, 13 adopted.
- Joint convention January 11, 1971, 1:30 p.m., governor's message, canvass of votes, January 12, 1971 at 10:00 a.m. H. C. R. 1; H. J. 9 adopted; S. J. 12, 13 adopted.
- That each member of the House select and appoint a qualified clerk. H. R. 2; H. J. 12 adopted.
- Chaplain committee. H. R. 1; H. J. 12 adopted.
- State income tax percentage of federal tax. H. J. R. 3, Mendenhall.
- Adjournment of the General Assembly. H. F. 57, Weiden, et al.
- Adjournment Thursday afternoon, January 14, 1971, reconvene 10:00 a.m., Monday, January 18, 1971. H. C. R. 4; H. J. 71 adopted; S. J. 62 adopted.
- Apportionment plan, 40 senatorial districts and 80 representative districts. H. C. R. 5; H. J. 71, 201 tabled.
- Four-year terms for members of the House of Representatives. H. J. R. 4, Mendenhall.
- Special registration plates for legislators. H. F. 76, Doyle, et al.
- Joint convention, governor's budget message, January 27, 1971 at 10:45 a.m. H. C. R. 7; H. J. 128, 146 adopted; S. J. 109, 120 adopted.
- Each major political party be issued passes for use during Sixty-fourth General Assembly. S. C. R. 8; S. J. 89, 93 adopted; H. J. 120, 178 adopted.
- Create a department of environmental quality. S. F. 85, Laverty, et al.; H. F. 269, Varley, et al.
- Express personal sympathy to Representative Vernon A. Ewell in the loss of his father, Mr. Vernon Ewell. H. R. 3; H. J. 166 adopted.
- Acts of General Assembly shall take effect at time stated or as of July 1st without publication. H. J. R. 9, Grassley, et al.
- Publication of Acts of the General Assembly, one or more newspapers. H. F. 149, Grassley, et al.
- Extend sincere condolences to the family of the Honorable Earl Elijah. S. R. 2; S. J. 177, 210 adopted.
- Extend congratulations to Welp's breeding farm for earning 'E' award. H. C. R. 13; H. J. 250, 271 adopted; S. J. 209 adopted.
- Extend congratulations to Welp's breeding farm for earning 'E' award. S. C. R. 11; S. J. 203, 209 withdrawn. (H. C. R. 13 substituted)
- Conflicts of interest by officials, employees, legislative employees, and members of the General Assembly. S. F. 175, Stephens.
- That the Iowa legislature opposes the invasion of Laos. H. C. R. 15; H. J. 288, 321 tabled.
- That a joint House and Senate committee be appointed to devise a plan for reapportionment for consideration by the Sixty-fourth General Assembly, no later than April 18, 1971. H. C. R. 16; H. J. 302.
- Joint session Thursday, April 1, 1971 at 2:00 p.m., Pioneer Law Makers present program. S. C. R. 12; S. J. 234, 320 adopted; H. J. 408 adopted.
- Friday, February 26, 1971, final day for Senate members to submit bill requests to legislative service bureau, and Monday, March 8, 1971, final day for House members. S. C. R. 13; S. J. 234, 337 adopted; H. J. 426, 465 adopted.
- Appeal board can not pay claims over \$5,000 without approval of legislature. S. F. 192, Graham; S. F. 221, Stephens. S.
- Qualifications of commissioner of public health. S. F. 224, social services.
- Membership on interim committees, certain provision. H. F. 259, Andersen.
- All printed information, etc., intended for general distribution be distributed under the supervision of the sergeant-at-arms. H. C. R. 3; H. J. 65, 158 adopted; S. J. 114, 268 adopted.
- Extend deep and profound sympathy to the family and relatives of Senator Charles K. Sullivan, committees appointed to represent Senate and House at the funeral. S. C. R. 14; S. J. 276 adopted; H. J. 359 adopted.
- Pay homage to Karl King noted Iowa band director and composer celebrating his 80th birthday on February 21, 1971. S. C. R. 15; S. J. 302, 307 adopted; H. J. 388 adopted.
- Office space for members of the General Assembly. H. F. 302, Kennedy.
- That the Congress of the United States propose an amendment to the U. S. constitution allowing citizens 18 years or older voting privileges for all elections. H. C. R. 18; H. J. 423, 476, 477 adopted; S. J. 381, 383.

- Allow citizens of this state 18 years or older to vote in all elections. S. J. R. 4, Tapscott.
- Governor appoint a representative or senator if vacancy occurs. H. J. R. 11, Stokes, et al.
- Express personal sympathy to Representative James D. Wells in the loss of his mother, Mrs. Florence Wells. H. R. 4; H. J. 432 adopted.
- Request Governor Ray issue a proclamation designating the week of March 21st as 'Iowa concern for prisoners of war missing in action week'. S. C. R. 16; S. J. 351, 401 adopted, 406; H. J. 497, 566 adopted.
- Establish office of ombudsman, penalties. S. F. 288, Potgeter and Walsh.
- Method for the General Assembly to call itself into special session. H. J. R. 12, Doyle, et al.
- Members of General Assembly submitting legalizing acts. H. C. R. 20; H. J. 470.
- Extend to President Nixon a most cordial invitation to attend and address a joint session of the General Assembly. S. C. R. 19; S. J. 367 adopted; H. J. 465 adopted.
- Reapportionment of Sixty-fifth General Assembly. S. F. 291, Gaudineer.
- Joint convention, Monday, March 1, 1971 at 10:10 a.m., President Richard M. Nixon to address joint convention. H. C. R. 21; H. J. 479 adopted; S. J. 388 adopted.
- Governor Robert D. Ray invited to attend joint convention re address by President Richard M. Nixon. S. C. R. 20; S. J. 387 adopted; H. J. 480 adopted.
- Chief justice and members of the supreme court, elected state officials and Iowa congressional delegation invited to attend joint convention re address by President Richard M. Nixon. S. C. R. 21; S. J. 387 adopted; H. J. 480 adopted.
- Salaries and expenses of members of the General Assembly and lieutenant governor. H. F. 371, Pelton.
- That the Congress of the U. S. propose an amendment to the U. S. Constitution allowing citizens 18 years or older voting privileges for all elections. S. C. R. 23; S. J. 430, 431, 676 withdrawn.
- Empower the General Assembly to appropriate state funds to, and provide for the use of public funds by, private schools. S. J. R. 5, Gaudineer.
- Recall House File 29 from governor. S. C. R. 24; S. J. 436 adopted; H. J. 540 adopted.
- Commend Drake University basketball team and extend full support in its upcoming playoff game. H. C. R. 24; H. J. 568, 577 adopted; S. J. 468, 503 adopted.
- Express personal sympathy to Representative C. Raymond Fisher in the loss of his mother, Mrs. Rachel Fisher. H. R. 5; H. J. 576 adopted.
- Provide definite procedure for legislature to effect changes in administrative rules. H. F. 412, Welden, et al.
- Invitation to Dr. Norman Borlaug to address a joint convention of the Sixty-fourth General Assembly. S. C. R. 26; S. J. 499, 503 adopted; H. J. 614, 689 adopted.
- Advisory committee to study advantages of a pari-mutuel system of betting, submit report. H. C. R. 27; H. J. 641.
- Committee to study legislation authorizing pari-mutuel betting in Iowa, submit report. H. C. R. 26; H. J. 640, 1767.
- Effective date of Acts passed by the General Assembly. H. F. 445, Goode.
- Legislative fiscal director prepare and submit, to each legislator, a monthly report on current status of revenue income and departmental expenditures, etc. H. F. 497, Hansen.
- Appointment of deputy state comptrollers. S. F. 411, Tapscott, et al.
- Advisory committee to study advantages of a pari-mutuel system of betting, submit report. S. C. R. 27; S. J. 553, 770, 1133.
- Committee to study if need exists for legislation in regulating operations and acquisitions of bank holding companies, etc., submit report. S. C. R. 28; S. J. 554, 555, 1890.
- Increase term of labor commissioner. H. F. 511, Bennett.
- Lieutenant governor, executive assistant to governor; Senate choose president. S. J. R. 8, Milligan.
- Pay tribute to the memory of Dixie Cornell Gebhardt of Knoxville as the designer of the Iowa State Flag on its fiftieth anniversary. H. C. R. 28; H. J. 733 adopted; S. J. 635 adopted.
- Adjourn Thursday, April 8, 1971, reconvene on Monday, April 12, 1971 at 10:00 A.M.; Good Friday. H. C. R. 29; H. J. 774, 796 adopted; S. J. 695, 722 adopted.
- Joint memorial session, Wednesday, April 28, 1971 at 7:30 p.m.; H. C. R. 31; H. J. 810, 833 adopted; S. J. 718, 723 adopted. Time change to April 27, 1971. H. J. 931; S. J. 837.
- Commend the efforts of a delegation of concerned Iowans in their successful meeting with North Vietnamese officials. S. C. R. 29; S. J. 714.
- Rules of statutory construction. H. F. 587, judiciary.
- Omit material from section 43.83 re elections to fill vacancies in General Assembly. S. F. 485, judiciary.
- That the General Assembly opposes any plan to move the U.S. department of agriculture veterinary biologics division laboratory from Ames. S. C. R. 34; S. J. 843, 849 adopted; H. J. 964 adopted.

- Express personal sympathy to Representative Vernon Bennett in the loss of his mother, Mrs. Helen F. Bennett. H. R. 6; H. J. 960, 974 adopted.
- Employment of legislative staff. H. F. 667, Cochran.
- Establish 4-day work week for General Assembly, also time limit for sessions. S. C. R. 37; S. J. 959, 958.
- General Assembly endorse efforts of congressmen proposing to amend daylight saving time law. H. C. R. 36; H. J. 1106.
- Adjournment Friday, May 28, 1971; reconvene Monday, January 10, 1972, at 10:00 a.m. S.C.R. 38; S. J. 1094, 1121 adopted; H. J. 1272, 2102, 2148, 2211 adopted; S. J. 2034 adopted.
- Express personal sympathy to Representative Harold O. Fischer in the loss of his father, Mr. Jack L. Fischer. H. R. 7; H. J. 1386 adopted.
- That the U. S. withdraw all military personnel from Indo-China by the end of 1971. H. R. 8; H. J. 1399, 1954 tabled.
- Interim expenses for the Secretary of the Senate. S. R. 4; S. J. 1237, 1714 adopted.
- Details of closing the 1971, first regular session, of the Sixty-fourth General Assembly, interim staff and work, reconvening 1972, second regular session, etc. S. C. R. 41; S. J. 1237, 1714 adopted; H. J. 1891, 2076 adopted.
- Secretary of Senate and Chief Clerk of the House authorized to attend national legislative conference. S. C. R. 42; S. J. 1238, 1714 adopted; H. J. 1892, 2076 adopted.
- Expenses of legislators, pertaining to operation of legislative services between sessions, be paid after proper authorization. S. C. R. 43; S. J. 1238, 1714 adopted; H. J. 1892, 2076 adopted.
- Claims rejected by joint claims committee be resubmitted for consideration by the General Assembly. H. C. R. 37; H. J. 1501, 1608, 1811 adopted; S. J. 1630.
- Listed claims be held over for consideration by second session of the Sixty-fourth General Assembly. H. C. R. 38; H. J. 1586, 1812 adopted; S. J. 1614.
- Adjournment on Friday, May 28, 1971, reconvene on Tuesday, June 1, 1971 at 9:30 a.m., for Memorial Day. H. C. R. 39; H. J. 1640, 1669 adopted; S. J. 1499, 1531 adopted.
- General Assembly extends congratulations and best wishes to George Mills. S. C. R. 44; S. J. 1526, 1712 adopted; H. J. 1893, 2007 adopted.
- Composition of the General Assembly. H. F. 732, constitutional amendments and reapportionment.
- Interim expenses for the Chief Clerk of the House. H. R. 9; H. J. 2037, 2076 adopted.
- Recall H. F. 654 from the governor. S. C. R. 47; S. J. 2035.

GENERAL SERVICES—**General**

- Create a department of general services, appropriation. S. F. 87, Curran, et al; H. F. 129, Welden, et al.
- Create a department of executive services, general services, reorganization. S. F. 420, Coleman, et al.

GEOLOGY—**General**

- Reorganize conservation commission, natural resources council, soil conservation commission, geologist, geological board, and advisory board for preserves; establish department of natural resource management. S. F. 451, Gaudineer.
- Geological survey; natural resources council; mines and minerals, department of, appropriation to. S. F. 553, appropriations.
- Geologist, office of, statutory salary of. H. F. 739, appropriations.

GOVERNOR—**General**

- Governor-elect expense fund. H. F. 4, Welden, et al.; S. F. 14, Curran and Neu.
- Prohibit incurring expenses for inauguration ceremonies and receptions for Governor serving a successive term. H. F. 35, Millen, et al.
- Superintendent of public instruction appointed by governor, requirements. H. F. 52, Kehe, et al.
- Joint convention January 11, 1971, 1:30 p.m., governor's message canvass of votes, January 12, 1971 at 10:00 a.m. H. C. R. 1; H. J. 9 adopted; S. J. 12, 13 adopted.
- Adjournment Thursday afternoon, January 14, 1971, reconvene 10:00 a.m. Monday, January 18, 1971. H. C. R. 4; H. J. 71 adopted; S. J. 62 adopted.
- Joint convention, governor's budget message, January 27, 1971 at 10:45 a.m. H. C. R. 7; H. J. 128, 146 adopted; S. J. 109, 120 adopted.
- Create a department of environmental quality. S. F. 85, Laverty, et al.
- Consolidation of counties, S. F. 90, county government.
- Annual budgeting and reporting for state departments. S. F. 112, Hill and Potter.
- Four-year terms for governor, lieutenant governor, secretary of state, treasurer, auditor and attorney general. H. J. R. 7, Schwieger, et al.

- Master plan for higher education, develop legislative proposals, submit recommendations. H. C. R. 9; H. J. 176, 968 adopted; S. J. 868, 901.
- Establish pilot programs for drug abuse, treatment, rehabilitation, education, etc., appropriation. S. F. 130, Gaudineer, et al.
- Licensing and regulation of hearing aid dealers, penalties. S. F. 184, Nicholson, et al.; H. F. 239, Lawson, et al.
- Governor's salary, highest public. H. F. 193, Kennedy and Johnston.
- Further objectives of the governor's economy committee report re design work being performed within the department of the highway commission. H. C. R. 17; H. J. 321, 427.
- Governor appoint secretary of agriculture. H. F. 246, Blouin, et al.
- Qualifications of commissioner of public health. S. F. 224, social services.
- Establish a radiation control program, penalties, appropriation. S. F. 262, Walsh and Griffin; H. F. 461, Freeman, et al. (Same subject matter)
- Governor appoint a representative or senator if vacancy occurs. H. J. R. 11, Stokes, et al.
- Request Governor Ray issue a proclamation designating the week of March 21st as 'Iowa concern for prisoners of war missing in action week'. S. C. R. 16; S. J. 351, 401 adopted, 406; H. J. 497, 566 adopted.
- Establish office of ombudsman, penalties. S. F. 288, Potgeter and Walsh.
- Insert in Code the text of the probation and parole compact. H. F. 326, social services.
- Permit pari-mutuel betting in Iowa. S. F. 300, Griffin, et al.; H. F. 435, Knoblauch, et al.; H. F. 659, conservation and recreation. S.
- Establish board of residential care standards, etc. S. F. 305, social services.
- Governor Robert D. Ray invited to attend joint convention re address by President Richard M. Nixon. S. C. R. 20; S. J. 387 adopted; H. J. 480 adopted.
- Establish an endangered species list of wildlife. H. F. 362, Bray, et al.
- State to enter into the midwest nuclear compact. S. F. 338, Doderer, et al.; S. F. 365, Iowa development; H. F. 396, Kehe, et al.
- Recall House File 29 from governor. S. C. R. 24; S. J. 436 adopted; H. J. 540 adopted.
- Eliminate detailed report requirements by bureau of labor, and eliminate requirement that one factory inspector be a woman. S. F. 372, Potgeter.
- Create an Iowa athletic council. S. F. 378, Gaudineer.
- Establish a water conditioning examining board, license and regulate contractors for. S. F. 399, Shaff; H. F. 480, Alt.
- Establish a constitutional revision commission to study need for a constitutional convention, revision of the constitution, appropriation. S. J. R. 6, Doderer and Gaudineer.
- Establish a professional standards board governing approval of teacher preparation institutions and certification of teachers, replace board of education examiners. H. F. 471, Willits.
- Appointment of deputy state comptrollers. S. F. 411, Tapscott, et al.
- Establish a labor relations board, unfair labor practices, penalties. S. F. 412, Tapscott, et al.
- Create a department of executive services, general services, reorganization. S. F. 420, Coleman, et al.
- Increase term of labor commissioner. H. F. 511, Bennett.
- State car dispatcher changed to state vehicle dispatcher, include aircraft, etc. H. F. 523, Priebe and Fischer of Grundy.
- Lieutenant governor, executive assistant to governor--Senate choose president. S. J. R. 8, Milligan.
- Consolidation of counties and county officers. H. F. 531, Blouin. (Similar subject matter as S. F. 90)
- Governor appoint a chief administrator, office of governor. H. F. 560, Pelton.
- Create office of state architect, appropriation. H. F. 564, Priebe and Fischer of Grundy.
- Request governor review present policy of the state re insurance. H. C. R. 32; H. J. 841, 911 adopted; S. J. 787.
- Governor request comptroller or auditor of state review statutory bonding provisions for state employees. H. C. R. 33; S. J. 842, 912 adopted; S. J. 788.
- Deferred compensation for governmental employees. S. F. 470, Doderer; H. F. 613, Fisher of Greene.
- Establish study of the public information activities of state departments and agencies under governor, appropriation. H. F. 628, Pelton.
- Regulation of public accounting etc., penalties. H. F. 643, Ellsworth, et al.; S. F. 490, Walsh.
- Crime commission designated as law enforcement planning agency, also under governor only, and add chief of highway patrol. H. F. 649, state government. S. F. 507, state government.
- Community housing development board, create, reimbursement of property tax to developers. S. F. 491, Walsh.
- Radio equipment for public safety, appropriation to. S. F. 551, appropriations.
- Law enforcement academy, capital improvements, appropriation to. S. F. 555, appropriations.
- Appropriation to public safety and various divisions thereof for salaries, etc. S. F. 557, appropriations. (See subject Appropriations, sub-ref. Public Safety for a more complete listing)

- Appropriate from general fund to conservation commission for projects re state parks, preserves, waters, lakes, land, erosion, trees, etc. H. F. 723, appropriations.
- Board of regents, office of, for salaries, etc., and various other—and for institutions under board of regents, appropriation. H. F. 724, appropriations. (See subject Appropriations, sub-ref. Regents, Board of, for a more complete listing)
- Appropriate from general fund to historical society for development of Toolesboro mounds and museum area, also Gardner log cabin. S. F. 562, appropriations.
- Appropriate to governor. S. F. 576, appropriations.
- Governor, office of, statutory salary of the governor, and drug abuse director. H. F. 739, appropriations.
- Authorize and direct issuance of a patent to real estate (Boone County) by the governor and secretary of state to the United States, Saylorville dam and reservoir. H. F. 742, conservation and recreation.

GRADING—

(See Roads and Highways and/or Streets)

GRAIN—

(See Agriculture, sub-ref. Grain)

GUNS—

(See Firearms and/or Weapons)

HANDICAPPED—

General

- Include housing and services in employment of the handicapped. H. F. 8, Alt, et al.; S. F. 7, DeKoster and Tapscott.
- Include services in employment of the handicapped. H. F. 9, Fisher of Greene, et al.; S. F. 49, Neu and Smith.
- Issuance and use of distress flags by handicapped persons, penalties. H. F. 268, Dunton.
- Establish housing for disabled persons, appropriation. S. F. 311, Tapscott.
- Appropriate to employment of the handicapped. S. F. 576, appropriations.
- Employment of the handicapped, committee on, statutory salary of the executive secretary. H. F. 739, appropriations.

HEALTH—

General

- Sale and resale of cattle, health certificate. H. F. 50, Rex.
- Prohibit discharge of sewage into open ditches, highways, etc. H. F. 123, Varley, et al.; S. F. 328, Lavery, et al.
- Expenses of members of local boards of health. S. F. 165, Coleman.
- Waiver of the basic science examination. S. F. 198, Miller.
- Qualifications of commissioner of public affairs. S. F. 224, social services.
- Establish and regulate nonprofit prepaid comprehensive health care corporations. S. F. 239, Doderer and Messerly; H. F. 525, Schwieger, et al.
- Require railway employees be provided adequate sanitation and shelter. H. F. 271, Hansen, et al.; S. F. 342, Riley, et al.
- Rights of a tenant in maintenance and repair of rental property, housing. S. F. 367, Tapscott; H. F. 502, Jesse, et al.
- Local boards of health, inspections by. H. F. 472, Lawson.
- Inspection of patients' records. H. F. 533, Kelly.
- Liability for negligence in rendition of services re donating of blood, human tissues, etc. H. F. 556, Shaw.
- Appropriation to social services for administration and departmental operations, area service and administration, family and children's services, adult corrections services, assistance grants, mental health services, mental retardation services, specified federal matching funds, board of parole, and study by department. S. F. 565, appropriations. (Item veto)

Centers

- Authorize issuance of industrial aid bonds for railroad and bus transportation, hospital, clinic, and health care facilities, and industrial pollution control projects. H. F. 418, Hansen and Holden.

Department of

- Doctors' assistants. S. F. 78, Tapscott, et al.; H. F. 92, Mayberry, et al.
- Create a department of environmental quality. S. F. 85, Lavery, et al.
- Kidney disease program, appropriation. S. F. 125, Smith, et al.; H. F. 221, Roorda, et al.; S. F. 590, appropriations. Very similar.
- Establishing a psychology examining board and registration of psychologists. H. F. 163, Alt; S. F. 241, Van Drie and Doderer. S.
- Licensing and regulation of hearing aid dealers, penalties. S. F. 184, Nicholson, et al.; H. F. 239, Lawson, et al.
- Sales and use tax exemptions on expenditures for air and water pollution control. S. F. 195, Walsh, et al.; H. F. 305, Winkelman, et al. S.
- Exempt facilities used to control air and water pollution from property taxation. S. F. 196, Walsh, et al.; H. F. 309, Winkelman, et al.

Establish a radiation control program, penalties, appropriation. S. F. 262, Walsh and Griffin; H. F. 461, Freeman, et al. (Same subject matter)

"Thorough" physical not required for marriage license. H. F. 308, social services.

Establish plumbing code for installation of plumbing and certification of plumbers, fee. H. F. 311, Nystrom, et al.

Establish board of residential care standards, etc. S. F. 305, social services.

Licensing of funeral homes. S. F. 306, social services.

Compensation and mileage of physician and attorney serving on commission of hospitalization. H. F. 372, Sorg.

Licensing for the practice of the healing arts, graduated from accredited school or college. H. F. 383, Larson.

Establish health services commission, penalties. S. F. 419, Brownlee, et al.; H. F. 518, Den Herder, et al.

Authorize department of health to distribute information concerning birth control and establish family planning clinics. H. F. 504, Lipsky, et al.

Establish board of optometry, restructure operations, etc. of present board. H. F. 524, Freeman, et al.

Prevention, abatement or control of noise pollution, penalties. S. F. 450, Potgeter; H. F. 585, Lipsky and Shaw.

Prohibit sale of any detergent containing any phosphorous compound. S. F. 459, Riley.

Regulation, licensing and control of the dispensing of optical devices. H. F. 627, Ellsworth, et al.; S. F. 489, Walsh.

Transfer migratory labor camp inspections from department of health to bureau of labor. H. F. 634, Dougherty, et al.

Local boards of health, power of. S. F. 495, Walsh.

Payments to welfare recipients in health care facilities. S. F. 497, Walsh, et al.

Administration of the federal mental retardation facilities and community mental health centers act of 1963. S. F. 506, DeKoster.

Establish a state helicopter emergency ambulance service. H. F. 669, Lipsky.

Health, department of, appropriation. H. F. 702, appropriations.

Appropriate from general fund to department of health for central administration, chronic illness and aging service, health facilities services, environmental engineering service, preventive medical service, records and statistical division, board of eugenics, licensing and certification division, general health services, community health services, comprehensive health planning—all for salaries, etc., none for capital improvements. H. F. 730, appropriations.

Health, department of, statutory salary of commissioner. H. F. 739, appropriations.

Mental

Support of the mentally ill. S. F. 131, Potgeter, et al.; H. F. 188, Rex, et al.

Hearings for the mentally ill, eliminate requirement commission of hospitalization meet to determine, emergencies. S. F. 135, Arbuckle; H. F. 201, Campbell.

Counties may enter into agreements with community health centers for their services, appropriation. S. F. 142, Briles and Miller; H. F. 284, Mendenhall, et al.

Liability for support of persons committed to mental health institutes. H. F. 166, Logemann.

Commission of hospitalization determine if person should be examined at a state hospital. S. F. 155, Arbuckle; H. F. 232, Campbell.

Commission of hospitalization and clerk of district court not liable in admitting persons to mental health facilities. S. F. 181, Arbuckle, et al.; H. F. 264, Campbell, et al.

Combine county fund for mental health with state institution fund. S. F. 185, Miller, et al.; H. F. 321, Shaw, et al.

Support of mentally retarded children. S. F. 339, Curran; H. F. 416, Lawson.

Provide protection for institutional officers at security medical facility. S. F. 345, social services.

Administration of the federal mental retardation facilities and community mental health centers act of 1963. S. F. 506, DeKoster.

Create state mental aid fund, appropriate \$75,000. S. F. 560, appropriations.

HEARING AIDS—

(Also See Medical-Professional)

General

Licensing and regulation of hearing aid dealers, penalties. S. F. 184, Nicholson, et al.; H. F. 239, Lawson, et al.

HERBERT HOOVER BIRTHPLACE FOUNDATION—

General

Appropriation to Herbert Hoover Foundation and Mississippi Parkway River Planning Commission. S. F. 487, appropriations.

HIGHER EDUCATION FACILITIES—

(Also See Colleges—Universities and/or Schools)

General

Require bond issues of the board of regents for self-liquidating dormitories to be approved by the voters. H. F. 51, Fischer of Grundy.

- Tuition rates set by the board of regents, reciprocal agreements. H. F. 72, Mendenhall.
- Remove provision granting leaves of absence for staff members of board of regents institutions. H. F. 99, Fischer of Grundy and Skinner.
- Control of traffic and parking of vehicles at board of regents institutions. S. F. 120, higher education; H. F. 162, higher education.
- Master plan for higher education, develop legislative proposals, submit recommendations. H. C. R. 9; H. J. 176, 968 adopted; S. J. 868, 901.
- Remove equipment from approval by legislature and governor, and federal grants, etc. to be mixed together with tuition, fees, etc.—board of regents. S. F. 122, higher education; H. F. 157, higher education.
- Trespassing on public property, penalties for violations. H. F. 155, higher education.
- Method for the termination of employment agreements executed by board of regents, also repeals provision for board of regents to establish administrative offices. S. F. 240, Messerly, et al.
- Admission to University of Iowa college of medicine. H. F. 341, Campbell.
- Limit enrollments at the state universities. S. F. 324, Griffin.
- Income tax deduction for education expenses. H. F. 343, Kreamer.
- Authorize merged areas to acquire and operate student centers and parking facilities, finance with revenue bonds. S. F. 374, higher education; H. F. 545, Dunton, et al. S.
- Tuition charged to nonresident students, board of regents. H. F. 402, Schroeder and Knoke.
- Include students of schools of nursing in tuition grant programs. S. F. 380, Riley, et al.; H. F. 448, Shaw, et al.
- Establish a college education program for law enforcement officers. H. F. 481, Lipsky.
- Provide tuition grants for post baccalaureate students. H. F. 482, Alt, et al.; S. F. 407, Milligan, et al.
- Contributions for retirement systems by board of regents institutions. H. F. 593, Schroeder.
- Ten-year building program, board of regents. S. C. R. 32; S. J. 838, 858, 1951, 1953-1957 adopted, 2037 reported correctly enrolled, 2038 signed by the president and sent to the governor. H. J. 2152-2154, 2198-2201 adopted, 2214 signed by the speaker; S. J. 2049 signed by the governor on June 30, 1971.
- Board of regents authorized to complete projects of building program. S. C. R. 33; S. J. 842, 858, 1951, 1952-1953 adopted, 2037 reported correctly enrolled, 2038 signed by the president and sent to the governor; H. J. 2154-2156, 2201-2204 adopted, 2214 signed by the speaker; S. J. 2049 signed by the governor on June 30, 1971.
- Appropriation to higher education facilities commission for scholarship and medical student tuition loan programs. S. F. 528, appropriations.
- Appropriate from general fund to higher education facilities commission for salaries, etc. H. F. 731, appropriations.
- Higher education facilities commission, statutory salary of executive director. H. F. 739, appropriations.
- Higher education facilities commission, tuition grant program, appropriation. S. F. 592, appropriations.

HIGHWAY COMMISSION—
(Also see Roads and Highways)

General

- Maintenance of access roads. H. F. 10, Holden, et al.; S. F. 4, Briles, et al.
- Moving or consolidating resident engineer offices of highway commission. H. F. 20, Drake and Fisher of Greene.
- Road lecturers, repeals Code provision requiring highway commission incur no expense. H. F. 34, Drake, et al.; S. F. 15, Thordsen, et al.
- Highway commission advance state funds only after federal funds have been allotted for primary roads. H. F. 108, Goode.
- Increase salaries of highway commission and other state employees, appropriation. S. F. 84, Van Drie, et al.; H. F. 212, Egenes, et al.
- Provide for all-weather, surfaced, mailbox turnouts. H. F. 161, Christensen, et al.
- Appropriation to highway commission, deficiencies in funds appropriated for field operations. S. F. 171, appropriations.
- Further objectives of the governor's economy committee report re design work being performed within the department of the highway commission. H. C. R. 17; H. J. 321, 427.
- Rest areas, Mills and Pottawattamie Counties. H. F. 236, state government.
- Erection of anti-litter signs along primary and secondary highways. H. F. 310, Rodgers, et al.
- Railway companies must inspect crossings each year, make necessary repairs, penalties. S. F. 285, Gaudineer.
- Authorize certain vehicle safety regulations on streets and highways, penalty. S. F. 369, Kennedy, et al.
- Allow departments of revenue and social services, and highway commission to employ legal counsel. S. F. 373, Schaben, et al.
- Allocation and limitation of mileage, combined freeway-expressway, arterial system, and arterial connectory systems. H. F. 484, Ellsworth.

- Transfer of portions of the primary road system into secondary road system. H. F. 494, county government.
- Increase by 1,000 square feet highway commission administration building—emergency operating center, federally funded. H. F. 572, appropriations.
- Require railway improvements and crossings, penalty. S. F. 467, Potgeter and Potter.
- Temporary restrictions on weight and load of motor vehicles, penalties. H. F. 629, transportation; S. F. 537, transportation.
- Highway commission encouraged to do more of their own design work. S. C. R. 40; S. J. 1110, 1277 failed.
- Motor fuel tax laws, certain enforcement duties transferred to highway commission. H. F. 684, ways and means.
- Appropriate from primary road fund to industrial commission, payment of workmen's compensation claims of employees of highway commission. S. F. 568, appropriations.
- Appropriate to highway commission from primary road fund for expenses incurred in administering the merit employment system. S. F. 569, appropriations.
- Appropriate to the highway commission for administration, finance and support services, planning, headquarters operations, development, field operations—all for salaries, support, etc.—equipment, inventory and replacement, educational leave, and contingency fund. S. F. 573, appropriations.
- Junkyards along highways, "Iowa Junkyard Beautification Act". H. F. 734, transportation.
- Authorize highway commission to acquire existing interstate bridges, to complete, improve, repair, or reconstruct interstate bridges, etc.—also issue bonds therefor. H. F. 735, judiciary.
- Control and regulate outdoor advertising along interstate and federal aid primary highways. H. F. 737, transportation.
- Highway commission, statutory salary of director, and of each highway commissioner. H. F. 739, appropriations.
- Compensation for refinancing costs, property acquired for a public use, relocation advisory assistance program. S. F. 141, Briles, et al.; H. F. 182, Holden, et al.

HIGHWAY SAFETY PATROL—

(Also See Public Safety)

General

- Nonnegligent damages caused by the highway patrol. S. F. 400, Lamborn.
- Repeal section providing for compensating law enforcement officers injured in course of official duty. H. F. 509, Knoke.
- Allow peace officers to close public highways when hazardous conditions exist, penalty. H. F. 561, Trowbridge.
- Provide for disposal of abandoned motor vehicles. H. F. 566, Trowbridge.
- Payment of certain damages by nonnegligent operation of a highway patrol vehicle, appropriation. S. F. 483, Lamborn; S. F. 580, appropriations.
- Crime commission designated as law enforcement planning agency, also under governor only, and add chief of highway patrol. H. F. 649, state government; S. F. 507, state government.
- Establish a state helicopter emergency ambulance service. H. F. 669, Lipsky.
- Disposal of abandoned motor vehicles, etc. H. F. 671, environmental preservation.
- Public safety, department of, statutory salary of commissioner, chief of highway patrol, director of division of criminal investigation and bureau of identification. H. F. 739, appropriations.

HIGHWAYS—

(See Roads and Highways)

HISTORICAL BOARDS—

General

- Establish the state historical board, increase fee for search of census records. H. F. 458, Larson and Schwieger.

HISTORICAL SOCIETY—

General

- Aid for local historical society, counties appropriate fund. S. F. 39, Ollenburg.
- Establish the state historical board, increase fee for search of census records. H. F. 458, Larson and Schwieger.
- Legalize purchase of real estate by state historical society. S. F. 533, judiciary.
- Appropriate from general fund to historical society for development of Toolesboro mounds and museum area, also Gardner log cabin. S. F. 562, appropriations.
- Appropriate from general fund to historical society for salaries, etc. S. F. 563, appropriations.
- Historical society, statutory salary of director. H. F. 739, appropriations.

HISTORY AND ARCHIVES—

General

- Abolish state library board of trustees, establish library board, also executive director of same and curator, history and archives. S. F. 74, Neu, et al.; H. F. 179, Shaw, et al.
- Fees for census searches charged by department of history and archives. S. F. 290, Nicholson, et al.; H. F. 369, Holden.
- Establish the state historical board, increase fee for search of census records. H. F. 458, Larson and Schwieger.
- Create state records commission. H. F. 597, Welden.
- Department of history and archives, appropriation. H. F. 691, appropriations. (H. F. 705, same subject matter)
- Department of history and archives, appropriation. H. F. 705, appropriations. (Same subject matter as H. F. 691)
- History and archives, department of, statutory salary of the curator. H. F. 739, appropriations.

HITCHHIKING—

General

- Prohibit hitchhiking on or near an interstate road. H. F. 44, Doyle.

HOLIDAYS—

General

- Adjournment on Friday, May 28, 1971, reconvene on Tuesday, June 1, 1971 at 9:30 a.m., for Memorial Day. H. C. R. 39; H. J. 1640, 1669 adopted; S. J. 1499, 1531 adopted.

HOMES—

General

- Establish board of residential care standards, etc. S. F. 305, social services.

County

- Update laws re county homes. H. F. 169, Mayberry; S. F. 212, Miller.

Juvenile

- Provide aid to juvenile homes, appropriation. S. F. 358, Gaudineer.

Nursing

- Establish health services commission, penalties. S. F. 419, Brownlee, et al.; H. F. 518, Den Herder, et al.

HOMESTEAD CREDIT—

General

- Maximum net income (\$4,500) persons 65 or older, etc.—receive additional homestead credit. H. F. 200, Andersen; S. F. 213, Erskine.
- File one time for homestead tax credit and disabled veterans' tax credit. S. F. 276, Lamborn.
- Property tax freeze, persons 65 years or over, net income, etc. less than \$5,000. S. F. 278, Shaff and Walsh.
- Homestead tax credit allowed to a disabled veteran transferable to a new homestead. S. F. 307, Potter and Potgeter.
- Homestead tax credit, affidavit stating owner shall reside in home 6 months. H. F. 493, Priebe, et al.
- Homestead tax credit for persons 65 or over, or totally disabled, penalties. H. F. 536, Gluba, et al.
- Property tax freeze, persons 65 years or over, or totally disabled, income is less than \$5,000. S. F. 458, Walsh. (Similar subject matter as S. F. 278)
- Homestead tax credit for persons 65 or older, or disabled, property tax freeze. H. F. 603, Gluba.

HOSPITALIZATION—

General

- Commission of hospitalization determine if person should be examined at a state hospital. S. F. 155, Arbuckle; H. F. 232, Campbell.
- Commission of hospitalization and clerk of district court not liable in admitting persons to mental health facilities. S. F. 181, Arbuckle, et al.; H. F. 264, Campbell, et al.
- Compensation and mileage of physician and attorney serving on commission of hospitalization. H. F. 372, Sorg.
- Benefits under peace officers' retirement system. S. F. 402, law enforcement.

HOSPITALS—

General

- Storage and safekeeping of narcotic and other drugs, penalty. H. F. 115, Holden.
- Termination of a pregnancy, penalties. S. F. 114, Conklin; H. F. 134, Moffitt.
- Permit abortions in certain instances, penalty. S. F. 344, Potgeter.
- Increase tax levy for county hospitals. S. F. 355, Tapscott, et al.; H. F. 519, Hill, et al.
- Authorize issuance of industrial aid bonds for railroad and bus transportation, hospital, clinic, and health care facilities, and industrial pollution control projects. H. F. 418, Hansen and Holden.

Authorize counties operating county public hospitals to issue revenue bonds. H. F. 466, Priebe, et al.; S. F. 401, Kyhl, et al.

Mental

Commission of hospitalization determine if person should be examined at a state hospital. S. F. 155, Arbuckle; H. F. 232, Campbell.

Commission of hospitalization and clerk of district court not liable in admitting persons to mental health facilities. S. F. 181, Arbuckle, et al.; H. F. 264, Campbell, et al.

HOTELS—

General

Bedding sanitation in hotels, motels, etc. S. F. 294, Briles and Doderer.

Tax on hotel or motel, etc., accommodations. H. F. 462, ways and means.

HOUSING—

General

Include housing and services in employment of the handicapped. H. F. 8, Alt, et al.; S. F. 7, DeKoster and Tapscott.

Fences on multiple dwelling property lines. H. F. 36, Schroeder.

Remove provisions requiring elections to approve low-rent housing projects. S. F. 77, Tapscott; H. F. 111, Bray, et al.

Committee to study and determine need of revising and updating state housing code, enforcement, etc., submit report. S. C. R. 18; S. J. 358, 565 adopted; H. J. 675.

Establish housing for disabled persons, appropriation. S. F. 311, Tapscott.

Rights of a tenant in maintenance and repair of rental property, housing. S. F. 367, Tapscott; H. F. 502, Jesse, et al.

Rental deposits on dwellings, imposing liabilities, penalties. H. F. 392, Johnston, et al.

Additions to civil rights, etc., penalties. S. F. 406, Doderer, et al.

Local boards of health, inspections by. H. F. 472, Lawson.

Use of temporary injunctions for discrimination in housing. H. F. 501, Franklin, et al.

Community housing development board, create reimbursement of property tax to developers. S. F. 491, Walsh.

HUMAN RIGHTS—

General

Employees of county or state government, not required to give an oath of political allegiance or contribution. H. F. 159, Blouin.

HUNTING—

General

Prohibit hunting along public highways. H. F. 59, Hamilton.

Provide hunting-safety education, penalty. S. F. 79, Miller, et al.; H. F. 133, Monroe, et al.

Increase fines for misuse of guns and firearms. H. F. 90, Mendenhall.

No hunting and fishing on private property without written consent, penalty. H. F. 93, Hamilton; S. F. 182, Anderson.

Issuance of special deer hunting licenses to spouse of landlords and tenants. S. F. 218, Potgeter.

Repeal bounties on certain wild animals. H. F. 360, Bray, et al.

Establish an endangered species list of wildlife. H. F. 362, Bray, et al.

Each landowner and tenant may receive one license for deer hunting, also limit those licenses. S. F. 385, Conklin.

Hunting restrictions, add to the list of game birds and animals to hunt, limits, etc. S. F. 431, conservation and recreation.

Increase fish and game licenses and fees. H. F. 573, conservation and recreation. (Similar subject matter as S. F. 478)

Increase fish and game licenses and fees. S. F. 478, conservation and recreation. (Similar subject matter as H. F. 573)

Increase fees for certain hunting and fishing licenses. H. F. 611, Larson.

Provide method for payment of damages caused by hunters, penalties. S. F. 482, Shawver, et al.

Licenses

(See Licenses, sub-ref. Hunting)

IDENTIFICATION—

General

Identification cards for person 65 or older. H. F. 143, Stokes and Strand; S. F. 139, Sullivan and Van Gilst.

IMPLIED CONSENT—

General

Penalties imposed for driving while under the influence of alcoholic beverages or drugs. S. F. 178, Shaff, et al.; H. F. 241, Andersen, et al.

Requests for withdrawal of body substances under the implied consent law may be oral unless requested written. H. F. 639, Schmeiser.

Requests of peace officers for blood tests under implied consent law need not be written. H. F. 718, judiciary.

IMPRISONMENT—

General

Unlawful use of a driver's license, driving without a license, etc., punishable by imprisonment. S. F. 251, Kennedy.

INAUGURATION—

General

Prohibit incurring expenses for inauguration ceremonies and receptions for governor serving a successive term. H. F. 35, Millen, et al.

Joint committee to arrange for inauguration. S. C. R. 1; S. J. 14 adopted; H. J. 13 adopted.

Adjournment Thursday afternoon, January 14, 1971, reconvene 10:00 a.m., Monday, January 18, 1971. H. C. R. 4; H. J. 71 adopted; S. J. 62 adopted.

Commend General Joseph G. May, Colonel Eric P. Berner, and the National Guard for the excellent arranging of inaugural ceremonies. H. C. R. 6; H. J. 111, 146 adopted; S. J. 108, 119 adopted.

Appropriate funds to defray expenses of inaugural ceremonies. H. F. 373, Ellsworth.

INCOME TAX—

(See Taxes, sub-ref. Income)

INDICTMENTS—

General

Definition of indictable misdemeanors, contributing to juvenile delinquency. S. F. 58, Shaff; H. F. 249, Doyle, et al. S.

State grand juries, appropriation. H. F. 184, law enforcement. (H. F. 706 revision of H. F. 184)

Waiver of right to jury trial in indictable misdemeanor cases. H. F. 393, Johnston.

State grand juries, appropriation. H. F. 706, law enforcement. (Revision of H. F. 184)

INDUSTRIAL COMMISSION—

General

Workmen's compensation for peace officers. H. F. 491, Welden.

Repeal section providing for compensating law enforcement officers injured in course of official duty. H. F. 509, Knoke.

Appropriate from primary road fund to industrial commission, payment of workmen's compensation claims of employees of highway commission. S. F. 568, appropriations.

Appropriate to industrial commission. S. F. 576, appropriations.

Industrial commissioner, statutory salary of. H. F. 739, appropriations.

INDUSTRIAL LOAN COMPANIES—

General

Regulation of industrial loan companies. H. F. 7, Shaw, et al.; S. F. 44, Curran, et al.

INDUSTRY—

General

Urge banks, landlords, industry, public, etc., to understand and seek fair and economically sound solutions to the critical problems of the farmer. H. C. R. 10; H. J. 191, 271 adopted; S. J. 208.

Exempt certain industrial materials and equipment from retail sales and use taxes. S. F. 166, Walsh; H. F. 459, Lawson.

Enlarge purposes for which cities and towns may issue bonds to develop commercial projects. H. F. 332, Holden, et al.

Office for planning and programming, establish programs and courses in area vocational schools and community colleges, new and expanding industries, appropriation. H. F. 498, Lawson, et al.

Permit counties to license all business or industry dealing with general public. H. F. 641, Taylor, et al.

Committee to study feasibility of prohibiting corporations, etc. from buying local industrial plants and closing them to obtain income tax deductions. H. C. R. 40, H. J. 1668.

INHERITANCE TAX—

(See Taxes, sub-ref. Inheritance)

INJUNCTIONS—

(Also see Court, all sub-refs. and/or Judiciary)

General

Certain injunctions issued in labor disputes. S. F. 422, Robinson, et al.

Use of temporary injunctions for discrimination in housing. H. F. 501, Franklin, et al.

INSPECTIONS—

General

Warehouse re-examination fees. H. F. 2, Fisher of Greene, et al.; S. F. 48, Neu, et al.

Inspection of pipeline construction paid for by pipeline company or contractor. H. F. 30, Holden, et al.; S. F. 18, Briles, et al.

Restaurants and grocery stores exempt from obtaining meat and poultry inspection licenses. H. F. 55, Radl.

Abolish marketing division of the department of agriculture, transfer duties to development commission and secretary of agriculture. S. F. 88, Neu and Curran; H. F. 147, Shaw; S. F. 504, state government.

Increase fees charged by bureau of labor for certificates of inspection, boilers. S. F. 98, Curran, et al.; H. F. 186, Shaw, et al.

Require annual inspection of motor vehicles, registering or renewing registration, penalty. S. F. 161, Erskine; H. F. 191, Kruse.

Use of dead animals. S. F. 301, Shawver, et al.; H. F. 380, Strothman, et al.

Authority of boat inspector, water safety officers, etc. to board and inspect vessels, penalties. S. F. 316, conservation and recreation.

Commercial feed inspection fee to be fixed annually. H. F. 381, agriculture; S. F. 362, Potgeter and Coleman. S.

Boarding and inspection of vessels, penalty. S. F. 391, conservation and recreation.

Local boards of health, inspections by. H. F. 472, Lawson.

Increase inspection fees for weights and measures. H. F. 527, agriculture.

Storage of dynamite and dynamite caps, penalty. H. F. 532, Priebe.

Inspection of patients' records. H. F. 533, Kelly.

Create elevator safety division of the bureau of labor, inspection of elevators, dumbwaiters, escalators, etc., fees and penalties. H. F. 542, Jesse.

Inspection of food establishments, etc., penalty. H. F. 631, Strothman.

INSTITUTIONS—

(See Schools, sub-ref. Institutions—Penal Institutions—Health, sub-ref. Mental, and Hospitals, sub-ref. Mental)

INSURANCE—

General

Errors and omissions insurance for county officers and employees, repeal law. H. F. 69, Schroeder, et al.

Increase minimum liability coverage, motor vehicle financial responsibility law. S. F. 109, Riley.

Prohibit accident and health insurance companies from reducing insurance coverage of an aged or other subscriber without reducing proportionately amount premium charged. H. F. 110, Mendenhall.

Termination of insurance agency contracts, notice of one year. H. F. 124, Mendenhall.

Require insurance agents to collect interest on past-due insurance premiums. H. F. 142, Andersen.

Renewal of auto insurance, cannot require physical solely on basis of age, or other. S. F. 156, commerce.

Conflicts of interest of officers and directors of insurance companies, serving on boards. S. F. 157, commerce.

Licensing of insurance adjusters, penalties. S. F. 211, commerce.

Establish and regulate nonprofit prepaid comprehensive health care corporations. S. F. 239, Doderer and Messerly; H. F. 525, Schwieger, et al.

Federal share insurance for credit unions. S. F. 249, Van Drie, et al.; H. F. 377, Curtis and Doyle.

Increase fees charged for insurance agent licenses. H. F. 365, Egenes and Ellsworth; H. F. 505, ways and means. S.

Reduce statute of limitations on action to recover from uninsured motorist insurance. H. F. 478, Kreamer.

Require financial institutions or officers or employees to inform their depositors they are licensed insurance agents, etc., except. S. F. 408, Palmer, et al.

Fees charged for insurance agent licenses, make act retroactive. H. F. 505, ways and means. (Similar to H. F. 365)

Regulation of the sale of prearranged or prepaid funeral services, etc., penalties. S. F. 434, Walsh and Tapscott.

Prohibit sale of insurance by coercion, etc., penalties. S. F. 439, Conklin.

Request governor review present policy of the state re insurance. H. C. R. 32, H. J. 841, 911 adopted; S. J. 787.

Regulate rates charged for credit life insurance, etc. H. F. 676, Norpel.

Registration and use of motor vehicles, safety, and no fault insurance. S. F. 536, Gaudineer.

Appropriate to insurance department. S. F. 576, appropriations.

Insurance department, statutory salary of commissioner. H. F. 739, appropriations.

Life

Eligibility of welfare recipients, life insurance, tools, etc. H. F. 15, Drake, et al.; S. F. 27, Smith, et al.

Amount of credit life insurance that may be sold to a debtor. H. F. 307, Freeman and Hansen.

Assignment of group life insurance, beneficiaries. S. F. 386, commerce; H. F. 541, Freeman, et al. S.

Unauthorized insurers, teachers IAA and college retirement equity fund must pay premium tax. H. F. 583, Schroeder.

Medical

Group insurance for elected county officials. H. F. 56, Doyle, et al.
 Equal insurance proceeds payable to medical practitioners, equal services.
 S. F. 106, Miller.
 Insurance premiums collected by nonprofit hospital and medical service corporations subject to premiums tax. S. F. 299, Griffin, et al.; H. F. 530, commerce. S.

INTEREST—

General

Increase interest rate on all money due on judgments and decrees. S. F. 31, Mowry; H. F. 53, Doyle.
 Redemption of real property, increase rates of interest and penalty. S. F. 35, county government.
 Payment of interest by public corporations on contracts for public improvements. H. F. 117, Kehe, et al.
 Require insurance agents to collect interest on past-due insurance premiums. H. F. 142, Andersen.
 Provide 10-day grace period before interest accrues on unpaid property taxes. S. F. 186, Tapscott; H. F. 242, Kinley.
 Interest rate being charged on compensating balances. H. F. 190, Kennedy.
 Interest payments on drainage district assessments. H. F. 218, Stromer and Schroeder.
 Real estate investment trust may pay higher rate of interest. H. F. 254, Shaw.
 Provide for allocation of corporate income on basis of sales, property, and payroll. S. F. 242, Hill; H. F. 320, Radl.
 Penalty and interest for sales tax. S. F. 349, ways and means.
 Place of payment of public bonds. S. F. 389, cities and towns.
 Interest and penalties on Iowa income tax. S. F. 390, Riley.
 Credit service charges for revolving charge accounts, penalties. H. F. 492, Urban, et al.

INTERIM COMMITTEES—

General

Membership on interim committees, certain provision. H. F. 259, Andersen.
 That all resolutions calling for interim studies not adopted in both houses be delivered to the president pro tempore and speaker of the House and the legislative council determine priorities, etc. S. C. R. 46, S. J. 1855, 1860 adopted; H. J. 2049, 2076 adopted.

INTERNAL REVENUE—

(See Federal Internal Revenue)

INTERSTATE—

General

Remove exemption on all tangible personal property used in interstate transportation or commerce—use tax. H. F. 406, ways and means.

INTERSTATE COOPERATION—

General

Appropriate to interstate cooperation, commission on. S. F. 576, appropriations.

INTOXICATION—

(Also see Alcoholic Beverages and/or Law Enforcement and/or Courts)

General

Penalties imposed for driving while under the influence of alcoholic beverages or drugs. S. F. 178, Shaff et al.; H. F. 241, Andersen, et al.

INVESTMENTS—

General

Deposits of public funds, invested in United States notes, certificates, bonds or other. S. F. 69, county government; H. F. 86, county government.
 Real estate investment trust may pay higher rate of interest. H. F. 254, Shaw.
 Deposit and investment of public funds. S. F. 243, county government; H. F. 334, county government.
 Nonprobate transfers, survivors, beneficiaries, etc. S. F. 295, judiciary.
 Private foundations and charitable trusts, tax advantages. S. F. 347, DeKoster and Gaudineer; H. F. 434, Kreamer and Pelton.
 Nonprofit corporations, tax advantages. S. F. 348, DeKoster and Gaudineer; H. F. 413, Kreamer and Pelton.
 Investment of funds—school districts, counties, cities, towns, and others. S. F. 442, Riley.
 Investment of public funds by school corporations. S. F. 501, schools.
 Repeal provision of law requiring every treasurer of political subdivisions, except townships, to submit report each year to the auditor of state re investments. S. F. 527, appropriations.

IOWA DEVELOPMENT—

General

Economic development by cities, use funds other than those from property taxes. H. F. 376, Iowa development.

State to enter into the midwest nuclear compact. S. F. 333, Doderer, et al.; S. F. 365, Iowa development; H. F. 396, Kehe, et al.

IOWA NATURAL RESOURCES COUNCIL—
(See Natural Resources Council)

IPERS—

General

Contribution ceiling under IPERS. H. F. 95, Mendenhall; S. F. 343, Riley, et al. S.
Deposit and investment of public funds. S. F. 243, county government; H. F. 334, county government.
Employees of certain charitable corporations may be covered under IPERS. H. F. 535, Lawson.
Wages subject to IPERS. S. F. 455, Walsh.
Appropriate from IPERS to employment security commission, cost of administration. H. F. 696, appropriations.
Appropriation to members of advisory investment board of IPERS, claims. S. F. 564, appropriations.

JAILS—

General

Establishment of regional correction centers. H. F. 3, Drake, et al.; S. F. 2, Smith, et al.
Transfer of persons committed to jail, if jail unfit, or. S. F. 190, Tapscott, et al.; H. F. 351, Jesse, et al.
Reduction of sentence for prisoners in county jails, good behavior. S. F. 381, Curran, et al.; H. F. 420, Lawson, et al.; H. F. 298, Monroe and Anania. S.
Compensation for feeding prisoners in certain counties. S. F. 322, Curran, et al.; H. F. 375, Larson, et al. S.
Establishment of area correction centers. S. F. 427, judiciary. (Same subject matter as S. F. 2 and H. F. 3)

JUDGMENTS—

General

Increase interest rate on all money due on judgments and decrees. S. F. 31, Mowry; H. F. 53, Doyle.
Award of damages and judgment for costs, eminent domain. H. F. 229, Dunton.
Establish a small claims court. S. F. 395, Glenn, et al.
Support payments under a divorce, etc., employer required and liable to withhold payments. H. F. 447, Knoke.
Support of certain dependents, enforcement of, defining desertion, penalties. H. F. 464, Knoke.
Strike reference to superior court and insert "municipal court," re debts and debtors, judgments, etc. H. F. 646, Monroe.

JUDGES—

General

Financial disclosure by legislators, elected state officials and judges. S. F. 26, Glenn.
District court bailiffs, judge may employ, population basis. H. F. 70, Kreamer and Hill; S. F. 57, Milligan.
Judicial retirement system, survivors. S. F. 110, Mowry and Gaudineer; H. F. 286, Lawson and Cochran; S. F. 550, appropriations.
Supreme court may retire judges. H. J. R. 6, Hill, et al.
Increase salary of municipal court judges. S. F. 119, Gaudineer, et al.
Supreme and district court judges allowed actual expenses. S. F. 123, judiciary.
Determining number of district court judgeships and filling of vacancies. H. F. 150, Doyle, et al.; S. F. 267, Erskine, et al. S.
Require persons accused of having committed crimes together stand trial together, unless. H. F. 178, law enforcement.
State grand juries, appropriation. H. F. 184, law enforcement. (H. F. 706 revision of H. F. 184)
Board of supervisors approve salaries of probation officers and their staff. S. F. 204, county government; H. F. 295, county government.
Increase number of municipal judges. H. F. 225, Bray, et al.
Juvenile court and referee along with judge determine interest re dependent, delinquent, etc. children, referee receive copy of Code. H. F. 267, Doyle and Kelly.
Increase annuity of judges retired since effective date of mandatory retirement. S. F. 284, Gaudineer.
Judicial redistricting. H. F. 409, judiciary; S. F. 417, judiciary. S. (Same subject matter)
Salaries of judges of the district court, 87.5 percent of supreme court judges. H. F. 417, Kelly.
Consolidate all trial courts into a unified trial court—district court judges and magistrates. S. F. 428, judiciary.
Manner in which court reporters are compensated. S. F. 534, judiciary.
State grand juries, appropriation. H. F. 706, law enforcement. (Revision of H. F. 184)

Supreme court and district courts, appropriation to, for salaries of the judges, retirement system, expenses, rules of procedure etc., and none for capital improvements. S. F. 579, appropriations.

District court judges, statutory salary of each. H. F. 739, appropriations.

Supreme court, statutory salaries of the judges, 9 legal assistants, clerk of, Code editor, and court administrator. H. F. 739, appropriations.

JUDICIARY—

(Also See Courts, all sub-refs.)

General

Regulation, control, enforcement and penalties, narcotics, etc. H. F. 1, Millen, et al.; S. F. 1, Mowry, et al.

Shorthand notes of court reporters permissible in court proceedings. H. F. 42, Doyle and Kelly.

Any criminal conviction, forfeiture of bond, etc. (traffic violation) shall be inadmissible as evidence in any civil action. H. F. 43, Doyle.

Prohibit parking of vehicles on private property. H. F. 45, Holden.

Allow prosecution of minors as adults for violation of beer and liquor laws, removes jurisdiction of juvenile courts. S. F. 43, Stephens.

Increase fees and mileage allowances of jurors. H. F. 67, Holden.

Definition of indictable misdemeanors, contributing to juvenile delinquency. S. F. 58, Shaff; H. F. 249, Doyle, et al. S.

Legalize proceedings of the city of DeWitt, Clinton County. S. F. 71, Shaff; H. F. 83, Camp.

Attorneys, reciprocity with other states. H. F. 101, Doyle.

Tort liability of school districts and municipalities. H. F. 105, Alt; S. F. 220, Stephens.

Transfer jurors from one jury session to another. S. F. 103, Gaudineer.

Judicial retirement system, survivors. S. F. 110, Mowry and Gaudineer; H. F. 286, Lawson and Cochran; S. F. 550, appropriations.

Supreme and district court judges allowed actual expenses. S. F. 123, judiciary.

Increase compensation of appointive jury commissioners. S. F. 132, Curran and Messerly; H. F. 276, Hansen.

Establishment of a second grand jury in certain counties, appointment of assistant clerks in such counties. S. F. 133, judiciary.

Costs of performing an autopsy. H. F. 137, Grassley and Trowbridge.

Disclosure of information learned during the preparation of tax returns, misdemeanor. H. F. 141, Norpel; S. F. 233, judiciary. S.

Determining number of district court judgeships and filling of vacancies. H. F. 150, Doyle, et al.; S. F. 267, Erskine, et al. S.

Increase juror fees and mileage allowances. S. F. 167, Gaudineer.

Require persons accused of having committed crimes together stand trial together, unless. H. F. 178, law enforcement.

Grant immunity to witnesses testifying in criminal proceedings. H. F. 180, law enforcement; S. F. 283, Gaudineer. S.

Define criminal trespass, penalties. S. F. 188, judiciary.

Court bailiffs receive free Code. H. F. 204, Doyle, et al.

Notice of compensation commission appraisal of damages and appeal from the damages award. H. F. 215, Dunton.

Transfer of persons committed to jail, if jail unfit, or. S. F. 190, Tapscott, et al.; H. F. 351, Jesse, et al.

Only the index of a dissolution of marriage docket available to public. S. F. 191, judiciary.

Increase number of municipal judges. H. F. 225, Bray, et al.

Tort liability of governmental subdivisions, repeal chapter on. S. F. 219, Stephens.

Definition of a nonresident for the purpose of making service of process. S. F. 225, Gaudineer.

Establish office of district attorney. S. F. 232, Mowry; H. F. 338, Grassley, et al. Provide for a public conservator. S. F. 234, Van Gilst.

Pleas of no contest in trial of nonindictable motor vehicle offenses. H. F. 252, Doyle.

Appeal board cannot pay claims over \$5,000 without approval of legislature. S. F. 192, Graham; S. F. 221, Stephens. S.

Juvenile court and referee along with judge determine interest re dependent, delinquent, etc. children, referee receive copy of Code. H. F. 267, Doyle and Kelly.

Increase annuity of judges retired since effective date of mandatory retirement. S. F. 284, Gaudineer.

Disbursement of support money. H. F. 324, Schwieger.

Nonprobate transfers, survivors, beneficiaries, etc. S. F. 295, judiciary.

Organization of corporations. S. F. 312, judiciary.

Regulation of model rocketry, safety, penalties. H. F. 354, Jesse.

Reversion of unclaimed postal savings system accounts to the state. S. F. 325, Mowry; H. F. 397, Pelton.

Child and wife desertion and penalty therefor. S. F. 331, Palmer.

Operator of an aircraft not liable for damages to a passenger. H. F. 270, Pier-son, et al.; S. F. 329, Laverty and Drie.

More leeway in the time in which an individual must appear in court to prosecute action before a replevin bond is forfeited. S. F. 336, Gaudineer.

- Issuance of new birth certificates for persons born outside the United States and adopted in Iowa. S. F. 354, DeKoster and Potgeter.
- Issuance of subpoenas, hearing costs, damages, civil rights commission, penalties. H. F. 388, Franklin, et al.
- Waiver of right to jury trial in indictable misdemeanor cases. H. F. 393, Johnston.
- Payment of court fines, defendant may choose how. H. F. 394, Johnston.
- Dissolution of marriage, support, etc. H. F. 405, Doyle, et al.
- Judicial redistricting. H. F. 409, judiciary; S. F. 417, judiciary. S. (Same subject matter)
- Establish full property rights between husband and wife, estates, divorce, etc. S. F. 388, Riley.
- Salaries of judges of the district court, 87.5 percent of supreme court judges. H. F. 417, Kelly.
- Establish a small claims court. S. F. 395, Glenn, et al.
- Misuse of food stamps, penalty. H. F. 439, Schwieger.
- Penalties for false drawing and uttering of checks. H. F. 442, Doyle.
- Support payments under a divorce, etc., employer required and liable to withhold payments. H. F. 447, Knoke.
- Support of certain dependents, enforcement of, defining desertion, penalties. H. F. 464, Knoke.
- Mechanics' liens—contractors—retailer notify owner of property. H. F. 469, Millen, et al.
- Require higher bail for persons accused of violent crimes. S. F. 335, Mowry and Briles; H. F. 496, Knoke, S.
- Use of temporary injunctions for discrimination in housing. H. F. 501, Franklin, et al.
- Release and consent requirements in child placement and adoption proceedings. H. F. 506, Pelton.
- Establishment of area correction centers. S. F. 427, judiciary. (Same subject matter as S. F. 2 and H. F. 3)
- Consolidate all trial courts into a unified trial court—district court judges and magistrates. S. F. 428, judiciary.
- Legalize proceedings of Delaware township trustees, Polk County, certain elections authorizing a tax levy for fire protection purposes and issuance of bonds. H. F. 515, Skinner.
- Legalize sale of certain land in Henry County. H. F. 516, Strothman.
- Female under legal age for marriage, if pregnant or has child may apply for permission to marry. H. F. 537, Kelly.
- Contempt actions in paternity cases. H. F. 546, Schwieger.
- Legalize authorization and issuance of water revenue bonds, Bussey. H. F. 557, cities and towns; S. F. 469, cities and towns.
- Legalize intergovernmental corporation boundary agreement between Clive and Windsor Heights. H. F. 565, Alt.
- Rules of statutory construction. H. F. 587, judiciary.
- Uniform partnership act. S. F. 460, judiciary.**
- Create court administrator under supreme court, replace judicial statistics and reporter. S. F. 461, judiciary.
- Additional amendments to the Code in conformity to S. F. 1 of the Sixty-fourth General Assembly, etc. S. F. 468, law enforcement.
- Eliminate certain exemptions from jury duty. etc. H. F. 591, Johnston, et al.
- Remedies for dilution of the distinctiveness of a mark (trademarks, etc.). S. F. 473, judiciary.
- Consumer fraud, penalty. H. F. 594, Taylor, et al.
- Allow holder of a bad check to file charges against the drawer at once. H. F. 599, Freeman.
- Permit court to seal arrest and juvenile records for acts committed by persons under 18. H. F. 619, Schwieger.
- Application of income tax refunds to court-ordered support payments. H. F. 623, Schwieger, et al.
- City and town ordinances, need not be read in full if. H. F. 625, judiciary.
- Omit material from section 43.83 re elections to fill vacancies in General Assembly. S. F. 485, judiciary.
- Strike reference to superior court and insert "municipal court," re debts and debtors, judgments, etc. H. F. 646, Monroe.
- Lien of unpaid inheritance tax effective for 20 years, tax appraisals not necessary unless, etc. S. F. 500, judiciary.
- Collection of court costs re appeals. H. F. 675, judiciary.
- Corrective amendments to statute on self-liquidating improvements. H. F. 677, judiciary.
- Tort claims act, clarify original intent. S. F. 520, judiciary.
- Legalize purchase of real estate by state historical society. S. F. 533, judiciary.
- Manner in which court reporters are compensated. S. F. 534, judiciary.
- Authorizing supplements to salaries for county attorneys, sheriffs, etc. from private or federal funds. S. F. 548, judiciary; H. F. 717, judiciary. S.
- Appointment and election of judicial nominating commissioners. S. F. 549, judiciary.
- Legalize and validate procedures of Poweshiek County board of supervisors for repair and remodeling of the jail. H. F. 716, judiciary.
- Requests of peace officers for blood tests under implied consent law need not be written. H. F. 718, judiciary.

Authorize highway commission to acquire existing interstate bridges, to complete, improve, repair, or reconstruct interstate bridges, etc.—also issue bonds therefor. H. F. 735, judiciary.

JUNKYARDS—

(Also See Dealers, sub-ref. Junk)

General

Junkyards along highways, "Iowa Junkyard Beautification Act." H. F. 734, transportation.

JURIES—

General

Increase fees and mileage allowances of jurors. H. F. 67, Holden.

Transfer jurors from one jury session to another. S. F. 103, Gaudineer.

Increase compensation of appointive jury commissioners. S. F. 132, Curran and Messerly; H. F. 276, Hansen.

Establishment of a second grand jury in certain counties, appointment of assistant clerks in such counties. S. F. 133, judiciary.

Increase juror fees and mileage allowances. S. F. 167, Gaudineer.

State grand jurors, appropriation. H. F. 184, law enforcement. (H. F. 706 revision of H. F. 184)

Eliminate certain exemptions from jury duty, etc. H. F. 591, Johnston, et al.

State grand juries, appropriation. H. F. 706, law enforcement. (Revision of H. F. 184)

JUSTICES OF THE PEACE—

(See Officers)

JUVENILES—

(See Minors)

LABELING—

General

Labeling of seed corn containers. H. F. 287, Rex, et al.

LABOR—

(Also See Migrant Laborers)

General

Compensation for public representatives serving on committee on child labor. H. F. 63, Lipsky.

Private employment agency fees, appeals. S. F. 117, Thordsen, et al. H. F. 156, Ellsworth, et al. (Same as S. F. 566)

Allows persons 14 and 15 years to work in certain occupations, badge no longer required, etc. H. F. 171, Drake, et al.

Carbon tetrachloride fire extinguishers not approved for use in migratory labor camps. H. F. 219, social services.

Appeals to employment safety commission, actions of labor commissioner upheld if 5 affirmative votes. H. F. 245, Kehe and Waugh.

Force or violence used to prevent any person from pursuing any lawful employment, etc., a felony. H. F. 265, Grassley, et al.

Child labor, detasseling, etc. S. F. 313, Potgeter, et al.; H. F. 473, human and industrial relations. S.

Negotiation proceedings of public agencies may not be open to public. S. F. 323, Davis and Doderer.

Eliminate detailed report requirements by bureau of labor, and eliminate requirement that one factory inspector be a woman. S. F. 372, Potgeter.

Prohibit the employment of outsiders to take part in any labor dispute. H. F. 415, Welden, et al.

Eligibility to receive benefits of certain welfare programs, stoppage of work re labor dispute. H. F. 477, Kreamer.

Establish a labor relations board, unfair labor practices, penalties. S. F. 412, Tapscott, et al.

Certain injunctions issued in labor disputes. S. F. 422, Robinson, et al.

Establish uniform procedures for payment of wages by employers, settling disputes, penalties. S. F. 423, Robinson, et al.; H. F. 645, Gluba; S. F. 496, Walsh. S.

Increase term of labor commissioner. H. F. 511, Bennett.

Age discrimination in employment. S. F. 516, social services.

Private employment agency fees, appeals. S. F. 566, human and industrial relations. (Same as S. F. 117 and H. F. 156)

Committee on child labor, appropriation to members of. S. F. 539, appropriations.

Bureau

Increase fees charged by bureau of labor for certificates of inspection, boilers. S. F. 98, Curran, et al.; H. F. 186, Shaw, et al.

Require railway employees be provided adequate sanitation and shelter. H. F. 271, Hanson, et al.; S. F. 342, Riley, et al.

Establish wage rates for public works projects, penalties. S. F. 414, Tapscott, et al.

Create elevator safety division of the bureau of labor, inspection of elevators, dumbwaiters, escalators, etc., fees and penalties. H. F. 542, Jesse.

Transfer migratory labor camp inspections from department of health to bureau of labor. H. F. 634, Dougherty, et al.
 Appropriate to bureau of labor. S. F. 576, appropriations.
 Labor, bureau of, statutory salary of commissioner. H. F. 739, appropriations.

Unions

Collective bargaining in public employment. S. F. 52, Nicholson, et al.; H. F. 366, Pelton, et al.; S. F. 387, human and industrial relations. S.
 Membership in labor unions. H. F. 433, Bennett and Ellsworth; S. F. 421, Robinson, et al.
 Procedure allowing public employees and public employers to meet and confer to resolve disputes re wages, etc. S. F. 475, Potgeter. (Same as S. F. 567)
 Procedure allowing public employees and public employers to meet and confer to resolve disputes re wages, etc. S. F. 567, human and industrial relations. (Same as S. F. 475)

LABOR RELATIONS BOARD—

General

Establish a labor relations board, unfair labor practices, penalties. S. F. 412, Tapscott, et al.

LAKES—

(Also See Water)

General

Conservation commission may establish uses and fees for use of state-owned land bordering on streams or lakes, zoning. S. F. 95, Kennedy, et al.; H. F. 410, Shaw and Drake.
 Designating a certain water area of the Wapsipinicon river as an artificial lake. S. F. 287, Robinson; H. F. 437, Lipsky.
 Impose fees for use of certain state recreational areas, penalties. S. F. 346, Erskine; H. F. 422, Tieden; H. F. 577, conservation and recreation. S.

LAND—

(Also See Property and/or Real Estate)

General

Legal description of land remaining after condemnation or purchase, furnished by purchaser. H. F. 25, Holden et al.; S. F. 22, Briles, et al.
 Assessment of agricultural property, eliminate productivity, etc. H. F. 81, Uban.
 Conservation commission may establish uses and fees for use of state-owned land bordering on streams and lakes, zoning. S. F. 95, Kennedy, et al.; H. F. 410, Shaw and Drake.
 Subdivisions of land, in-state or out-of-state, must file with real estate commission, penalties. S. F. 111, Neu, et al.; H. F. 220, Shaw, et al.
 Improvements in drainage and levee districts. S. F. 137, Keith.
 Acquisition of property by public bodies, corporations and individuals. (Place grants of eminent domain into one chapter). S. F. 189, Briles, et al.; H. F. 314, Holden, et al. S.
 Reimburse school districts for loss of tax revenue from certain tax-exempt land. H. F. 279, Schroeder and Knoke.
 Authorize cities and towns to acquire land by lease for park purposes, bonds. S. F. 256, cities and towns.
 Establish weather modification board in counties, petitioned, levy tax. S. F. 260, Briles.
 Extend definition of "land" that may be used for public recreation, include commercial and industrial. H. F. 355, Roorda.
 Committee to study developing Iowa land use proposals. H. C. R. 25; H. J. 576.
 Forest and fruit tree reservations assessed in same manner as other agricultural land. H. F. 426, Stromer, et al.
 Prohibit operation of certain motor vehicles upon improved lands, penalty. H. F. 444, Doyle.
 Public recreation on private lands, include snowmobiling, etc. H. F. 446, Scott.
 Levee and drainage districts, annexation of additional lands, may cross county lines. H. F. 503, Waugh.
 Allow county conservation boards to purchase land on a deferred payment plan when authorized by board of supervisors. H. F. 514, Alt, et al.
 Legalize sale of certain land in Henry County. H. F. 516, Strothman.
 Create committee to study use of land and other related resources. H. J. R. 14, Iowa development.
 Permit city or town to levy, on agricultural land, for street purposes a millage rate equal to county levy for secondary roads. H. F. 595, cities and towns.
 Partition fences. H. F. 612, Stromer, et al.
 Sale of agricultural land by social services. H. F. 640, Mayberry.
 Condemnation of property by county for flood and erosion control projects. S. F. 518, county government.
 Prohibit littering on any private or public land or water, penalties. H. F. 714, Kelly.

LAUNDRIES—**General**

- Repeal service tax on coin-operated laundries. S. F. 128, Walsh, et al.; H. F. 339, Ellsworth, et al.
 Security measures for customers of self-service laundry and dry cleaning establishments, penalties. S. F. 409, Potter.

LAW ENFORCEMENT—**General**

- Regulation, control, enforcement and penalties, narcotics, etc. H. F. 1, Millen, et al.; S. F. 1, Mowry, et al.
 Establishment of regional correction centers. H. F. 3, Drake, et al.; S. F. 2, Smith, et al.
 Confiscation of motor vehicles, unlawful transportation of drugs. H. F. 58, Doyle, et al.
 Obscenity, punishment for violations thereof. S. F. 54, Kennedy.
 Prohibit use of throw-away containers, regulate other, penalty. H. F. 78, Mendenhall.
 Penalty for unlawful use of temporary and instructional driving permits. H. F. 82, Doyle.
 College of criminal justice be established at University of Northern Iowa. S. C. R. 9; S. J. 99, 178.
 Increase fines for misuse of guns and firearms. H. F. 90, Mendenhall.
 Storage and safekeeping of narcotic and other drugs, penalty. H. F. 115, Holden.
 Prohibit manufacture, distribution, possession, etc. by unauthorized personnel of devices designed for interception of wire or oral communications—penalties and rights to recovery. H. F. 127, Fischer of Grundy.
 Require persons accused of having committed crimes together stand trial together, unless. H. F. 178, law enforcement.
 Grant immunity to witnesses testifying in criminal proceedings. H. F. 180, law enforcement; S. F. 283, Gaudineer, S.
 State grand juries, appropriation. H. F. 184, law enforcement. (H. F. 706 revision of H. F. 184)
 College of criminal justice be established at University of Northern Iowa. H. C. R. 14; H. J. 287, 1704.
 Define criminal trespass, penalties. S. F. 188, judiciary.
 Definition of alcoholic beverages re operation of a motor vehicle by an operator under the influence of. H. F. 195, Holden, et al.
 Establish uniform statewide telephone number for police and fire departments. H. F. 207, Priebe, et al.
 Regulation of assemblages of persons, certain acts unlawful, penalties. S. F. 194, Kennedy, et al.; H. F. 292, Knoblauch.
False alarms, fire, explosion, or other. H. F. 240, Knoke.
 Motor vehicle registration cards need not be plainly seen without entering car. S. F. 231, Coleman; H. F. 454, Millen.
 Establish office of district attorney. S. F. 232, Mowry; H. F. 338, Grassley, et al.
 Reporting of vehicle accidents, \$200. H. F. 258, Kreamer.
 Traffic control signals, right turns may be made if sign indicates. H. F. 262, Wells, et al.; S. F. 293, law enforcement. S.
 Force or violence used to prevent any person from pursuing any lawful employment, etc., a felony. H. F. 265, Grassley, et al.
 Issuance and use of distress flags by handicapped persons, penalties. H. F. 268, Dunton.
 Additional penalties for commission of, or attempt to commit crimes when armed with firearms. H. F. 280, Fischer of Grundy.
 Forbid use of highways to habitual offenders of traffic laws, punishment. S. F. 268, DeKoster and Griffin.
 Issue wine licenses to restaurants, fee. H. F. 306, Rodgers, et al.
 Prohibit sale of certain beverages in cans and disposable bottles, penalty. H. F. 313, Larson and Small.
 Insert in Code the text of the probation and parole compact. H. F. 326, social services.
 Urge crime commission designate a portion of federal funds received to the University of Northern Iowa for establishing and operating a college of criminal justice. S. C. R. 17; S. J. 357, 383.
 Urge crime commission designate a portion of federal funds received to the University of Northern Iowa for establishing and operating a college of criminal justice. H. C. R. 19; H. J. 443.
 Motor vehicle inspection and safety, penalties. S. F. 297, law enforcement.
 Issuance of permits by counties, cities and towns authorizing commercial entertainment events, penalties. S. F. 319, Smith.
 Sale of alcoholic beverages by certain liquor licensees and beer permittees on Sunday, fees. H. F. 345, Shaw, et al.
 Defining bingo, conduction of, etc., penalties. H. F. 348, Ellsworth.
 Reduce stay of revocation or suspension of operators' or chauffeurs' licenses, 60 days. S. F. 333, law enforcement.
 Require higher bail for persons accused of violent crimes. S. F. 335, Mowry and Briles; H. F. 496, Knoke. S.

- Increase penalties for the operation of coin machines by false means. H. F. 374, Waugh and Strand; S. F. 360, Thordsen, et al.
- Prohibit manufacture, distribution, possession, etc., of devices designed for interception of wire or oral communications, penalties and right to recovery. H. F. 404, Fischer of Grundy and Skinner.
- Provide for uniform traffic summons and a schedule of minimum fines for certain traffic violations. H. F. 423, Kehe, et al.
- Reduce penalty for malicious injury to buildings and fixtures. H. F. 475, Johnston.
- Extension of operators' and chauffeurs' licenses for persons separated from military service. H. F. 479, law enforcement.
- Prohibit sale or distribution of certain beverages in certain disposable containers, penalty. H. F. 485, Rodgers, et al.
- Hearings on revocation or denial of driving privileges, 20 days. H. F. 490, law enforcement.
- Benefits under peace officers' retirement system. S. F. 402, law enforcement.
- Justifiable defense of person or property, indemnification or reimbursement by state. S. F. 405, Graham.
- Prohibit operation of certain motor vehicles upon improved lands, penalty. H. F. 444, Doyle.
- Homicide by vehicle, penalties. H. F. 508, Kreamer.
- Repeal section providing for compensating law enforcement officers injured in course of official duty. H. F. 509, Knoke.
- Establishment of area correction centers. S. F. 427, judiciary. (Same subject matter as S. F. 2 and H. F. 3)
- Vehicular homicide, penalties. H. F. 512, Pelton and Fischer of Grundy.
- Regulation of the manufacture, sale, transportation, etc., and use of explosive materials, penalties, etc. H. F. 522, law enforcement.
- Security guards required to have training. H. F. 529, Doyle.
- Storage of dynamite and dynamite caps, penalty. H. F. 532, Priebe.
- Acts which threaten violence toward another considered public offenses, penalties. H. F. 543, Schwieger.
- Allow peace officers to close public highways when hazardous conditions exist, penalty. H. F. 561, Trowbridge.
- Provide for disposal of abandoned motor vehicles. H. F. 566, Trowbridge.
- Obscenity and indecent material, etc., penalties. H. F. 571, Kreamer, et al.
- Additional amendments to the Code in conformity to S. F. 1 of the Sixty-fourth General Assembly, etc. S. F. 468, law enforcement.
- Elected and appointed officials defined as employees for purposes of workmen's compensation. S. F. 474, law enforcement; H. F. 660, judiciary.
- Allow holder of a bad check to file charges against the drawer at once. H. F. 599, Freeman.
- Railroads notify law enforcement agencies and commerce commission shipment of dangerous materials, penalties. H. F. 604, Blouin, et al.
- Crime commission designated as law enforcement planning agency, also under governor only, and add chief of highway patrol. H. F. 649, state government; S. F. 507, state government.
- Justices of the peace, number of per county, salaries, appointment and removal, etc.—abolish position of constable. H. F. 653, Grassley, et al.
- Establish a state helicopter emergency ambulance service. H. F. 669, Lipsky.
- Disposal of abandoned motor vehicles, etc. H. F. 671, environmental preservation.
- Status of law-enforcement officers appointed by conservation commission. H. F. 680, conservation and recreation.
- Hours during which alcoholic liquor and beer may be sold. H. F. 685, Gluba, et al. (Similar subject matter as H. F. 343.)
- Establish a county law enforcement unit. H. F. 689, Taylor, et al.
- State grand juries, appropriation. H. F. 706, law enforcement. (Revision of H. F. 184)
- Requests of peace officers for blood tests under implied consent law need not be written. H. F. 718, judiciary.
- Effective date of S. F. 250, motor vehicle odometers, to be January 1, 1972. S. F. 571, law enforcement.
- Training Academy**
- Establish a college education program for law enforcement officers. H. F. 481, Lipsky.
- Law enforcement academy, capital improvements, appropriations to. S. F. 555, appropriations.
- Appropriate to law enforcement academy. S. F. 576, appropriations.
- Law enforcement academy, statutory salary of director. H. F. 739, appropriations.

LAW LIBRARY— (See Libraries)

LEAGUE OF IOWA MUNICIPALITIES—

General

- Prohibit League of Iowa Municipalities, nonprofit corporations, agents, departments of state, etc., from using funds derived from property tax for lobbying, penalty. H. F. 379, Fischer of Grundy and Schroeder.

LEASING—

General

Leasing of property by conservation commission. H. F. 14, Shaw, et al.; S. F. 10, Curran and Kennedy.

LEAVES OF ABSENCE—

General

Leaves of absence for persons elected to public office. S. F. 266, Robinson and Doderer; H. F. 361, Ewell, et al.

Leave of absence for state employees, also sick leave. H. F. 617, Andersen, et al.

LEGAL ACTION—

(See Court, all sub-refs.)

LEGAL COUNSEL—

(See Attorneys)

LEGALIZING AND ENABLING ACT—

General

Legalize proceedings of the city of DeWitt, Clinton County. S. F. 71, Shaff; H. F. 83, Camp.

Legalize and validate proceedings of Red Oak, Montgomery County, purchase of property for off-street parking. S. F. 129, Bass.

Legalize and validate proceedings of board of directors of Iowa Lakes Community College (Emmet, Dickinson, Clay, Palo Alto, and Kossuth). S. F. 263, Keith.

Legalize and validate procedures re sale of real estate by West Marshall Community School District, Marshall and Story Counties. S. F. 277, Mowry.

Members of General Assembly submitting legalizing acts. H. C. R. 20; H. J. 470.

Legalize proceedings of the town council of Peterson, Clay County, special assessments and issuance of street improvement bonds. S. F. 425, Milligan.

Legalize sale of a portion of the Wright school site, Des Moines, Polk County. S. F. 426, Milligan; H. F. 555, Kreamer.

Legalize proceedings of Delaware township trustees, Polk County, certain elections authorizing a tax levy for fire protection purposes and issuance of bonds. H. F. 515, Skinner.

Legalize sale of certain land in Henry County. H. F. 516, Strothman.

Legalize authorization and issuance of water revenue bonds, Bussey. H. F. 557, cities and towns; S. F. 469, cities and towns.

Legalize intergovernmental corporation boundary agreement between Clive and Windsor Heights. H. F. 565, Alt.

Legalize and validate proceedings for the establishment, organization, etc., boundaries of merged area school systems. S. F. 529, Walsh.

Legalize purchase of real estate by state historical society. S. F. 533, judiciary. Remodeling of the Hardin County courthouse, Eldora, legalize proceedings of board of supervisors. S. F. 539, state government.

Legalize and validate procedures of Poweshiek County board of supervisors for repair and remodeling of the jail. H. F. 716, judiciary.

LEGISLATIVE COUNCIL—

General

Abolish budget and financial control committee, create office of legislative fiscal director. S. F. 62, Hill and Neu.

Office space for members of the General Assembly. H. F. 302, Kennedy.

Committee to study and determine need of revising and updating state housing code, enforcement, etc., submit report. S. C. R. 18; S. J. 353, 565 adopted; H. J. 675.

Committee to study state environmental programs, etc., submit report. S. C. R. 31; S. J. 806.

Employment of legislative staff. H. F. 667, Cochran.

That all resolutions calling for interim studies not adopted by both houses be delivered to the president pro tempore and speaker of the House and the legislative council determine priorities, etc. S. C. R. 46; S. J. 1855, 1860 adopted; H. J. 2049, 2076 adopted.

LEGISLATIVE FISCAL DIRECTOR—

General

Powers and duties of the budget and financial control committee, fiscal director. S. F. 153, Gaudineer.

Abolish budget and financial control committee, create office of legislative fiscal director. S. F. 62, Hill and Neu.

Legislative fiscal director prepare and submit, to each legislator, a monthly report on current status of revenue income and departmental expenditures, etc. H. F. 497, Hansen.

Members of committee on appropriations appointed to budget and financial control committee. H. F. 679, Pelton.

LEGISLATIVE SERVICE BUREAU—**General**

Appropriate to legislative service bureau. S. F. 576, appropriations.

LEGISLATURE—

(See General Assembly)

LEEVE—

(See Drainage Districts)

LIABILITY—**General**

County not liable for hazardous condition, etc. on property bought at tax sale. H. F. 104, Schroeder, et al.
 Tort liability of school districts and municipalities. H. F. 105, Alt; S. F. 220, Stephens.
 Person legally liable for support of a youth also liable to state for support at a training school. S. F. 113, Smith, et al.
 Recovering cost of institutionalization at training schools from inmate's income. S. F. 126, Smith, et al.
 Support of the mentally ill. S. F. 131, Potgeter, et al.; H. F. 188, Rex, et al.
 Liability for support of persons committed to mental health institutes. H. F. 166, Logemann.
 Commission of hospitalization and clerk of district court not liable in admitting persons to mental health facilities. S. F. 181, Arbuckle, et al.; H. F. 264, Campbell, et al.
 Tort liability of governmental subdivisions, repeal chapter on. S. F. 219, Stephens.
 Tort liability due to acts or omissions of directors, officers, etc. of nonprofit corporations. H. F. 414, Kreamer.
 Liability for negligence in rendition of services re donating of blood, human tissues, etc. H. F. 556, Shaw.
 Evaluation of professional services and conduct by physicians, etc. of another physician, etc., protected from liability for civil damages. H. F. 569, Clark, et al.
 Property unlawfully placed on public or private property (motor vehicle or other) removed without liability to owner. S. F. 476, Riley.
 Imposing damage liability for unlawful destruction, etc. of wildlife owned by the state. H. F. 726, conservation and recreation.

LIBRARIES—

(Also See Schools, sub-ref. Libraries)

General

Qualifications of certain state librarians. H. F. 16, Fisher of Greene, et al.; S. F. 47, Neu and Curran.
 Abolish state library board of trustees, establish library board, also executive director of same and curator, history and archives. S. F. 74, Neu, et al.; H. F. 179, Shaw, et al.
 Taxation of private and professional libraries. S. F. 361, Potgeter.
 Conditions of withdrawal from a county library district. H. F. 621, Taylor; S. F. 530, county government.
 Appropriate to law, medical and traveling libraries. S. F. 576, appropriations.
 Law library, statutory salary of librarian. H. F. 739, appropriations.
 Medical library, statutory salary of librarian. H. F. 739, appropriations.
 Traveling library, statutory salary of director. H. F. 739, appropriations.

LICENSES—**General**

Regulation of industrial loan companies. H. F. 7, Shaw, et al.; S. F. 44, Curran, et al.
 Establish chiropractic examining board fund, increase license renewal fee. S. F. 138, Miller.
 Regulation of assemblages of persons, certain acts unlawful, penalties. S. F. 194, Kennedy, et al.; H. F. 292, Knoblauch.
 Prohibit advertising practices by chiropractors, penalty. S. F. 199, Coleman, et al.; H. F. 303, Curran, et al.
 Penalty for practicing cosmetology without a license. H. F. 223, social services.
 Licensing of insurance adjusters, penalties. S. F. 211, commerce.
 Licenses for professional boxing and wrestling matches. S. F. 223, Briles; H. F. 562, Fischer of Grundy. S.
 Permit pari-mutuel betting in Iowa. S. F. 300, Griffin, et al.; H. F. 435, Knoblauch, et al.; H. F. 659, conservation and recreation. S.
 Licensing of funeral homes. S. F. 306, social services.
 Increase fees charged for insurance agent licenses. H. F. 365, Egenes and Ellsworth; H. F. 505, ways and means. S.
 Committee to study application forms for licenses of the departments requiring same and suggest revisions. S. C. R. 22; S. J. 420, 419, 902.
 Vending of foods and beverages, penalty. S. F. 334, agriculture.

Standards for ambulance services, penalties. S. F. 352, Potter and Riley; H. F. 425, Pelton and Lipsky.
 Purchasers and transporters of unprocessed grain licensed by commerce commission, penalties. S. F. 400, Pierson, et al.
 Permit and license fees for certain advertising devices, etc., penalties. H. F. 411, Rodgers.
 Establish a water conditioning examining board, license and regulate contractors for. S. F. 399, Shaff; H. F. 430, Alt.
 Licensing of dogs, county required to, also pay cities and towns for lost revenue, etc. H. F. 500, Ellsworth and Radl.
 Fees charged for insurance agent licenses, make act retroactive. H. F. 505, ways and means. (Similar to H. F. 365)
 Regulation of the manufacture, sale, transportation, etc., and use of explosive materials, penalties, etc. H. F. 522, law enforcement.
 Establish board of optometry, restructure operations, etc. of present board. H. F. 524, Freeman, et al.
 Regulation of the sale of prearranged or prepaid funeral services, etc., penalties. S. F. 434, Walsh and Tapscott.
 Cosmetology, require licensing of beauty salons, allow cutting of men's hair. S. F. 437, Van Drie, et al.; H. F. 540, Christensen, et al.
 Permit counties to license all business or industry dealing with general public. H. F. 641, Taylor, et al.
 Establish a board of licensed accountants, penalties. H. F. 656, Norpel, et al.

Agriculture

Application of pesticides, regulation of aerial, damage and enforcement procedures. H. F. 39, Pierson, et al.
 Restaurants and grocery stores exempt from obtaining meat and poultry inspection licenses. H. F. 55, Radl.
 Bonding of operators of slaughterhouses, agents, dealers, etc., penalties. H. F. 160, Stromer, et al.; H. F. 391, agriculture.
 Supplement the federal laboratory animal welfare act, provide standards for the care of animals, etc., penalties. H. F. 389, Radl, et al.; S. F. 435, Walsh and Riley.
 Eradication of hog cholera and control eradication of the swine diseases. S. F. 392, agriculture.

Drivers

Examination of persons, moving violations, traffic laws. H. F. 75, Lipsky.
 Penalty for unlawful use of temporary and instructional driving permits. H. F. 82, Doyle.
 Unlawful use of a driver's license, driving without a license, etc., punishable by imprisonment. S. F. 251, Kennedy.
 Eighteen, minimum age of taxicab drivers. S. F. 258, Tapscott and Carlson.
 Forbid use of highways to habitual offenders of traffic laws, punishment. S. F. 263, DeKoster and Griffin.
 Revocation of drivers license, two convictions of reckless driving within a period of two years. S. F. 281, Gaudineer.
 Reduce stay of revocation or suspension of operators' or chauffeurs' licenses, 60 days. S. F. 333, law enforcement.
 Provide for uniform traffic summons and a schedule of minimum fines for certain traffic violations. H. F. 423, Kehe, et al.
 Extension of operators' and chauffeurs' licenses for persons separated from military service. H. F. 479, law enforcement.
 Hearings on revocation or denial of driving privileges, 20 days. H. F. 490, law enforcement.
 Require operators' and chauffeurs' licenses obtained or renewed after January 1, 1972, bear a color photograph of licensee, increase fee. H. F. 538, Trowbridge.
 Restricted driving privileges for a person whose operator's or chauffeur's license has been revoked, penalties. H. F. 655, law enforcement.

Fees

Increase county dog license fees, and disposition of dogs. S. F. 92, Mowry; H. F. 224, Miller.

Fish and Game

Persons over 64 may fish without a license. H. F. 158, Ellsworth and Taylor.
 Increase fee for duplicate hunting and fishing licenses. H. F. 206, county government; S. F. 216, county government.
 Increase fish and game licenses and fees. H. F. 573, conservation and recreation. (Similar subject matter as S. F. 478)
 Combined hunting and fishing licenses issued to residents 65 years of age or older remain valid lifetime of the licensee. S. F. 457, Walsh.
 Increase fish and game licenses and fees. S. F. 478, conservation and recreation. (Similar subject matter as H. F. 573)
 Increase fees for certain hunting and fishing licenses. H. F. 611, Larson.

Hunting

Provide hunting-safety education, penalty. S. F. 79, Miller, et al.; H. F. 133, Monroe, et al.
 Issuance of special deer hunting licenses to spouse of landlords and tenants. S. F. 218, Potgeter.

Each landowner and tenant may receive one license for deer hunting, also limit those licenses. S. F. 385, Conklin.
 Increase fish and game licenses and fees. H. F. 573, conservation and recreation. (Similar subject matter as S. F. 478)
 Combined hunting and fishing licenses issued to residents 65 years of age or older remain valid lifetime of the licensee. S. F. 457, Walsh.
 Increase fish and game licenses and fees. S. F. 478, conservation and recreation. (Similar subject matter as H. F. 573)
 Increase fees for certain hunting and fishing licenses. H. F. 611, Larson.

Liquor

Reorganization of the liquor control commission, sale of, violations of, etc. S. F. 55, Curran and Neu; H. F. 172, state government. S.
 Time during which alcoholic liquor and beer may be delivered, sold, and consumed. S. F. 169, Thordsen, et al.
 Issue wine licenses to restaurants, fee. H. F. 306, Rodgers, et al.
 Sale of alcoholic beverages by certain liquor licensees and beer permittees on Sunday, fees. H. F. 345, Shaw, et al.
 Sale and distribution of wine, 17 percent alcohol, penalties. S. F. 443, Walsh, et al.; H. F. 674, Trowbridge, et al.

Marriage

Issuance of marriage licenses, 3-day waiting period may be waived. S. F. 201, county government.
 "Thorough" physical not required for marriage license. H. F. 308, social services.
 Obtaining a test showing either susceptibility or immunity from rubella, condition to obtaining a marriage license. S. F. 303, Conklin.

Medical—Professional

Establishing a psychology examining board and registration of psychologists. H. F. 163, Alt; S. F. 241, Van Drie and Doderer. S.
 Licensing and regulation of hearing aid dealers, penalties. S. F. 184, Nicholson, et al.; H. F. 239, Lawson, et al.
 Revocation or suspension of chiropractic license. H. F. 337, Schwieger and Norpel; S. F. 309, Davis, et al.
 Licensing for the practice of the healing arts, graduated from accredited school or college. H. F. 383, Larson.
 Regulation, licensing and control of the dispensing of optical devices. H. F. 627, Ellsworth, et al.; S. F. 489, Walsh.

Motor Vehicles

Travel trailers, exclude weight limitation, increase length—speed limits, etc. S. F. 314, Keith and DeKoster; H. F. 386, Waugh, et al.
 Provide for use of stickers to annually update the three-year registration plates. S. F. 433, state government.

Real Estate

Renewal of licenses for real estate salesmen and brokers. H. F. 534, Doyle.
 Licensing of real estate apprentice salesmen. S. F. 447, Walsh, et al.

LIENS—

(Also See Federal Tax Liens)

General

Increase cost of filing mechanic's lien. S. F. 36, county government; H. F. 84, county government.
 Liens on real estate owned by old age assistance recipients. H. F. 80, Christensen.
 Changing procedures for enforcement of an artisan's lien. H. F. 167, Logemann.
 Mechanics' liens—contractors—retailer notify owner of property. H. F. 469, Millen, et al.
 Lien of unpaid inheritance tax effective for 20 years, tax appraisals not necessary unless, etc. S. F. 500, judiciary.

LIEUTENANT GOVERNOR—

General

Lieutenant governor and each senator authorized to appoint a competent secretary. S. R. 1; S. J. 11 adopted.
 Adjournment Thursday afternoon, January 14, 1971, reconvene 10:00 a.m., Monday, January 18, 1971. H. C. R. 4; H. J. 71 adopted; S. J. 62 adopted.
 Four-year terms for governor, lieutenant governor, secretary of state, treasurer, auditor and attorney general. H. J. R. 7, Schwieger, et al.
 Salaries and expenses of members of the General Assembly and lieutenant governor. H. F. 371, Pelton.
 Lieutenant governor, executive assistant to governor—Senate choose president. S. J. R. 8, Milligan.
 Appropriate to lieutenant governor. S. F. 576, appropriations.

LIGHTS—

(Also See Advertising, sub-ref. Lights)

General

Slow-moving vehicle warning devices, flashing amber lights. H. F. 46, Rex.
 Require use of flashing signal lights and stop arms by school buses in cities and towns. S. F. 168, Conklin; H. F. 199, Ewell and Schwieger.

Traffic control signals, right turns may be made if sign indicates. H. F. 262, Wells, et al.; S. F. 293, law enforcement. S.
Emergency vehicles owned by a city or town may use flashing blue or red lights. H. F. 319, Doyle and Rodgers.
Flashing emergency lights on motor vehicles. H. F. 658, transportation.

LIQUIDS—**General**

Definition of flammable liquids. H. F. 325, Holden. (Similar to H. F. 668, social services.)
Definition of flammable liquids. H. F. 668, social services. (H. F. 325 similar)

LIQUOR—

(See Alcoholic Beverages)

LIQUOR CONTROL COMMISSION—**General**

Reorganization of the liquor control commission, sale of, violations of, etc. S. F. 55, Curran and Neu; H. F. 172, state government. S.
Increase fee charged for a class "A" beer permit. H. F. 176, Larson.
Increase tax on beverages containing alcohol. S. F. 514, ways and means.
Appropriate to liquor control commission. S. F. 576, appropriations.
Liquor control commission, capital improvements, appropriation. H. F. 736, appropriations.
Liquor control commission, statutory salary of each commissioner. H. F. 739, appropriations.

LITTERING—**General**

Prohibit use of throw-away containers, regulate other, penalty. H. F. 78, Mendenhall.
Erection of anti-litter signs along primary and secondary highways. H. F. 310, Rodgers, et al.
Prohibit sale or distribution of certain beverages in certain disposable containers, penalty. H. F. 485, Rodgers, et al.
Prohibit sale of certain beverages in cans and disposable bottles, penalty. H. F. 313, Larson and Small.
Littering of highways, penalty for deliberate. S. F. 494, Walsh.
Prohibit littering on any private or public land or water, penalties. H. F. 714, Kelly.

LIVESTOCK—

(See Animals)

LOAN COMPANIES—

(Also See Savings and Loan and/or Building and Loan Associations)

General

Regulation of industrial loan companies. H. F. 7, Shaw, et al.; S. F. 44, Curran, et al.

LOANS—**General**

Establish an environmental pollution control loan authority. H. F. 61, Winkelman.
Amount of money which can be loaned to a parolee from parole relief fund. H. F. 289, social services.

LOBBYISTS—**General**

Financial and other disclosures by persons and organizations engaged in lobbying. S. F. 34, Glenn.
Prohibit league of Iowa municipalities, nonprofit corporations, agencies departments of state, etc. from using funds derived from property tax for lobbying, penalty. H. F. 379, Fischer of Grundy and Schroeder.

LONGEVITY—**General**

Longevity pay increases, highway commission employees or any person subject to merit system, etc. H. F. 630, Andersen, et al.

LOTTERIES—**General**

Repeal lottery prohibition (H. J. R. 10 adopted 1970). H. J. R. 8, Ellsworth; S. J. R. 3, Walsh.

MACHINERY—**General**

Machinery or equipment for soil conservation work also excluded from restrictions on highway. S. F. 238, Balloun.

MAGISTRATES—**General**

Consolidate all trial courts into a unified trial court—district court judges and magistrates. S. F. 428, judiciary.

MAIL—**General**

Create a department of general services, appropriation. S. F. 87, Curran, et al.; H. F. 129, Welden, et al.
Provide for all-weather, surfaced, mailbox turnouts. H. F. 161, Christensen, et al.
Create a department of executive services, general services, reorganization. S. F. 420, Coleman, et al.

MANUFACTURING—**General**

Establish a state building code. H. F. 6, Camp, et al.
Prohibit manufacture, distribution, possession, etc. by unauthorized personnel of devices designed for interception of wire or oral communications—penalties and rights to recovery. H. F. 127, Fischer of Grundy.
Prohibit manufacture, distribution, possession, etc. of devices designed for interception of wire or oral communications, penalties and right to recovery. H. F. 404, Fischer of Grundy and Skinner.

MARIJUANA—

(See Narcotics and/or Drugs)

MARKETING—**General**

Abolish marketing division of the department of agriculture, transfer duties to development commission and secretary of agriculture. S. F. 88, Neu and Curran; H. F. 147, Shaw; S. F. 504, state government.
Update references in Code, Iowa Poultry Association, Inc. H. F. 384, Rex.

MARRIAGE—**General**

Only the index of a dissolution of marriage docket available to public. S. F. 191, judiciary.
Issuance of marriage licenses, 3-day waiting period may be waived. S. F. 201, county government.
Disbursement of support money. H. F. 324, Schwieger.
Obtaining a test showing either susceptibility or immunity from rubella, condition to obtaining a marriage license. S. F. 303, Conklin.
Dissolution of marriage, support, etc. H. F. 405, Doyle, et al.
Establish full property rights between husband and wife, estates, divorce, etc. S. F. 388, Riley.
Married students may attend public schools and participate in extracurricular activities. S. F. 394, Doderer, et al.
Support payments under a divorce, etc., employer required and liable to withhold payments. H. F. 447, Knoke.
Release and consent requirements in child placement and adoption proceedings. H. F. 506, Pelton.
Female under legal age for marriage, if pregnant or has child may apply for permission to marry. H. F. 537, Kelly.

MATERIALS—**General**

Exempt certain industrial materials and equipment from retail sales and use taxes. S. F. 166, Walsh; H. F. 459, Lawson.
Obscenity and indecent material, etc., penalties. H. F. 571, Kreamer, et al.

MEAT AND POULTRY—

(See Foods)

MEDICAL—PROFESSIONAL—**General**

Regulation, control, enforcement and penalties, narcotics, etc. H. F. 1, Millen, et al.; S. F. 1, Mowry, et al.
Equal insurance proceeds payable to medical practitioners, equal services. S. F. 106, Miller.
Storage and safekeeping of narcotic and other drugs, penalty. H. F. 116, Holden.
Kidney disease program, appropriation. S. F. 125, Smith, et al.; H. F. 221, Roorda, et al.; S. F. 590, appropriations. Very similar.
Costs of performing an autopsy. H. F. 137, Grassley and Trowbridge.
Establish a midwestern medical education board, appropriation. S. F. 154, Walsh, et al.; H. F. 316, Tieden, et al.
Licensing and regulation of hearing aid dealers, penalties. S. F. 184, Nicholson, et al.; H. F. 239, Lawson, et al.
Waiver of the basic science examination. S. F. 198, Miller.
Admission to University of Iowa college of medicine. H. F. 341, Campbell.

Permit abortions in certain instances, penalty. S. F. 344, Potgeter.
 Allow injured employees, workmen's compensation, select doctor who treats them. S. F. 357, Palmer, et al.
 Licensing for the practice of the healing arts, graduated from accredited school or college. H. F. 383, Larson.
 Benefits under peace officers' retirement system. S. F. 402, law enforcement.
 Construction of the college of osteopathic medicine and surgery, appropriation for. S. F. 404, Tapscott, et al.; H. F. 513, Kreamer, et al.
 Testing of newborn babies for sickle cell anemia. H. F. 460, Franklin.
 Add medical, dental, legal, accounting, engineering, consultant and research services to taxable services. S. F. 440, Potgeter and Potter.
 Inspection of patients' records. H. F. 533, Kelly.
 Liability for negligence in rendition of services re donating of blood, human tissues, etc. H. F. 556, Shaw.
 Evaluation of professional services and conduct by physicians, etc. of another physician, etc., protected from liability for civil damages. H. F. 569, Clark, et al.
 Obstetrical assistance for persons 18 years of age and older without permission of parents, etc. S. F. 453, Tapscott.
 Voluntary sterilization, penalty. S. F. 465, Conklin.
 Additional amendments to the Code in conformity to S. F. 1 of the Sixty-fourth General Assembly, etc. S. F. 468, law enforcement.
 Evaluation of emotional stability of parents or guardians, neglected, dependent, etc., children—court require psychiatric examination, etc. H. F. 624, Schwieger and Knoke.
 Repeal basic science examination requirements, abolish board. S. F. 486, Conklin.

Chiropractors

Prohibit advertising practices by chiropractors, penalty. S. F. 199, Coleman, et al.; H. F. 303, Cochran, et al.
 Establish a statutory definition of the practice of chiropractic. S. F. 271, Smith and Kennedy.
 Revocation or suspension of chiropractic license. H. F. 337, Schwieger and Norpel; S. F. 309, Davis, et al.
 Establish chiropractic examining board fund, increase license renewal fee. S. F. 138, Miller.

Optometry

Removal of eyes after death for licensed funeral directors or embalmers. S. F. 143, Milligan, et al.; H. F. 170, Tieden, et al.
 Protective eyeglass lens and frames, penalty. S. F. 289, Doderer and Conklin; H. F. 578, Schwieger and Larson.
 Establish board of optometry, restructure operations, etc., of present board. H. F. 524, Freeman, et al.
 Regulation, licensing and control of the dispensing of optical devices. H. F. 627, Ellsworth, et al.; S. F. 489, Walsh.

Osteopathy

Termination of a pregnancy, penalties. S. F. 114, Conklin; H. F. 134, Moffitt.
 Construction of the college of osteopathic medicine and surgery, appropriation for. S. F. 404, Tapscott, et al.; H. F. 513, Kreamer, et al.
 College of osteopathic medicine and surgery, appropriation to executive council for. S. F. 593, appropriations.

Physicians

Doctors' assistants. S. F. 78, Tapscott, et al.; H. F. 92, Mayberry, et al.
 Termination of a pregnancy, penalties. S. F. 114, Conklin; H. F. 134, Moffitt.
 "Thorough" physical not required for marriage license. H. F. 308, social services.

Psychology

Establishing a psychology examining board and registration of psychologists. H. F. 163, Alt; S. F. 241, Van Drie and Doderer. S.

MEDICAL EXAMINERS—

General

Doctors' assistants. S. F. 78, Tapscott, et al.; H. F. 92, Mayberry, et al.
 Blood tests of persons dying as a result of motor vehicle accidents, driver. S. F. 464, Conklin.

MEMORIALS—

General

Joint memorial session, Wednesday, April 28, 1971 at 7:30 p.m. H. C. R. 31; H. J. 810, 833 adopted; S. J. 718, 723 adopted.
 Time change to April 27, 1971. H. J. 931; S. J. 837.

MENTAL HEALTH—

(See Health, sub-ref. Mental)

MERCHANDISE—

General

Purchaser of copper wire or walnut logs must have bill of sale. H. F. 651, Dougherty.

MERIT SYSTEM—**General**

- Hiring of state employees, pay expenses. H. F. 11, Welden, et al.; S. F. 12, Curran and Neu.
- Exempt supervisory employees and their confidential assistants of elected officials, etc., from merit system. H. F. 253, Fischer of Grundy et al.
- Exempt employees of elected officials from provisions of merit system. S. F. 273, Mowry, et al.
- Exempt summer employees from merit system, and provide work test appointments. H. F. 399, state government.
- Provide for a procedure, state employees to meet and confer with merit employment commission, wages, hours, benefits, etc., and terms of employment. H. F. 421, Fisher of Greene and Millen.
- Longevity pay increases, highway commission employees or any person subject to merit system, etc. H. F. 630, Andersen, et al.
- Status of law-enforcement officers appointed by conservation commission. H. F. 680, conservation and recreation.
- Motor fuel tax laws, certain enforcement duties transferred to highway commission. H. F. 684, ways and means.
- Appropriate to highway commission from primary road fund for expenses incurred in administering the merit employment system. S. F. 569, appropriations.
- Appropriate to merit employment department. S. F. 576, appropriations.
- Merit employment commission, statutory salary of director. H. F. 739, appropriations.
- That the merit employment commission and the director be directed to develop a proposed plan providing a uniform system of pay scales and fringe benefits for all state employees. H. C. R. 49; H. J. 2194.

METROPOLITAN SERVICE CORPORATION—**General**

- Establish a metropolitan service corporation. S. F. 104, Milligan, et al.; H. F. 135, Andersen.

MIDWEST NUCLEAR COMPACT—**General**

- State to enter into the midwest nuclear compact. S. F. 338, Doderer, et al.; S. F. 365, Iowa development; H. F. 396, Kehe, et al.

MIGRANT LABORERS—**General**

- Carbon tetrachloride fire extinguishers not approved for use in migratory labor camps. H. F. 219, social services.
- Require migrant workers register with state employment service, penalty. S. F. 452, Tapscott; H. F. 575, Gluba.
- Transfer migratory labor camp inspections from department of health to bureau of labor. H. F. 634, Dougherty, et al.

MILEAGE—**General**

- Increase fees and mileage allowances of jurors. H. F. 67, Holden.
- Increase juror fees and mileage allowances. S. F. 167, Gaudineer.
- Regulation of odometers on motor vehicles, penalties. S. F. 250, Kyhl; H. F. 296, Nystrom.
- Increase maximum amount of mileage compensation paid to a county supervisor. H. F. 474, Dunton.
- Effective date of S. F. 250, motor vehicle odometers, to be January 1, 1972. S. F. 571, law enforcement.

MILITARY—**General**

- Request Congress and the President of the United States to remove all military personnel from Southeast Asia by July 1, 1971. H. C. R. 12; H. J. 222, 266.
- That the Iowa legislature opposes the invasion of Laos. H. C. R. 15; H. J. 238, 321 tabled.
- Temporary or part-time employees of state, political subdivisions or cities and towns not entitled to military leave with pay or job status. H. F. 274, Ellsworth and Taylor.
- Provide an exemption from income tax for members of National Guard, duty and active service. H. F. 281, Ellsworth.
- Extension of tax exemptions to certain members of reserve components of armed forces. H. F. 282, Ellsworth.
- Request Governor Ray issue a proclamation designating the week of March 21 as "Iowa Concern for Prisoners of War Missing in Action Week." S. C. R. 16; S. J. 351, 401 adopted, 406; H. J. 497, 566 adopted.
- Extension of operators' and chauffeurs' licenses for persons separated from military service. H. F. 479, law enforcement.
- Commend the efforts of a delegation of concerned Iowans in their successful meeting with North Vietnamese officials. S. C. R. 29, S. J. 714.

Minimum age for appointment of commissioned and warrant officers in National Guard. H. F. 600, state government.
That the U. S. withdraw all military personnel from Indo-China by the end of 1971. H. R. 8, H. J. 1399, 1954 tabled.

MILITARY AFFAIRS—

(See Military)

MILLAGE—

General

Ceiling on millage levies for 1971 by all taxing districts, with exceptions. S. F. 33, Griffin.
Require voter approval for aviation authority to levy a one mill tax. H. F. 173, Schroeder.
Counties may create an ambulance service expense fund. H. F. 234, Siglin and Rodgers.
Property tax levy for ambulance service in certain counties. H. F. 328, Strothman.
Increase tax levy for county hospitals. S. F. 355, Tapscott, et al.; H. F. 519, Hill, et al.
Board of supervisors may levy up to one-fourth mill on property for county civil defense, etc. H. F. 91, Mendenhall.
Permit city or town to levy, on agricultural land, for street purposes a millage rate equal to county levy for secondary roads. H. F. 595, cities and towns.

MINING—

General

State mine inspector shall be director, increase per diem compensation for board members. H. F. 210, Pierson, et al.
Geological survey—natural resources council—mines and minerals, department of, appropriation to. S. F. 553, appropriations.
Mines and minerals, department of, statutory salary of inspector. H. F. 739, appropriations.

MINORS—

General

Blood donors, 18 years or older. S. F. 3, Brownlee; H. F. 41, Middleswart and Freeman.
Standard of proof for termination of the parent-child relationship. S. F. 29, Mowry.
Allow prosecution of minors as adults for violation of beer and liquor laws, removes jurisdiction of juvenile courts. S. F. 43, Stephens.
Compensation for public representatives serving on committee on child labor. H. F. 63, Lipsky.
Obscenity, punishment for violations thereof. S. F. 54, Kennedy.
Definition of indictable misdemeanors, contributing to juvenile delinquency. S. F. 58, Shaff; H. F. 249, Doyle, et al. S.
Person legally liable for support of a youth also liable to state for support at a training school. S. F. 113, Smith, et al.
Adoption of hard to place children. H. F. 164, Bray, et al.
Allows persons 14 and 15 years to work in certain occupations, badge no longer required, etc. H. F. 171, Drake, et al.
Unlawful to possess alcoholic beverages by minors in a motor vehicle. H. F. 250, Doyle, et al.
Juveniles subject to same penalties for violation of fish and game laws. H. F. 251, Knoke.
Juvenile court and referee along with judge determine interest re dependent, delinquent, etc. children, referee receive copy of Code. H. F. 267, Doyle and Kelly.
Eligibility requirements for ADC, minors. H. F. 278, social services.
Age of majority. H. F. 323, Larson and Blouin.
Iowa income tax deduction for adoption expenses. H. F. 340, Kreamer; H. F. 387, Small, et al.
Child labor, detasseling, etc. S. F. 313, Potgeter, et al.; H. F. 473, human and industrial relations. S.
Child and wife desertion and penalty therefor. S. F. 331, Palmer.
Support of mentally retarded children. S. F. 339, Curran; H. F. 416, Lawson.
Issuance of new birth certificates for persons born outside the United States and adopted in Iowa. S. F. 354, DeKoster and Potgeter.
Age requirements for admission to school. H. F. 441, Willits.
Testing of newborn babies for sickle cell anemia. H. F. 460, Franklin.
Support of certain dependents, enforcement of, defining desertion, penalties. H. F. 464, Knoke.
Release and consent requirements in child placement and adoption proceedings. H. F. 506, Pelton.
Female under legal age for marriage, if pregnant or has child may apply for permission to marry. H. F. 537, Kelly.
Obscenity and indecent material, etc., penalties. H. F. 571, Kreamer, et al.
Obstetrical assistance for persons 18 years of age and older without permission of parents, etc. S. F. 453, Tapscott.

- Permit court to seal arrest and juvenile court records for acts committed by persons under 18. H. F. 619, Schwieger.
- Evaluation of emotional stability of parents or guardians, neglected, dependent, etc., children—court require psychiatric examination, etc. H. F. 624, Schwieger and Knoke.
- Workmen's compensation death benefits, dependent's age increased to 19, or. H. F. 638, Ewell, et al.
- Committee on child labor, appropriation to members of. S. F. 589, appropriations.

MISDEMEANORS—

General

- Definition of indictable misdemeanors, contributing to juvenile delinquency. S. F. 58, Shaff; H. F. 249, Doyle, et al. S.
- Penalty for unlawful use of temporary and instructional driving permits. H. F. 82, Doyle.
- Storage and safekeeping of narcotic and other drugs, penalty. H. F. 115, Holden.
- Reduce penalty for violation of snowmobile regulations. S. F. 116, conservation and recreation; H. F. 202, conservation and recreation.
- Disclosure of information learned during the preparation of tax returns, misdemeanor. H. F. 141, Norpel; S. F. 233, judiciary. S.
- Create Iowa turkey federation, promote marketing of turkeys, excise tax for. H. F. 145, Rex and Hansen; S. F. 230, Coleman.
- Powers and duties of the budget and financial control committee, fiscal director. S. F. 153, Gaudineer.
- Local authorities designate snow routes, regulate traffic. H. F. 181, Alt, et al.; S. F. 353, cities and towns. S.
- Real estate transactions, eliminate tax on, etc., penalty. S. F. 222, Stephens.
- Issuance and use of distress flags by handicapped persons, penalties. H. F. 268, Dunton.
- Prohibit sale of certain beverages in cans and disposable bottles, penalty. H. F. 313, Larson and Small.
- Child and wife desertion and penalty therefor. S. F. 331, Palmer.
- Create Iowa corn marketing and research board, promote marketing of corn, excise tax for. S. F. 375, Stephens, et al.
- Waiver of right to jury trial in indictable misdemeanor cases. H. F. 393, Johnston.
- Establish a water conditioning examining board, license and regulate contractors for. S. F. 399, Shaff; H. F. 480, Alt.
- Misuse of food stamps, penalty. H. F. 439, Schwieger.
- Penalties for false drawing and uttering of checks. H. F. 442, Doyle.
- Taxation of credit cards, penalties. S. F. 429, Arbuckle.
- Regulation of outdoor campaign advertising, penalty. H. F. 584, Logemann.

MISSISSIPPI PARKWAY PLANNING COMMISSION—

General

- Appropriation to Herbert Hoover foundation and Mississippi parkway planning commission. S. F. 487, appropriations.

MOBILE HOMES—

General

- Mobile homes and vehicles, movement of oversized. H. F. 48, Schroeder.
- Tax assessments, mobile homeowners, notifications. S. F. 40, Van Gilst.
- Taxation of mobile homes, same as real property. S. F. 65, county government.
- Increase tax on mobile homes. H. F. 558, Dunton.

MORTGAGES—

General

- Update state Code to conform with federal regulations, savings and loan associations. H. F. 94, Alt, et al.; S. F. 118, Van Drie and DeKoster.
- Marginal entries not required on mortgages. H. F. 140, Rex.
- Taxation of real estate transfers, penalty. S. F. 410, Potter and Keith.

MOTELS—

General

- Bedding sanitation in hotels, motels, etc. S. F. 294, Briles and Doderer.
- Tax on hotel or motel, etc., accommodations. H. F. 462, ways and means.

MOTION PICTURES—

General

- Prohibit drive-in theaters from showing "X" rated motion pictures. H. F. 401, Dougherty, et al.
- Obscenity, punishment for violations thereof. S. F. 54, Kennedy.
- Authorize cities and towns to impose a tax on theaters. H. F. 510, Doyle, et al.
- Obscenity and indecent material, etc., penalties. H. F. 571, Kreamer, et al.
- Civil proceeding making possible an adversary hearing upon questions of obscenity. H. F. 642, county government.

MOTOR VEHICLES—

(Also See Transportation)

General

- Prohibit parking of vehicles on private property. H. F. 45, Holden.
- Mobile homes and vehicles, movement of oversized. H. F. 48, Schroeder.
- Confiscation of motor vehicles, unlawful transportation of drugs. H. F. 58, Doyle, et al.
- Remove requirement state furnish containers for registration certificates. H. F. 74, Kreamer; S. F. 298, Griffin.
- Commerce commission may issue certificates of convenience to motor vehicle carriers without a public hearing. S. F. 89, Neu, et al.; H. F. 136, Shaw, et al.
- Death of persons resulting from operation of motor vehicles, penalties. S. F. 94, Kennedy.
- Increase minimum liability coverage, motor vehicle financial responsibility law. S. F. 109, Riley.
- Control of traffic and parking of vehicles at board of regents institutions. S. F. 120, higher education; H. F. 162, higher education.
- Disposal of certain used state motor vehicles, may trade or sell at auction. S. F. 146, state government.
- Renewal of auto insurance, cannot require physical solely on basis of age, or other. S. F. 156, commerce.
- Alternate safety devices in lieu of safety chains for towing vehicles. H. F. 213, Winkelman, et al.
- Driver education requirements. H. F. 214, Freeman, et al.
- Prohibit use of ice grips and tire studs. H. F. 233, Schwieger.
- Unlawful to possess alcoholic beverages by minors in a motor vehicle. H. F. 250, Doyle, et al.
- Compensating state employees for use of their motor vehicles. S. F. 217, state government.
- Reporting of vehicle accidents, \$200. H. F. 258, Kreamer.
- Issuance and use of distress flags by handicapped persons, penalties. H. F. 268, Dunton.
- Regulation of odometers on motor vehicles, penalties. S. F. 250, Kyhl; H. F. 296, Nystrom.
- Unlawful use of a driver's license, driving without a license, etc., punishable by imprisonment. S. F. 251, Kennedy.
- Disposition of abandoned motor vehicles, penalty. H. F. 285, Kehe and Alt.
- Forbid use of highways to habitual offenders of traffic laws, punishment. S. F. 268, DeKoster and Griffin.
- Emergency vehicles owned by a city or town may use flashing blue or red lights. H. F. 319, Doyle and Rodgers.
- Revocation of drivers license, two convictions of reckless driving within a period of two years. S. F. 281, Gaudineer.
- Clarify law concerning leaving the scene of an accident. S. F. 302, Conklin.
- Vehicle equipment requirements. S. F. 376, Coleman and Kyhl.
- Local governmental bodies participate in purchase of motor vehicles by state car dispatcher. H. F. 395, Johnston.
- Safety standards and equipment on motor vehicles used by railroad companies, penalties. S. F. 379, Riley, et al.
- Crash-resistant automobile bumpers, penalties. S. F. 384, Van Drie; H. F. 430, Schwieger, et al.
- Reduce penalty for drag racing. S. F. 396, Schaben.
- Reduce statute of limitations on action to recover from uninsured motorist insurance. H. F. 478, Kreamer.
- In-transit vehicles may transport equipment which was purchased with vehicle. S. F. 403, Coleman and Kyhl.
- Prohibit operation of certain motor vehicles upon improved lands, penalty. H. F. 444, Doyle.
- Homicide by vehicle, penalties. H. F. 508, Kreamer.
- Vehicular homicide, penalties. H. F. 512, Pelton and Fischer of Grundy.
- Purchase and use of state-owned automobiles. S. F. 449, state government.
- Provide for disposal of abandoned motor vehicles. H. F. 566, Trowbridge.
- Blood tests of persons dying as a result of motor vehicle accidents, driver. S. F. 464, Conklin.
- Property unlawfully placed on public or private property (motor vehicle or other) removed without liability to owner. S. F. 476, Riley.
- Temporary restrictions on weight and load of motor vehicles. H. F. 629, transportation; S. F. 537, transportation.
- Requests for withdrawal of body substances under the implied consent law may be oral unless requested written. H. F. 639, Schmeiser.
- Flashing emergency lights on motor vehicles. H. F. 658, transportation.
- Disposal of abandoned motor vehicles, etc. H. F. 671, environmental preservation.
- Registration and use of motor vehicles, safety, and no fault insurance. S. F. 536, Gaudineer.
- Computation of fines for violations, maximum gross weight law for motor vehicles. S. F. 540, transportation. (Similar subject matter as H. F. 727)
- Movement of oversized and overweight vehicles and loads, penalties. H. F. 727, transportation. (Similar subject matter as S. F. 540)

Effective date of S. F. 250, motor vehicle odometers, to be January 1, 1972. S. F. 571, law enforcement.

Public safety, appropriation to, and sales and use tax on all registered automobiles, etc. S. F. 510, ways and means.

Public safety, department of, conduct study as to the usefulness and safety aspects of the "life lite" and feasibility of installation on all automobiles. H. R. 10; H. J. 2194.

Ambulances

Prohibit use of ice grips and tire studs. H. F. 233, Schwieger.

Counties may create an ambulance service expense fund. H. F. 234, Siglin and Rodgers.

Property tax levy for ambulance service in certain counties. H. F. 328, Strothman.

Standards for ambulance services, penalties. S. F. 352, Potter and Riley; H. F. 425, Pelton and Lipsky.

Establish a state helicopter emergency ambulance service. H. F. 669, Lipsky.

Buses

(Also See Schools, sub-ref. Buses)

Senior citizens' groups may use school buses. S. F. 81, Van Gilst and Briles; H. F. 427, Strand and Dougherty.

Registration fee for buses owned by religious organizations, used for its purposes. S. F. 248, Van Drie.

Authorize issuance of industrial aid bonds for railroad and bus transportation, hospital, clinic, and health care facilities, and industrial pollution control projects. H. F. 418, Hansen and Holden.

Fees

(Also See Fees)

Amount of motor vehicle fees retained by counties, registration, titles, etc. H. F. 12, Drake, et al.; S. F. 11, Curran, et al.

Increase motor vehicle title and registration transfer fees. S. F. 68, county government.

Repeal requirement motor vehicle registration fees, licenses, and excise taxes on motor vehicle fuel be used exclusively for highway purposes. H. J. R. 10, Larson and Small.

Motor vehicle inspection and safety, penalties. S. F. 297, law enforcement.

Fuel

Repeal requirement motor vehicle registration fees, licenses, and excise taxes on motor vehicle fuel be used exclusively for highway purposes. H. J. R. 10, Larson and Small.

Inspection

Require annual inspection of motor vehicles, registering or renewing registration, penalty. S. F. 161, Erskine; H. F. 191, Kruse.

Motor vehicle inspection and safety, penalties. S. F. 297, law enforcement.

Licenses

(See Licenses, sub-ref. Motor Vehicles)

Registration

Late motor vehicle registration increase penalty. S. F. 56, Curran, et al.; H. F. 96, Drake, et al.

Special registration plates for legislators. H. F. 76, Doyle, et al.

Require annual inspection of motor vehicles, registering or renewing registration, penalty. S. F. 161, Erskine; H. F. 191, Kruse.

Repeal requirement motor vehicle registration fees, licenses, and excise taxes on motor vehicle fuel be used exclusively for highway purposes. H. J. R. 10, Larson and Small.

Motor vehicle registration cards need not be plainly seen without entering car. S. F. 231, Coleman; H. F. 454, Millen.

Remove requirement state furnish containers for registration certificates. H. F. 74, Kreamer; S. F. 298, Griffin.

House movers register motor vehicle on basis of gross weight of the vehicle without load. S. F. 371, Potgeter.

Require proof of financial responsibility at time of registration of motor vehicles. H. F. 428, Mendenhall.

Provide for use of stickers to annually update the three-year registration plates. S. F. 433, state government.

Type of fuel used must be stated on registration of motor vehicles. H. F. 551, ways and means.

Increase registration fees for snowmobiles, disposition of fees. S. F. 463, ways and means.

Decrease annual registration fee for urban transit company vehicles. S. F. 471, transportation.

Registration and use of motor vehicles, safety, and no fault insurance. S. F. 536, Gaudineer.

Operation of unregistered vehicles, remove "knowingly" from statute, alteration of "titles" or "registration", etc. S. F. 547, transportation.

Registration and safety regulations for snowmobiles. H. F. 711, conservation and recreation.

Snowmobiles

Temporary registration of snowmobiles. S. F. 76, Ollenburg; H. F. 106, Stromer.

Reduce penalty for violation of snowmobile regulations. S. F. 116, conservation and recreation; H. F. 202, conservation and recreation.

Prohibit operation of certain motor vehicles upon improved lands, penalty. H. F. 444, Doyle.

Public recreation on private lands, include snowmobiling, etc. H. F. 446, Scott. Increase registration fees for snowmobiles, disposition of fees. S. F. 463, ways and means.

Registration and safety regulations for snowmobiles. H. F. 711, conservation and recreation.

Trailers

Increase speed limit for motor vehicles drawing trailers. H. F. 54, Doyle. Travel trailers, exclude weight limitation, increase length-speed limits, etc. S. F. 314, Keith and DeKoster; H. F. 386, Waugh, et al.

Limit length of combination of vehicles. S. F. 364, Griffin and Kennedy.

Towing of four-wheeled trailers with steering axles. S. F. 366, Curran and Keith.

Overall length of combinations of vehicles. S. F. 446, transportation. (Same subject matter as S. F. 364)

Trucks

Issuance of liquid transport carrier certificates. S. F. 100, Anderson and Schaben.

Mudguards on motor trucks, etc. H. F. 203, Freeman, et al.

Require motor trucks, etc. carrying certain kinds of freight to be covered. H. F. 205, Doyle, et al.

Appointment of members of commerce commission, 1 from trucking, 1 railroad, and 1 public utilities. H. F. 301, Kennedy.

Limit length of combination of vehicles. S. F. 364, Griffin and Kennedy.

Towing of four-wheeled trailers with steering axles. S. F. 366, Curran and Keith.

Provide commerce commission authority to regulate intrastate truck operators, penalties. S. F. 370, Griffin.

House movers register motor vehicle on basis of gross weight of the vehicle without load. S. F. 371, Potgeter.

Overall length of combinations of vehicles. S. F. 446, transportation. (Same subject matter as S. F. 364)

Monetary penalty against trucking companies violating terms of their certificates of convenience and necessity re routes and schedules of service. H. F. 620, Dunton.

Violations

Examination of persons, moving violations, traffic laws. H. F. 75, Lipsky.

Penalties imposed for driving while under the influence of alcoholic beverages or drugs. S. F. 178, Shaff, et al.; H. F. 241, Andersen, et al.

Pleas of no contest in trial of nonindictable motor vehicle offenses. H. F. 252, Doyle.

Forbid use of highways to habitual offenders of traffic laws, punishment. S. F. 268, DeKoster and Griffin.

Temporary restrictions on weight and load of motor vehicles, penalties. H. F. 629, transportation; S. F. 537, transportation.

MUNICIPAL CORPORATIONS—

(See Cities and Towns, all sub-refs.)

MUNICIPAL COURT—

(See Courts, sub-ref. Municipal)

MUSIC—

General

Uniforms for vocal and instrumental school music groups, purchase. H. F. 40, McCormick and Stromer.

NAMES—

General

Changing names by individuals. S. F. 202, county government.

NARCOTICS—

(Also See Drugs and/or Medical—Professional and/or Pharmacy)

General

Regulation, control, enforcement and penalties, narcotics, etc. H. F. 1, Millen, et al.; S. F. 1, Mowry, et al.

Confiscation of motor vehicles, unlawful transportation of drugs. H. F. 58, Doyle, et al.

Hemp a noxious weed. H. F. 71, Stromer.

Criminal action to deliver drugs or liquor or to help an inmate to escape from institutions under department of social services. S. F. 108, Kennedy.

Storage and safekeeping of narcotic and other drugs, penalty. H. F. 115, Holden.

Establish pilot programs for drug abuse, treatment, rehabilitation, education, etc., appropriation. S. F. 130, Gaudineer et al.

Penalties imposed for driving while under the influence of alcoholic beverages or drugs. S. F. 178, Shaff, et al.; H. F. 241, Andersen, et al.

Additional amendments to the Code in conformity to S. F. 1 of the Sixty-fourth General Assembly, etc. S. F. 468, law enforcement.

NATIONAL CONFERENCE OF STATE LEGISLATIVE LEADERS—

General

Appropriate to national conference of state legislative leaders. S. F. 576, appropriations.

NATIONAL GUARD—

(See Military)

NATURAL RESOURCES COUNCIL—

General

Conservation of soil and water resources, control of water pollution. H. F. 73, Varley, et al.; S. F. 61, Lavery, et al.

Reorganize conservation commission, natural resources council, soil conservation commission, geologist, geological board, and advisory board for preserves—establish department of natural resources management. S. F. 451, Gaudineer.

Geological survey—natural resources council—mines and minerals, department of, appropriation to. S. F. 553, appropriations.

Natural resources council, statutory salary of director. H. F. 739, appropriations.

NEGLIGENCE—

General

Standard of proof for termination of the parent-child relationship. S. F. 29, Mowry.

Evaluation of emotional stability of parents or guardians, neglected, dependent, etc., children—court require psychiatric examination, etc. H. F. 624, Schwieger and Knoke.

NEWSPAPERS—

(See Printing—Publishing)

NOTARIES—

General

Notaries public, appointed by secretary of state, increase fee. H. F. 18, Wellden, et al.; S. F. 45, Curran, et al.

Corrects H. F. 18 re appointment of notaries public by secretary of state. H. F. 729, state government.

NOTICES—

General

Reversion of unclaimed postal savings system accounts to the state. S. F. 325, Mowry; H. F. 397, Pelton.

Notification to parents and guardians of the sex education courses taught in public schools, penalties. H. F. 359, Grassley.

Increase fees charged for civil processes by sheriffs. H. F. 489, Lawson.

Authorize counties operating county public hospitals to issue revenue bonds. H. F. 466, Priebe, et al.; S. F. 401, Kyhl, et al.

NURSING—

General

Include students of schools of nursing in tuition grant programs. S. F. 380, Riley, et al.; H. F. 448, Shaw, et al.

OBSCENITY—

General

Obscenity, punishment for violations thereof. S. F. 54, Kennedy.

Obscenity and indecent material, etc., penalties. H. F. 571, Kreamer, et al.

Prohibit drive-in theaters from showing "X" rated motion pictures. H. F. 401, Dougherty, et al.

Authorize cities and towns to impose a tax on theaters. H. F. 510, Doyle, et al.

Civil proceeding making possible an adversary hearing upon questions of obscenity. H. F. 642, county government.

OFFENDERS—

General

Acts which threaten violence toward another considered public offenses, penalties. H. F. 543, Schwieger.

OFFICERS—

(Also See Police)

General

College of criminal justice be established at University of Northern Iowa. S. C. R. 9; S. J. 99, 178.

Retirement systems for policemen and firemen, vesting of and 5 highest salaried years. S. F. 163, cities and towns.

College of criminal justice be established at University of Northern Iowa. H. C. R. 14; H. J. 287, 1704.

Probationary period of city patrolmen, 12 months. H. F. 226, Monroe, et al.; S. F. 226, Miller and Kennedy.
 Provide for uniform traffic summons and a schedule of minimum fines for certain traffic violations. H. F. 423, Kehe, et al.
 Establish a college education program for law enforcement officers. H. F. 481, Lipsky.
 Workmen's compensation for peace officers. H. F. 491, Welden.
 Benefits under peace officers' retirement system. S. F. 402, law enforcement.
 Repeal section providing for compensating law enforcement officers injured in course of official duty. H. F. 509, Knoke.
 Allow peace officers to close public highways when hazardous conditions exist, penalty. H. F. 561, Trowbridge.
 Provide for disposal of abandoned motor vehicles. H. F. 566, Trowbridge.
 Requests for withdrawal of body substances under the implied consent law may be oral unless requested written. H. F. 639, Schmeiser.
 Justices of the peace, number of per county, salaries, appointment and removal, etc.—abolish position of constable. H. F. 653, Grassley, et al.
 State employees may be covered by workmen's compensation, also police officers. S. F. 525, human and industrial relations.
 Status of law-enforcement officers appointed by conservation commission. H. F. 680, conservation and recreation.
 Establish a county law enforcement unit. H. F. 689, Taylor, et al.
 Requests of peace officers for blood tests under implied consent law need not be written. H. F. 718, judiciary.

OLD-AGE ASSISTANCE—

General

Computation of old-age assistance grants. S. F. 42, Conklin.
 Liens on real estate owned by old-age assistance recipients. H. F. 80, Christensen.
 Disposition of property owned by certain deceased old-age assistance recipients. H. F. 385, Moffitt.
 Payments to welfare recipients in health care facilities. S. F. 497, Walsh, et al.
 Committee to study present laws and regulations, etc. for determining eligibility of recipients of categorical assistance payments, etc. H. C. R. 48; H. J. 2141.

OMBUDSMAN—

General

Establish office of ombudsman, penalties. S. F. 288, Potgeter and Walsh.

OPTOMETRY—

(See Medical—Professional, sub-ref. Optometry)

ORGANIZATIONS—

General

Require any organization, church, school, etc. soliciting public donations must file annual report. H. F. 174, Freeman, et al.
 Require any organization except church, etc., soliciting public donations must file annual report listing all persons receiving funds. H. F. 353, Doyle, et al.
 Property tax exemptions to country clubs, fraternal clubs and veterans organizations, liquor stamp. H. F. 344, Kreamer.
 Defining bingo, conduction of, etc., penalties. H. F. 348, Ellsworth.
 Create a vocational youth organization fund, appropriation. H. F. 457, Kreamer.

PAPER—

General

Collection and disposition of wastepaper by the state. H. F. 407, Rodgers, et al.
 One-half of all paper purchased by the state be of recycled paper. H. F. 419, Willits and Blouin.

PARI-MUTUEL—

General

Permit pari-mutuel betting in Iowa. S. F. 300, Griffin, et al.; H. F. 435, Knoblauch, et al.; H. F. 659, conservation and recreation. S.
 Advisory committee to study advantages of a pari-mutuel system of betting, submit report. H. C. R. 27; H. J. 641.
 Committee to study legislation authorizing pari-mutuel betting in Iowa, submit report. H. C. R. 26; H. J. 640, 1767.
 Advisory committee to study advantages of a pari-mutuel system of betting, submit report. S. C. R. 27; S. J. 553, 770, 1133.

PARKING—

General

Prohibit parking of vehicles on private property. H. F. 45, Holden.
 Control of traffic and parking of vehicles at board of regents institutions. S. F. 120, higher education; H. F. 162, higher education.
 Legalize and validate proceedings of Red Oak, Montgomery County, purchase of property for off-street parking. S. F. 129, Bass.

Exempt municipally-owned parking lots from service tax. H. F. 304, Lipsky, et al.

PARKS—

General

Maintenance of state park and institutional road system. S. F. 148, conservation and recreation.

Restrict use of firearms, fireworks, etc. on state preserves and parks. S. F. 158, conservation and recreation; H. F. 198, conservation and recreation.

Authorize cities and towns to acquire land by lease for park purposes, bonds. S. F. 256, cities and towns.

Impose fees for use of certain state recreational areas, penalties. S. F. 346, Erskine; H. F. 422, Tleden; H. F. 577, conservation and recreation. S.

Sanitary and improvement districts. S. F. 430, Griffin; H. F. 536, Mollett.

Zoning regulations within prescribed distances of highways, parks, recreational areas, and navigable rivers, planning and programming. H. F. 610, Norpel, et al.

PAROLE—

(See Social Services, sub-ref. Parole, Board of)

PARTNERSHIP—

General

Uniform partnership act. S. F. 460, judiciary.

PATERNITY—

General

Contempt actions in paternity cases. H. F. 546, Schweiger.

PEACE OFFICERS—

(See Officers and/or Police)

PENAL INSTITUTIONS—

General

Committee to conduct study of the penal and correctional system in Iowa, submit recommendations. H. C. R. 22; H. J. 518, 819 adopted; S. J. 713, 715, 1111, 1354, 1656 adopted, 1659.

Prisoners

Reduction of sentence for prisoners in county jails, good behavior. S. F. 381, Curran, et al.; H. F. 420, Lawson, et al.; H. F. 298, Monroe and Anna. S.

Compensation for feeding prisoners in certain counties. S. F. 322, Curran, et al.; H. F. 375, Lawson, et al. S.

PENSIONS—

(See Retirement Systems, sub-ref. Pensions)

PERMITS—

General

Distance requirements for pipeline regulation, informational meetings. H. F. 33, Holden, et al.; S. F. 5, Briles, et al.

Reorganization of the liquor control commission, sale of, violations of, etc. S. F. 55, Curran and Neu; H. F. 172, state government. S.

Penalty for unlawful use of temporary and instructional driving permits. H. F. 82, Doyle.

Increase fee charged for a class "A" beer permit. H. F. 176, Larson.

Fees for issuance of permits to carry concealed weapons. S. F. 264, Gaudineer, et al.

Removes requirement of printing seed permit number on each package, establish progressive fee schedule for a seed permit. H. F. 335, Pierson, et al.

Issuance of permits by counties, cities and towns authorizing commercial entertainment events, penalties. S. F. 319, Smith.

Permits to carry concealed weapons, penalties. S. F. 356, Gaudineer, et al.

Provide commerce commission authority to regulate intrastate truck operators, penalties. S. F. 370, Griffin.

Permit and license fees for certain advertising devices, etc., penalties. H. F. 411, Rodgers.

Tax on hotel or motel, etc., accommodations. H. F. 462, ways and means.

Regulation of the manufacture, sale, transportation, etc., and use of explosive materials, penalties, etc. H. F. 522, law enforcement.

Regulation of public accounting, etc., penalties. H. F. 643, Ellsworth, et al.; S. F. 490, Walsh.

Registration of vending machines, permit fees, penalties. H. F. 681, Logemann. (Similar subject matter as S. F. 334)

PESTICIDES—

(Also See Agriculture, sub-ref. Pesticides)

General

Application of pesticides, regulation of aerial, damage and enforcement procedures. H. F. 39, Pierson, et al.

Create a department of environmental quality. S. F. 85, Laverty, et al.; H. F. 269, Varley, et al.
 Authority of the chemical technology review board, agricultural chemicals, etc. S. F. 326, Laverty.
 Prohibit use of aerosol pesticide dispensers in restaurants and food establishments, penalty. H. F. 596, Blouin.
 Use and application of pesticides, update law. H. F. 602, agriculture.

PETITIONS—

(Also See Elections)

General

Exempt certain electric utility projects from petition requirements. H. F. 24, Holden, et al.; S. F. 20, Briles, et al.
 Distance requirements for pipeline regulation, informational meetings. H. F. 33, Holden, et al.; S. F. 5, Briles, et al.
 Electric transmission lines, power of eminent domain, notification to property owners, hearings. H. F. 151, Fischer of Grundy.
 Pipeline companies, power of eminent domain, notification to property owners, hearings. H. F. 152, Fischer of Grundy.
 Permit county offices to be combined (upon petition and election) and made appointive, managers, exclude sheriffs. S. F. 275, Riley.
 Authorize counties operating county public hospitals to issue revenue bonds. H. F. 466, Priebe, et al.; S. F. 401, Kyhl, et al.

PHARMACY—

(Also See Narcotics and/or Medical—Professional and/or Drugs)

General

Regulation, control, enforcement and penalties, narcotics, etc. H. F. 1, Millen, et al.; S. F. 1, Mowry, et al.
 Storage and safekeeping of narcotic and other drugs, penalty. H. F. 115, Holden.
 Additional amendments to the Code in conformity to S. F. 1 of the Sixty-fourth General Assembly, etc. S. F. 468, law enforcement.
 Appropriate to pharmacy examiners. S. F. 576, appropriations.
 Pharmacy examiners, board of, statutory salary of secretary. H. F. 739, appropriations.

PHYSICIANS—

(See Medical—Professional, sub-ref. Physicians)

PIONEER LAWMAKERS—

General

Joint session Thursday, April 1, 1971 at 2:00 p.m., pioneer lawmakers present program. S. C. R. 12; S. J. 234, 320 adopted; H. J. 408 adopted.
 Appropriate to pioneer lawmakers. S. F. 576, appropriations.

PIPELINES—

General

Definition of pipeline and pipeline companies, and substances. H. F. 23, Holden, et al.; S. F. 16, Briles, et al.
 Inspection of pipeline construction paid by pipeline company or contractor. H. F. 30, Holden, et al.; S. F. 18, Briles, et al.
 Distance requirements for pipeline regulation, informational meetings. H. F. 33, Holden, et al.; S. F. 5, Briles, et al.
 Pipeline companies, power of eminent domain, notification to property owners, hearings. H. F. 152, Fischer of Grundy.

PLANNING AND PROGRAMMING—

General

Office for planning and programming, establish programs and courses in area vocational schools and community colleges, new and expanding industries, appropriation. H. F. 498, Lawson, et al.
 Interagency liaison committee, repeals chapter 28C. H. F. 601, state government.
 Zoning regulations within prescribed distances of highways, parks, recreational areas, and navigable rivers, planning and programming. H. F. 610, Norpel, et al.
 Community housing development board, create, reimbursement of property tax to developers. S. F. 491, Walsh.
 Establish an Iowa natural and scenic rivers system. H. F. 712, Tleden, et al.
 Appropriate to planning and programming. S. F. 576, appropriations.
 Planning and programming, office of, statutory salary of director. H. F. 739, appropriations.

PLANNING COMMISSION—

General

Public officials may be appointed to joint planning commissions. H. F. 367, Lawson.

PLUMBING—

General

Establish plumbing code for installation of plumbing and certification of plumbers, fee. H. F. 311, Nystrom, et al.

POLICE—**General**

- College of criminal justice be established at University of Northern Iowa. S. C. R. 9; S. J. 99, 178.
- Retirement systems for policemen and firemen, vesting of and 5 highest salaried years. S. F. 163, cities and towns.
- College of criminal justice be established at University of Northern Iowa. H. C. R. 14; H. J. 287, 1704.
- Establish uniform statewide telephone number for police and fire departments. H. F. 207, Priebe, et al.
- Probationary period of city patrolmen, 12 months. H. F. 226, Monroe, et al.; S. F. 226, Miller and Kennedy.
- Disposition of abandoned motor vehicles, penalties. H. F. 285, Kehe and Alt.
- Provide for uniform traffic summons and a schedule of minimum fines for certain traffic violations. H. F. 423, Kehe, et al.
- Pensions granted to the widows of retired policemen and firemen, change definition of widow or spouse. H. F. 476, Franklin.
- Workmen's compensation for peace officers. H. F. 491, Welden.
- Benefits under peace officers' retirement system. S. F. 402, law enforcement.
- Repeal section providing for compensating law enforcement officers injured in course of official duty. H. F. 509, Knoke.
- Civil service employment in cities of 185,000 or more population. H. F. 526, Bennett.
- Provide for disposal of abandoned motor vehicles. H. F. 566, Trowbridge.
- Elected and appointed officials defined as employees for purposes of workmen's compensation. S. F. 474, law enforcement; H. F. 660, judiciary.
- Requests for withdrawal of body substances under the implied consent law may be oral unless requested written. H. F. 639, Schmeiser.
- State employees may be covered by workmen's compensation, also police officers. S. F. 525, human and industrial relations.
- Establish a county law enforcement unit. H. F. 689, Taylor, et al.
- Requests of peace officers for blood tests under implied consent law need not be written. H. F. 718, judiciary.

POLITICAL CAMPAIGNS—**General**

- Deduct contributions to individual political candidates from Iowa income tax. H. F. 299, Fischer of Grundy.
- Regulation of outdoor campaign advertising, penalty. H. F. 584, Logemann.
- Campaign expenses, penalties. S. F. 531, Doderer; H. F. 690, Ewell.

POLITICAL ORGANIZATIONS—**General**

- Each major political party be issued passes for use during Sixty-fourth General Assembly. S. C. R. 8; S. J. 89, 93 adopted; H. J. 120, 178 adopted.
- Prohibit any person or political organization from soliciting or requiring contributions for political expenses from public employees. H. F. 187, Alt, et al.; S. F. 215, Milligan.
- Increase number of members of state central committees. S. F. 193, Milligan, et al.; H. F. 277, Kreamer, et al.
- Deduct contributions to individual political candidates from Iowa income tax. H. F. 299, Fischer of Grundy.
- Election of presidential electors. S. F. 270, Potgeter.
- Delegates to political party caucuses and conventions, 18 years or older. S. F. 308, Griffin and Walsh. (Similar to S. F. 244 and H. F. 322)
- Election laws. H. F. 713, Drake and Uban. (See H. F. 119)

POLITICS—**General**

- Employees of county or state government not required to give an oath of political allegiance or contribution. H. F. 159, Blouin.
- Prohibit any person or political organization from soliciting or requiring contributions for political expenses from public employees. H. F. 187, Alt, et al.; S. F. 215, Milligan.
- Delegates to political party caucuses and conventions, 18 years or older. S. F. 308, Griffin and Walsh. (Similar to S. F. 244 and H. F. 322)

POLLUTION—

(Also See Air Pollution Control Act, Air Pollution Commission and/or Sewage)

General

- Create a department of environmental quality. S. F. 85, Laverty, et al.; H. F. 269, Varley, et al.
- Prohibit discharge of sewage into open ditches, highways, etc. H. F. 123, Varley, et al.; S. F. 328, Laverty, et al.
- Sales and use tax exemptions on expenditures for air and water pollution control. S. F. 195, Walsh, et al.; H. F. 305, Winkelman, et al.
- Exempt facilities used to control air and water pollution from property taxation. S. F. 196, Walsh, et al.; H. F. 309, Winkelman, et al.
- Application of pesticides, regulation of aerial, damage and enforcement procedures. H. F. 39, Pierson, et al.

- Establish an environmental pollution control loan authority. H. F. 61, Winkelman.
- Conservation of soil and water resources, control of water pollution. H. F. 73, Varley, et al.; S. F. 61, Lavery, et al.
- Require cities and towns to collect and dispose of garbage, etc. H. F. 261, Rodgers and Doyle.
- Disposition of abandoned motor vehicles, penalties. H. F. 285, Kehe and Alt.
- State funds appropriated for sewage works projects used for matching federal funds, appropriation. H. F. 189, Welden and Kehe.
- Prohibit use of throw-away containers, regulate other, penalty. H. F. 78, Mendenhall.
- Erection of anti-litter signs along primary and secondary highways. H. F. 310, Rodgers, et al.
- Individual rights to a healthful environment. H. J. R. 13, Blouin, et al.
- Authority of the chemical technology review board, agricultural chemicals, etc. S. F. 326, Lavery.
- Authorize issuance of industrial aid bonds for railroad and bus transportation, hospital, clinic, and health care facilities, and industrial pollution control projects. H. F. 418, Hansen and Holden.
- Prohibit sale of certain beverages in cans and disposable bottles, penalty. H. F. 313, Larson and Small.
- Prevention, abatement or control of noise pollution, penalties. S. F. 450, Potgeter; H. F. 585, Lipsky and Shaw.
- Prohibit sales of any detergent containing any phosphorous compound. S. F. 459, Riley.
- Prohibit use of aerosol pesticide dispensers in restaurants and food establishments, penalty. H. F. 596, Blouin.
- Use and application of pesticides, update law. H. F. 602, agriculture.
- Committee to study state environmental programs and agencies, submit recommendations. H. C. R. 34; H. J. 869.
- Littering of highways, penalty for deliberate. S. F. 494, Walsh.
- Proclaim April 19-25, 1971, as "Environmental Week in Iowa." H. C. R. 35; H. J. 1004, 1013 adopted; S. J. 920, 943.
- Establishment of water flowing standards. S. F. 502, environmental preservation.
- Disposal of abandoned motor vehicles, etc. H. F. 671, environmental preservation.
- Location of electric generating facilities. H. F. 672, Fischer of Grundy.
- Committee to continue study of state environmental programs and agencies, etc. S. C. R. 36; S. J. 958.
- Permit cities, not less than 13,000 nor more than 17,000 population, located on a navigable river, construction of a waste treatment facility. (Keokuk) S. F. 538, cities and towns; H. F. 707, cities and towns.
- Sewage works construction fund, appropriation. H. F. 710, appropriations.
- Prohibit littering on any private or public land or water, penalties. H. F. 714, Kelly.

POST-CONVICTION PROCEDURE—

General

- Post-conviction procedure. S. F. 206, Neu, et al.

POSTAL SAVINGS—

General

- Reversion of unclaimed postal savings system accounts to the state. S. F. 325, Mowry; H. F. 397, Pelton.

POULTRY—

(See Foods)

PRECINCTS—

General

- Establishing precinct boundaries, cities and towns and townships, etc., population. H. F. 119, Drake; S. F. 187, Pogeter. (See sections 21, 22, and 23 of H. F. 713)
- Board of supervisors may combine 2 or more townships to make one election precinct. S. F. 115, Rabedaux; H. F. 230, Rex.
- Qualifications of persons voting at precinct caucuses. S. F. 244, Coleman, et al.; H. F. 322, Monroe, et al.; S. F. 308, S.
- Correct H. F. 119—population of election precincts. H. F. 632, state government. (See sections 21, 22, and 23 of H. F. 713)
- Election laws. H. F. 713, Drake and Uban. (See H. F. 119)

PREGNANCY—

General

- Permit abortions in certain instances, penalty. S. F. 344, Potgeter.
- Obstetrical assistance for persons 18 years of age and older without permission of parents, etc. S. F. 453, Tapscott.

PRESIDENT AND VICE-PRESIDENT—UNITED STATES**General**

- Request Congress and the President of the United States remove all military personnel from Southwest Asia by July 1, 1971. H. C. R. 12; H. J. 222, 266.
- Election of presidential electors. S. F. 270, Potgeter.
- Extend to President Nixon a most cordial invitation to attend and address a joint session of the General Assembly. S. C. R. 19; S. J. 367, adopted; H. J. 465 adopted.
- Joint convention, Monday, March 1, 1971 at 10:10 a. m., President Richard M. Nixon to address joint convention. H. C. R. 21; H. J. 479 adopted; S. J. 388 adopted.
- Governor Robert D. Ray invited to attend joint convention re address by President Richard M. Nixon. S. C. R. 20; S. J. 387 adopted; H. J. 480 adopted.
- Chief justice and members of the supreme court, elected state officials and Iowa congressional delegation invited to attend joint convention re address by President Richard M. Nixon. S. C. R. 21; S. J. 387 adopted; H. J. 480 adopted.
- Voting for President and Vice-President of the United States, U. S. senators and representatives by persons 18 years or over; also residence for at least 30 days. H. F. 390, Drake.

PRINTING—PUBLISHING—**General**

- Obscenity, punishment for violation thereof. S. F. 54, Kennedy.
- Number of official county newspapers. H. F. 122, Knoke, et al.; S. F. 310, Griffin.
- Publication of Acts of the General Assembly, one or more newspapers. H. F. 149, Grassley, et al.
- Printing by state agencies shall state authority. S. F. 197, Balloun.
- Reversion of unclaimed postal savings system accounts to the state. S. F. 325, Mowry; H. F. 397, Pelton.
- One-half of all paper purchased by the state be of recycled paper. H. F. 419, Willits and Blouin.
- Create a department of executive services, general services, reorganization. S. F. 420, Coleman, et al.

PRINTING BOARD—**General**

- Abolish budget and financial control committee, create office of legislative fiscal director. S. F. 62, Hill and Neu.
- Create a department of general services, appropriation. S. F. 87, Curran, et al.; H. F. 123, Welden, et al.
- Provide one Code, journal, etc. to each member of the Iowa congressional delegation. S. F. 134, Potter, et al.
- Create a department of executive services, general services, reorganization. S. F. 420, Coleman, et al.
- Appropriate to printing board. S. F. 576, appropriations.

Superintendent of

- Disposal of unneeded documents. S. F. 183, Balloun.
- Printing board, statutory salary of superintendent of. H. F. 739, appropriations.

PRISONERS—

(See Penal Institutions, sub-ref. Prisoners and/or Jails)

PROFESSIONAL TEACHING PRACTICES COMMISSION—**General**

- Appropriation to department of public instruction, professional teaching practices commission. H. F. 697, appropriations.

PROMOTION—**General**

- Civil service employment in cities of 185,000 or more population. H. F. 526, Bennett.

PROPERTY—

(Also See Land and/or Real Estate)

General

- Establish a state building code. H. F. 6, Camp, et al.; S. F. 32, Griffin, et al.
- Selection of compensation commissioners. H. F. 13, Holden, et al.; S. F. 17, Briles, et al.
- Leasing of property by conservation commission. H. F. 14, Shaw, et al.; S. F. 10, Curran and Kennedy.
- Eminent domain for individual drainage rights, compensation commission. H. F. 21, Holden, et al.; S. F. 24, Briles, et al.
- Legal description of land remaining after condemnation of purchase, furnished by purchaser. H. F. 25, Holden et al.; S. F. 22, Briles, et al.
- Payment of subsequent damages to property owners after purchase or condemnation, 3 years. H. F. 29, Holden, et al.; S. F. 21, Briles, et al.

- Inspection of pipeline construction paid for by pipeline company or contractor. H. F. 30, Holden, et al.; S. F. 18, Briles, et al.
- Distance requirements for pipeline regulation, informational meetings. H. F. Holden, et al.; S. F. 5, Briles, et al.
- Fences on multiple dwelling property lines. H. F. 36, Schroeder.
- A public agency may dispose of an interest in property to any other public agency. H. F. 37, Andersen.
- Prohibit parking of vehicles on private property. H. F. 45, Holden.
- Assessment of real estate, personal property and buildings. H. F. 49, Middle-swart.
- Redemption of real property, increase rates of interest and penalty. S. F. 35, county government.
- Penalty for unauthorized entry into public buildings and destruction of prop-erty. S. F. 53, Nicholson, et al.; H. F. 77, Holden and Shaw.
- Sale of real property owned by a school district, student erected buildings. H. F. 66, Millen and Clark.
- Taxation of mobile homes, same as real property. S. F. 65, county government.
- Notification, upon request, sent to property owner if assessment increases or decreases. S. F. 67, county government; H. F. 87, county government.
- Liens on real estate owned by old-age assistance recipients. H. F. 80, Chris-tensen.
- Assessment of agricultural property, eliminate productivity, etc. H. F. 81, Uban.
- No hunting and fishing on private property without written consent, penalty. H. F. 93, Hamilton; S. F. 182, Anderson.
- County not liable for hazardous condition, etc. on property bought at tax sale. H. F. 104, Schroeder, et al.
- Subdivisions of land, in-state or out-of-state, must file with real estate com-mission, penalties. S. F. 111, Neu, et al.; H. F. 220, Shaw, et al.
- Five-year limitation of damage actions, improvements or work upon real prop-erty. S. F. 127, Walsh, et al.
- Marginal entries not required on mortgages. H. F. 140, Rex.
- Increase rate of any special assessments for cities and towns, public improve-ments. H. F. 154, Stromer.
- Trespassing on public property, penalties for violations. H. F. 155, higher edu-cation.
- Improvements in drainage and levee districts. S. F. 137, Keith.
- Notice of compensation commission appraisal of damages and appeal from the damages award. H. F. 215, Duntun.
- Sales and use tax exemptions on expenditures for air and water pollution con-trol. S. F. 195, Walsh, et al.; H. F. 305, Winkelman, et al. S.
- Real estate transactions, eliminate tax on, etc., penalty. S. F. 222, Stephens.
- Temporary (2 years) tax exemption upon improvements to residences. H. F. 260, Bray, et al.
- Provide for allocation of corporate income on bases of sales, property, and payroll. S. F. 242, Hill; H. F. 320, Radl.
- All property owned by religious institutions not used for worship or education to be taxed. S. F. 252, Griffin and Potgeter.
- County board of supervisors need not submit proposition to voters to relocate property, state and federal governments taking. S. F. 269, Miller, et al.; H. F. 329, Schmelser, et al.
- File one time for homestead tax credit and disabled veterans tax credit. S. F. 276, Lamborn.
- Legalize and validate procedures re sale of real estate by west Marshall com-munity school district, Marshall and Story Counties. S. F. 277, Mowry.
- Enlarge purposes for which cities and towns may issue bonds to develop com-mercial projects. H. F. 332, Holden, et al.
- Nonprobate transfers, survivors, beneficiaries, etc. S. F. 295, judiciary.
- Purchase of real estate by counties, cities and towns, school districts, and other political subdivisions. H. F. 364, Norpel.
- More leeway in the time in which an individual must appear in court to prose-cute action before a replevin bond is forfeited. S. F. 336, Gaudineer.
- Disposition of property owned by certain deceased old-age assistance recipi-ents. H. F. 385, Moffitt.
- Rights of a tenant in maintenance and repair of rental property, housing. S. F. 367, Tapscott; H. F. 502, Jesse, et al.
- Rental deposits on dwellings, imposing liabilities, penalties. H. F. 392, John-ston, et al.
- Establish full property rights between husband and wife, estates, divorce, etc. S. F. 388, Riley.
- Justifiable defense of person or property, indemnification or reimbursement by state. S. F. 405, Graham.
- Additions to civil rights, etc., penalties. S. F. 406, Doderer, et al.
- Prohibit operation of certain motor vehicles upon improved lands, penalty. H. F. 444, Doyle.
- Public recreation on private lands, include snowmobiling, etc. H. F. 446, Scott.
- Notification, by county assessor, not later than March 15, valuation of property. H. F. 452, Schmelser, et al.
- Homestead tax credit, affidavit stating owner shall reside in home 6 months. H. F. 493, Priebe, et al.

Levee and drainage districts, annexation of additional lands, may cross county lines. H. F. 503, Waugh.
 Allow county conservation boards to purchase land on a deferred payment plan when authorized by board of supervisors. H. F. 514, Alt, et al.
 Legalize sale of certain land in Henry County. H. F. 516, Strothman.
 Sanitary and improvement districts. S. F. 430, Griffin; H. F. 586, Mollett.
 Board of review may change assessments of any taxable property. H. F. 528, Priebe and Schmeiser.
 Grant easements or rights-of-way to public lands under jurisdiction of social services. S. F. 438, social services.
 Uniform partnership act. S. F. 460, judiciary.
 Property purchased after July 1 subject to property tax, regardless. H. F. 590, Trowbridge and Grassley.
 Property unlawfully placed on public or private property (motor vehicle or other) removed without liability to owner. S. F. 476, Riley.
 Partition fences. H. F. 612, Stromer, et al.
 Provide method for payment of damages caused by hunters, penalties. S. F. 482, Shawver, et al.
 Community housing development board, create, reimbursement of property tax to developers. S. F. 491, Walsh.
 Summary administration of small estates, etc. S. F. 532, Miller.

Condemnation

Remove powers to grant a franchise to an electric utility company by board of supervisors. H. F. 32, Holden, et al.; S. F. 23, Briles, et al.
 Compensation for refinancing costs, property acquired for a public use. S. F. 141, Briles, et al.; H. F. 182, Holden, et al.
 Acquisition of property by public bodies, corporations and individuals. (Place grants of eminent domain into one chapter) S. F. 189, Briles, et al.; H. F. 314, Holden, et al. S.
 Award of damages and judgment for costs, eminent domain. H. F. 229, Dunton.
 Possession of owner-occupied property condemned for highway purposes, acquired within 6 months. H. F. 347, Holden; S. F. 441, transportation.
 Condemnation of property by county for flood and erosion control projects. S. F. 518, county government.

Taxes

(See Taxes, sub-ref. Property)

Personal

A public agency may dispose of an interest in property to any other public agency. H. F. 37, Andersen.
 Conversion of rented personal property, penalties. H. F. 175, Alt.
 Remove sales and use tax on tangible personal property used as railroad rolling stock. S. F. 177, Shaff, et al.
 Property exempt from execution, debts. H. F. 275, Wells; S. F. 246, Robinson.
 Remove exemption on all tangible personal property used in interstate transportation or commerce—use tax. H. F. 406, ways and means.
 Tax on intangible personal property, penalties. S. F. 445, Arbuckle, et al.
 Exempt sales of tangible personal property to an urban transit company from sales and use tax. S. F. 472, transportation.

PUBLIC AGENCIES—

General

A public agency may dispose of an interest in property to any other public agency. H. F. 37, Andersen.
 Negotiation proceedings of public agencies may not be open to public. S. F. 323, Davis and Doderer.

PUBLIC AUTHORITY—

General

Authorize cities and other governmental bodies to form a public authority, electric power and energy, gas, or water. H. F. 563, cities and towns.

PUBLIC BUILDINGS AND GROUNDS—

(See Buildings and Grounds)

PUBLIC DEFENSE—

General

Department of public defense, appropriation, capital improvements. S. F. 542, appropriations.
 Appropriate to public defense, department of. S. F. 576, appropriations.
 Public defense, department of, statutory salary of director of civil defense. H. F. 739, appropriations.

PUBLIC EMPLOYMENT—

General

Collective bargaining in public employment. S. F. 52, Nicholson, et al.; H. F. 366, Pelton, et al.; S. F. 387, human and industrial relations. S.
 Prohibit any person or political organization from soliciting or requiring contributions for political expenses from public employees. H. F. 187, Alt, et al.; S. F. 216, Milligan.

- Elected and appointed officials defined as employees for purposes of workmen's compensation. S. F. 474, law enforcement; H. F. 660, judiciary.
- Procedure allowing public employees and public employers to meet and confer to resolve disputes re wages, etc. S. F. 475, Potgeter. (Same as S. F. 567)
- Procedure allowing public employees and public employers to meet and confer to resolve disputes re wages, etc. S. F. 567, human and industrial relations. (Same as S. F. 475)

PUBLIC IMPROVEMENTS—

General

- Bonds may be posted as security in lieu of cashiers checks or other, public improvement projects. H. F. 112, Kehe, et al.
- Payment of interest by public corporations on contracts for public improvements. H. F. 117, Kehe, et al.
- Increase rate of any special assessment for cities and towns, public improvements. H. F. 154, Stromer.
- Retention from payments on public contracts and escrow agreements. S. F. 229, Griffin, et al; H. F. 300, Kehe, et al.

PUBLIC INSTRUCTION, DEPARTMENT OF—

(Also See Schools, sub-ref. Public Instruction Department)

General

- Superintendent of public instruction appointed by governor, requirements. H. F. 52, Kehe, et al.
- Remove three-fourths mill property tax levy for operation of area vocational and community colleges. S. F. 75, Stephens; H. F. 238, Stromer; H. F. 248, Tleden. S.
- Congratulate department of public instruction and its vocational rehabilitation branch upon the golden anniversary of its program. H. C. R. 8; H. J. 157, 167 adopted; S. J. 124, 156 adopted.
- Increase fees for teacher certificates, and classes to be issued. S. F. 97, Curran; H. F. 144, Shaw, et al.
- Method of selection, members of board of public instruction and superintendent, elected. H. F. 109, Mendenhall. (H. F. 293 similar)
- Reimburse school districts for loss of tax revenue from certain tax-exempt land. H. F. 279, Schroeder and Knoke.
- Method of selection, term of office, and appointment powers of board of public instruction. H. F. 293, Schroeder. (H. F. 109 similar)
- Comptroller prescribe budget preparation procedures for school districts. H. F. 317, Kehe, et al.
- Limitations on property tax levy for general fund expenditures of school corporations, etc., appropriation to public instruction for school districts. H. F. 121, ways and means; S. F. 145, ways and means.
- Salary of the superintendent of a merged area, discretion of the board of directors. H. F. 443, Dunton, et al.
- Levy of a tax for buildings and sites in merged areas, not to exceed 10 years. H. F. 467, Lawson, et al.; S. F. 413, higher education.
- Establish a professional standards board governing approval of teacher preparation institutions and certification of teachers, replace board of education examiners. H. F. 471, Willits.
- Repeal authorization for purchase of tax-sheltered annuities for employees of county boards of education, state board of public instruction, and merged area schools. H. F. 548, Schroeder.
- Department of public instruction study feasibility of implementing a 12-month school year, appropriation. H. F. 580, Willits, et al.
- Establish cooperative educational service agencies, abolish county school systems, appropriation. H. F. 592, Grassley, et al.
- Permit area school board to decrease or increase its membership and number of director districts. S. F. 479, Walsh; H. F. 682, Tleden and Menefee.
- Superintendent of public instruction establish an accounting system for school corporations. S. F. 481, Gaudineer.
- Establish an advisory council for vocational education. H. F. 647, Dunton.
- School lunch assistance to department of public instruction, appropriation. H. F. 688, appropriations.
- Appropriate administration and educational and training aid funds to public instruction. H. F. 692, appropriations.
- Appropriation to department of public instruction, professional teaching practices commission. H. F. 697, appropriations.
- General office administration and vocational education administration for salaries, etc.—vocational education aid to secondary and area schools for programs and equipment, etc.—vocational rehabilitation for salaries, etc.—public instruction. H. F. 709, appropriations.
- Public instruction, department of, appropriation to, school boards, etc., for special education. S. F. 577, appropriations.

PUBLIC OFFICIALS—

General

- Any public appointee must possess qualifications of the office whether temporary or to complete unexpired term. S. F. 286, Gaudineer.
- Elected and appointed officials defined as employees for purposes of workmen's compensation. S. F. 474, law enforcement; H. F. 660, judiciary.

PUBLIC SAFETY, DEPARTMENT OF—**(Also See Safety and/or Highway Safety Patrol)****General**

- Slow-moving vehicle warning devices, flashing amber lights. H. F. 46, Rex.
- Mobile homes and vehicles, movement of oversized. H. F. 48, Schroeder.
- Examination of persons, moving violations, traffic laws. H. F. 75, Lipsky.
- Reduce penalty for violation of snowmobile regulations. S. F. 116, conservation and recreation; H. F. 202, conservation and recreation.
- Cities, towns, counties, and schools may impose local taxes, also axle tax. H. F. 165, Andersen, et al.; S. F. 172, Erskine.
- Require annual inspection of motor vehicles, registering or renewing registration, penalty. S. F. 161, Erskine; H. F. 191, Kruse.
- Governor appoint commissioner of public safety, no fixed term, also need not be a resident for previous 5 years. S. F. 170, state government.
- Establish uniform statewide telephone number for police and fire departments. H. F. 207, Priebe, et al.
- Reporting of vehicle accidents, \$200. H. F. 258, Kreamer.
- Issuance and use of distress flags by handicapped persons, penalties. H. F. 268, Dunton.
- Regulation of odometers on motor vehicles, penalties. S. F. 250, Kyhl; H. F. 296, Nystrom.
- Disposition of abandoned motor vehicles, penalties. H. F. 285, Kehe and Alt.
- Forbid use of highways to habitual offenders of traffic laws, punishment. S. F. 268, Dekoster and Griffin.
- Motor vehicle inspection and safety, penalties. S. F. 297, law enforcement.
- Standards for ambulance services, penalties. S. F. 352, Potter and Riley; H. F. 425, Pelton and Lipsky.
- Permits to carry concealed weapons, penalties. S. F. 356, Gaudineer, et al.
- Vehicle equipment requirements. S. F. 376, Coleman and Kyhl.**
- Require proof of financial responsibility at time of registration of motor vehicles. H. F. 428, Mendenhall.
- Provide for uniform traffic summons and a schedule of minimum fines for certain traffic violations. H. F. 423, Kehe, et al.
- Nonnegligent damages caused by the highway patrol. S. F. 400, Lamborn.
- Extension of operators' and chauffeurs' licenses for persons separated from military service. H. F. 479, law enforcement.
- Establish a college education program for law enforcement officers. H. F. 481, Lipsky.
- Hearings on revocation or denial of driving privileges, 20 days. H. F. 490, law enforcement.
- Require operators' and chauffeurs' licenses obtained or renewed after January 1, 1972, bear a color photograph of licensee, increase fee. H. F. 538, Trowbridge.
- Allow peace officers to close public highways when hazardous conditions exist, penalty. H. F. 561, Trowbridge.
- Increase by 1,000 square feet highway commission administration building—emergency operating center, federally funded. H. F. 572, appropriations.
- Restricted driving privileges for a person whose operator's or chauffeur's license has been revoked, penalties. H. F. 655, law enforcement.
- Establish a state helicopter emergency ambulance service. H. F. 669, Lipsky.
- Radio equipment for public safety, appropriation to. S. F. 551, appropriations.
- Law enforcement academy, capital improvements, appropriation to. S. F. 555, appropriations.
- Public safety, department of, appropriate from moneys received, dealers license fee fund, for salaries, etc. H. F. 715, appropriations.
- Appropriation to public safety and various divisions thereof for salaries, etc. S. F. 557, appropriations. (See subject Appropriations, sub-ref. Public Safety for a more complete listing)
- Effective date of S. F. 250, motor vehicle odometers, to be January 1, 1972. S. F. 571, law enforcement.
- Public safety, department of, statutory salary of commissioner, chief of highway patrol, director of division of criminal investigation and bureau of identification. H. F. 739, appropriations.
- Commissioner of public safety rescind rules and regulations re safety equipment for motor cyclists. H. C. R. 43; H. J. 2037, 2075 adopted; S. J. 1904.
- Public safety, department of, conduct study as to the usefulness and safety aspects of the "life lite" and feasibility of installation on all automobiles. H. R. 10; H. J. 2194.
- Public safety, appropriation to, and sales and use tax on all registered automobiles, etc. S. F. 510, ways and means.

PUBLIC UTILITIES—**(See Utilities, sub-ref. Public)****PUBLIC WORKS—****General**

- Establish wage rates for public works projects, penalties. S. F. 414, Tapscott, et al.

PUBLICATIONS—

(See Printing—Publishing)

PURCHASING—

General

Create a department of general services, appropriation. S. F. 87, Curran, et al.; H. F. 129, Welden, et al.

RACING—

General

Permit pari-mutuel betting in Iowa. S. F. 300, Griffin, et al.; H. F. 435, Knoblauch, et al.; H. F. 659, conservation and recreation. S. Reduce penalty for drag racing. S. F. 396, Schaben.

RADIATION—

General

Establish a radiation control program, penalties, appropriation. S. F. 262, Walsh and Griffin; H. F. 461, Freeman, et al. (Same subject matter)

RADIO—

(See Communications)

RAILROADS—

General

Eminent domain for individual drainage rights, compensation commission. H. F. 21, Holden, et al.; S. F. 24, Briles, et al.
Remove sales and use tax on tangible personal property used as railroad rolling stock. S. F. 177, Shaff, et al.
Require railway employees be provided adequate sanitation and shelter. H. F. 271, Hansen, et al.; S. F. 342, Riley, et al.
Appointment of members of commerce commission, 1 from trucking, 1 railroad, and 1 public utilities. H. F. 301, Kennedy.
Railway companies must inspect crossings each year, make necessary repairs, penalties. S. F. 285, Gaudineer.
Railroads no longer need to construct cattle guards—right to investigate cattle claims—speed limits, trains—repeal sections 478.7 and 478.9. S. F. 330, DeKoster.
Safety standards and equipment on motor vehicles used by railroad companies, penalties. S. F. 379, Riley, et al.
Authorize issuance of industrial aid bonds for railroads and bus transportation, hospital, clinic, and health care facilities, and industrial pollution control projects. H. F. 418, Hansen and Holden.
Committee to study present and projected future needs for railroad service, etc., submit report. H. C. R. 30; H. J. 774.
Waiver of taxes paid by railway companies. S. F. 456, Walsh.
Require railroad cars to be equipped with reflectors, penalty. H. F. 579, Dougherty, et al.
Require railway improvements and crossings, penalty. S. F. 467, Potgeter and Potter.
Railroads notify law enforcement agencies and commerce commission shipment of dangerous materials, penalties. H. F. 604, Blouin, et al.
Owner of abandoned railway right-of-way responsible for removal of tracks and repair of highway. H. F. 626, Ewell.
Petition congress re railpax. S. C. R. 35; S. J. 884, 913 adopted; H. J. 1019, 1082 adopted.

REAL ESTATE—

(Also See Land and/or Licenses, sub-ref. Real Estate and/or Property)

General

A public agency may dispose of an interest in property to any other public agency. H. F. 37, Andersen.
Assessment of real estate, personal property and buildings. H. F. 49, Middle-swart.
Redemption of real property, increase rates of interest and penalty. S. F. 35, county government.
Sale of real property owned by a school district, student erected buildings. H. F. 66, Millen and Clark.
Liens on real estate owned by old-age assistance recipients. H. F. 80, Christensen.
Deposit of receipts from taxation of real estate transfers, 50 percent state general fund, 50 percent county. S. F. 64, county government.
Subdivisions of land, in-state or out-of-state, must file with real estate commission, penalties. S. F. 111, Neu, et al.; H. F. 220, Shaw, et al.
Marginal entries not required on mortgages. H. F. 140, Rex.
Real estate transactions, eliminate tax on, etc., penalty. S. F. 222, Stephens.
Real estate investment trust may pay higher rate of interest. H. F. 254, Shaw.
Legalize and validate procedures re sale of real estate by west Marshall community school district, Marshall and Story Counties. S. F. 277, Mowry.
Purchase of real estate by counties, cities and towns, school districts, and other political subdivisions. H. F. 364, Norpel.

Additions to civil rights, etc., penalties. S. F. 406, Doderer, et al.
 Taxation of real estate transfers, penalty. S. F. 410, Potter and Keith.
 Renewal of licenses for real estate salesmen and brokers. H. F. 534, Doyle.
 Reimburse local taxing authorities for loss of tax revenue from certain state tax-exempt real estate. H. F. 549, Schroeder.
 Licensing of real estate apprentice salesmen. S. F. 447, Walsh, et al.
 Transfer of jurisdiction or sale of real estate between state agencies and political subdivisions. S. F. 488, transportation; H. F. 648, state government.
 Legalize purchase of real estate by state historical society. S. F. 533, judiciary.
 Appropriate to real estate commission. S. F. 576, appropriations.
 Real estate commission, statutory salary of director. H. F. 739, appropriations.
 Authorize and direct issuance of a patent to real estate (Boone County) by the governor and secretary of state to the United States, Saylorville dam and reservoir. H. F. 742, conservation and recreation.

REAPPORTIONMENT OF LEGISLATURE—

General

Apportionment plan, 40 senatorial districts and 80 representative districts. H. C. R. 5; H. J. 71, 201 tabled.
 That a joint House and Senate committee be appointed to devise a plan for reapportionment for consideration by the Sixty-fourth General Assembly, no later than April 18, 1971. H. C. R. 16; H. J. 302.
 Reapportionment of Sixty-fifth General Assembly. S. F. 291, Gaudineer.
 Composition of the General Assembly. H. F. 732, constitutional amendments and reapportionment.

RECIPROCITY—

General

Tuition rates set by the board of regents, reciprocal agreements. H. F. 72, Mendenhall.
 Attorneys, reciprocity with other states. H. F. 101, Doyle.
 Income tax of nonresidents. H. F. 139, Mendenhall and Shaw; S. F. 279, Thordsen and Nicholson.
 Sales and use tax, reciprocity. H. F. 440, Kehe.
 Overall length of combinations of vehicles. S. F. 446, transportation. (Same subject matter as S. F. 364)
 Reciprocity board, appropriation. H. F. 703, appropriations.
 Reciprocity board, statutory salary of executive secretary. H. F. 739, appropriations.

RECORDER—

General

Recording fees charged by county recorders, increase. S. F. 38, county government; H. F. 85, county government.
 Marginal entries not required on mortgages. H. F. 140, Rex.

RECORDS—

General

Create state records commission. H. F. 597, Welden.

RECREATION—

General

Removes power of eminent domain for utilization of water or water power. H. F. 26, Holden, et al.; S. F. 19, Briles, et al.
 Horseback riding also included under public recreation on private lands. S. F. 28, Curran.
 Persons over 64 may fish without a license. H. F. 158, Ellsworth and Taylor.
 One-cent tax on any beverage in a disposable bottle or can, use for development and maintenance of recreational facilities. S. F. 162, Erskine.
 Extend definition of "land" that may be used for public recreation, include commercial and industrial. H. F. 355, Roorda.
 Impose fees for use of certain state recreational areas, penalties. S. F. 346, Erskine; H. F. 422, Tieden; H. F. 577, conservation and recreation. S.
 Committee to study developing Iowa land use proposals. H. C. R. 25; H. J. 576.
 Public recreation on private lands, include snowmobiling, etc. H. F. 446, Scott.
 Sanitary and improvement districts. S. F. 430, Griffin; H. F. 586, Mollett.
 Licenses for professional boxing and wrestling matches. S. F. 223, Briles; H. F. 562, Fischer of Grundy. S.
 Zoning regulations within prescribed distances of highways, parks, recreational areas, and navigable rivers, planning and programming. H. F. 610, Norpel, et al.

REDISTRICTING—

General

Judicial redistricting. H. F. 409, judiciary; S. F. 417, judiciary. S. (Same subject matter)

REFLECTORS—

General

Require railroad cars to be equipped with reflectors, penalty. H. F. 579, Dougherty, et al.

REFUSE—

(See Pollution and/or Sewage)

REGENTS, BOARD OF—

General

- Require bond issues of the board of regents for self-liquidating dormitories to be approved by the voters. H. F. 51, Fischer of Grundy.
- Tuition rates set by the board of regents, reciprocal agreements. H. F. 72, Mendenhall.
- College of criminal justice be established at University of Northern Iowa. S. C. R. 9; S. J. 99, 178.
- Remove provision granting leaves of absence for staff members of board of regents. S. F. 122, higher education; H. F. 157, higher education.
- Reimburse city of Harlan for expenses incurred, re site for proposed western Iowa college. S. F. 101, Schaben.
- Control of traffic and parking of vehicles at board of regents institutions. S. F. 120, higher education; H. F. 162, higher education.
- Remove equipment from approval by legislature and governor, and federal grants, etc. to be mixed together with tuition, fees, etc.—board of regents. S. F. 122, higher education; H. F. 157, higher education.
- College of criminal justice be established at University of Northern Iowa. H. C. R. 14; H. J. 287, 1704.
- Method for the termination of employment agreements executed by board of regents, also repeals provision for board of regents to establish administrative offices. S. F. 240, Messerly, et al.
- Admission to University of Iowa college of medicine. H. F. 341, Campbell.
- Limit enrollments at the state universities. S. F. 324, Griffin.
- Establish an endangered species list of wildlife. H. F. 362, Bray, et al.
- Tuition charged to nonresident students, board of regents. H. F. 402, Schroeder and Knoke.
- Contributions for retirement systems by board of regents institutions. H. F. 593, Schroeder.
- Ten-year building program, board of regents. S. C. R. 32; S. J. 838, 858, 1951, 1953-1957 adopted, 2037 reported correctly enrolled, 2038 signed by the president and sent to the governor; H. J. 2152-2154, 2198-2201 adopted, 2214 signed by the speaker; S. J. 2049 signed by the governor on June 30, 1971.
- Board of regents authorized to complete projects of building program. S. C. R. 33; S. J. 842, 858, 1951, 1952-1953 adopted, 2037 reported correctly enrolled, 2038 signed by the president and sent to the governor; H. J. 2154-2156, 2201-2204 adopted, 2214 signed by the speaker; S. J. 2049 signed by the governor on June 30, 1971.
- Board of regents, office of, for salaries, etc., and various other; and for institutions under board of regents, appropriation. H. F. 724, appropriations. (See subject Appropriations, sub-ref. Regents, Board of, for a more complete listing)
- Regents, board of, statutory salary of executive secretary. H. F. 739, appropriations.
- Board of regents, capital improvements, appropriation. S. F. 584, appropriations.
- Board of regents, for deficiencies in operating revenues (\$3,151,000), appropriation. S. F. 586, appropriations.
- Board of regents, for deficiencies in operating revenues (\$1,000,000), appropriation. S. F. 587, appropriations.
- Board of regents, to replace building space and equipment lost through fire at University of Northern Iowa, appropriation. S. F. 588, appropriations.
- That the board of regents be authorized to complete the carrying out of the projects heretofore approved by the Sixty-third General Assembly. H. C. R. 47; H. J. 2140.

REGISTRATION—

(Also See Motor Vehicles, sub-ref. Registration)

General

- Registration of animals, agriculture, repeals section and chapter. H. F. 47, Schroeder.
- Late motor vehicle registration increase penalty. S. F. 56, Curran, et al.; H. F. 96, Drake, et al.
- Remove requirement state furnish containers for registration certificates. H. F. 74, Kreamer; S. F. 298, Griffin.
- Special registration plates for legislators. H. F. 76, Doyle, et al.
- Temporary registration of snowmobiles. S. F. 76, Ollenburg; H. F. 106, Stromer.
- Increase registration fees for motorboats. S. F. 96, Curran and Neu; H. F. 138, Shaw.
- Establishing a psychology examining board and registration of psychologists. H. F. 163, Alt; S. F. 241, Van Drie and Doderer. S.

Require annual inspection of motor vehicles, registering or renewing registration, penalty. S. F. 161, Erskine; H. F. 191, Kruse.

Motor vehicle registration cards need not be plainly seen without entering car. S. F. 231, Coleman; H. F. 454, Millen.

Registration fee for buses owned by religious organizations, used for its purposes. S. F. 243, Van Drie.

Registration fee on all motorboats and sailboats in lieu of personal property taxes, penalties. S. F. 259, Erskine; H. F. 315, Shaw.

House movers register motor vehicle on basis of gross weight of the vehicle without load. S. F. 371, Potgeter.

Required qualifications for registration as a professional engineer. H. F. 403, Kehe, et al.

Require proof of financial responsibility at time of registration of motor vehicles. H. F. 428, Mendenhall.

Provide for use of stickers to annually update the three-year registration plates. S. F. 433, state government.

Require migrant workers register with state employment service, penalty. S. F. 452, Tapscott; H. F. 575, Gluba.

Increase registration fees for snowmobiles, disposition of fees. S. F. 463, ways and means.

Decrease annual registration fee for urban transit company vehicles. S. F. 471, transportation.

Increase registration fees for airmen and aeronautics instructors. H. F. 608, Dunton.

Yeek of May 17, 1971, be declared "Iowa High School Senior Voter Registration Week." S. R. 3; S. J. 1070, 1169 adopted.

Registration of vending machines, permit fees, penalties. H. F. 681, Logemann. (Similar subject matter as S. F. 334)

Registration and safety regulations for snowmobiles. H. F. 711, conservation and recreation.

Election laws. H. F. 713, Drake and Uban. (See H. F. 119)

REHABILITATION—

General

Congratulate department of public instruction and its vocational rehabilitation branch upon the golden anniversary of its program. H. C. R. 8; H. J. 157, 167 adopted; S. J. 124, 156 adopted.

Establish pilot programs for drug abuse, treatment, rehabilitation, education, etc., appropriation. S. F. 130, Gaudineer, et al.

Counties may use institution funds for rehabilitative services to an alcoholic. H. F. 331, Andersen.

General office administration and vocational education administration for salaries, etc.; vocational education aid to secondary and area schools for programs and equipment, etc.; vocational rehabilitation for salaries, etc.; public instruction. H. F. 709, appropriations.

Create an alcoholism rehabilitation fund, impose tax on consumers of alcoholic beverages. H. F. 743, Kruse, et al.

RELIGIOUS INSTITUTIONS—

General

All property owned by religious institutions not used for worship or education to be taxed. S. F. 252, Griffin and Potgeter.

RENTAL—

General

Conversion of rented personal property, penalties. H. F. 175, Alt.

Rights of a tenant in maintenance and repair of rental property, housing. S. F. 367, Tapscott; H. F. 502, Jesse, et al.

Rental deposits on dwellings, imposing liabilities, penalties. H. F. 392, Johnston, et al.

RESEARCH—

General

Add medical, dental, legal, accounting, engineering, consultant and research services to taxable services. S. F. 440, Potgeter and Potter.

REST AREAS—

General

Rest areas, Mills and Pottawattamie Counties. H. F. 236, state government.

RETARDATION—

General

Support of mentally retarded children. S. F. 339, Curran; H. F. 416, Lawson.

RETAILER—

General

Finance and delinquency charges on extensions of credit. H. F. 370, Fischer of Grundy and Freeman.

Credit service charges for revolving charge accounts, penalties. H. F. 492, Uban, et al.

Mechanics' liens—contractors—retailer notify owner of property. H. F. 469, Millen, et al.
 Extension of credit, finance charges, etc. S. F. 466, commerce. (Same subject matter as H. F. 370)
 Remittance of sales and use tax receipts to department of revenue, retailer may deposit an equal amount or 30 percent of preceding quarter. S. F. 574, ways and means.

RETIREMENT SYSTEMS—

General

Judicial retirement system, survivors. S. F. 110, Mowry and Gaudineer; H. F. 286, Lawson and Cochran; S. F. 550, appropriations.
 Increase annuity of judges retired since effective date of mandatory retirement. S. F. 284, Gaudineer.
 Benefits under peace officers' retirement system. S. F. 402, law enforcement.
 Contributions for retirement systems by board of regents institutions. H. F. 593, Schroeder.

Pensions

Teachers pension systems, termination of, board of directors of school districts determine amount paid. S. F. 59, Shaff.
 Pensions granted to the widows of retired policemen and firemen, change definition of widow or spouse. H. F. 476, Franklin.

Public

Retirement systems for policemen and firemen, vesting of and 5 highest salaried years. S. F. 163, cities and towns.
 Exempt from state income tax a portion of annuities received by retired federal employees. H. F. 196, Andersen, et al.; S. F. 253, Nicholson, et al.

REVENUE, DEPARTMENT OF—

General

Sales and use tax exemptions on expenditures for air and water pollution control. S. F. 195, Walsh, et al.; H. F. 305, Winkelman, et al. S.
 Exempt facilities used to control air and water pollution from property taxation. S. F. 196, Walsh, et al.; H. F. 309, Winkelman, et al.
 Time of filing for motor fuel and special fuel tax refunds. H. F. 255, Fischer of Grundy.
 Discounts allowed retail sales tax permit holders. H. F. 256, Stromer, et al.
 Tax of \$5.00 on each studded tire sold, penalties. H. F. 336, Camp and Tieden.
 Refunding of motor fuel tax. H. F. 346, ways and means.
 Allow departments of revenue and social services, and highway commission to employ legal counsel. S. F. 373, Schaben, et al.
 Interest and penalties on Iowa income tax. S. F. 390, Riley.
 Tax on hotel or motel, etc., accommodations. H. F. 462, ways and means.
 Sales tax refund for any individual resident who has a net income of \$7,000 or less. S. F. 415, Tapscott, et al.; S. F. 454, Walsh. S.
 Taxation of credit cards, penalties. S. F. 429, Arbuckle.
 Homestead tax credit for persons 65 or over, or totally disabled, penalties. H. F. 536, Gluba, et al.
 Reimburse local taxing authorities for loss of tax revenue from certain state tax-exempt real estate. H. F. 549, Schroeder.
 Confidential information obtained by department of revenue may be divulged to other state officers. H. F. 550, ways and means.
 State income tax levied on net income. S. F. 448, Tapscott, et al.; H. F. 664, Cochran, et al.
 Sales tax refund, \$7,000 or less. S. F. 454, Walsh. (Similar to S. F. 415)
 Waiver of taxes paid by railway companies. S. F. 456, Walsh.
 Homestead tax credit for persons 65 or older, or disabled, property tax freeze. H. F. 603, Gluba.
 Establish new state aid plan for school districts, 20 mill property tax, repeals chapter 442 and section 422.78, etc. S. F. 511, ways and means.
 Property tax relief for persons 65 or older, or totally disabled. S. F. 512, ways and means.
 Increase rate of sales and use tax. S. F. 513, ways and means.
 Sales tax credit, income tax. S. F. 515, ways and means.
 Appropriate from motor vehicle fuel tax fund to department of revenue. H. F. 694, appropriations.
 Remittance of sales and use tax receipts to department of revenue, retailer may deposit an equal amount or 30 percent of preceding quarter. S. F. 574, ways and means.
 Appropriate to department of revenue. S. F. 576, appropriations.
 Financing of governmental programs—state aid to schools, etc. H. F. 654, ways and means. (Tax bill)
Director
 Notification, upon request, sent to property owner if assessment increases or decreases. S. F. 67, county government; H. F. 87, county government.
 Cities, towns, counties, and schools may impose local taxes, also axle tax. H. F. 165, Andersen, et al.; S. F. 172, Erskine.
 One-cent tax on any beverage in a disposable bottle or can, use for development and maintenance of recreational facilities. S. F. 162, Erskine.
 Taxation of rural electric cooperative property. H. F. 197, ways and means.

Provide for allocation of corporate income on basis of sales, property, and payroll. S. F. 242, Hill; H. F. 320, Radl.
 Increase income taxes, allocate to school districts and reduce property tax. S. F. 247, Stephens.
 State board of tax review, valuation adjustments, or equalization orders. (Property taxes, etc.) S. F. 261, Potgeter, et al.
 Permit pari-mutuel betting in Iowa. S. F. 300, Griffin, et al.; H. F. 435, Knoblauch, et al.; H. F. 659, conservation and recreation. S.
 Reimburse low-income householders for extraordinary property tax burdens, penalty. S. F. 304, Riley.
 Penalty and interest for sales tax. S. F. 349, ways and means.
 A simplified reporting form for Iowa income tax, changes in rates, exemptions, and administrative requirements. H. F. 432, Urban, et al.
 Application of income tax refunds to court-ordered support payments. H. F. 623, Schwieger, et al.
 Permit cities and towns, after approval by voters, to impose a sales tax on tickets to athletic events. H. F. 636, Doyle.
 Community housing development board, create, reimbursement of property tax to developers. S. F. 491, Walsh.
 Revenue, department of, statutory salary of director. H. F. 739, appropriations.

REVIEW, BOARD OF—

(See Assessments and/or Property)

RIGHT-OF-WAY—

General

Maintenance of access roads. H. F. 10, Holden, et al.; S. F. 4, Briles, et al.
 Use of eminent domain by boards of supervisors for any secondary road, watercourse, etc. H. F. 28, Holden, et al.; S. F. 6, Briles, et al.
 Rights-of-way of secondary roads seeded to grass. S. F. 327, Lavery.
 Grant easements or rights-of-way to public lands under jurisdiction of social services. S. F. 438, social services.

RIVERS—

(See Water)

ROAD USE TAX FUND—

General

Establish a municipal tax relief fund, appropriation for street purposes. S. F. 398, Gaudineer, et al.

ROADS AND HIGHWAYS—

General

Maintenance of access roads. H. F. 10, Holden, et al.; S. F. 4, Briles, et al.
 Use of eminent domain by boards of supervisors for any secondary road, watercourse, etc. H. F. 28, Holden, et al.; S. F. 6, Briles, et al.
 Prohibit hitchhiking on or near an interstate road. H. F. 44, Doyle.
 Prohibit hunting along public highways. H. F. 59, Hamilton.
 Highway commission advance state funds only after federal funds have been allotted for primary roads. H. F. 108, Goode.
 Provide for all-weather, surfaced, mailbox turnouts. H. F. 161, Christensen, et al.
 Maintenance of state park and institutional road system. S. F. 148, conservation and recreation.
 Local authorities designate snow routes, regulate traffic. H. F. 181, Alt, et al.; S. F. 353, cities and towns. S.
 Rest areas, Mills and Pottawattamie Counties. H. F. 236, state government.
 Machinery or equipment for soil conservation work also excluded from restrictions on highway. S. F. 238, Balloun.
 Forbid use of highways to habitual offenders of traffic laws, punishment. S. F. 268, DeKoster and Griffin.
 Erection of anti-litter signs along primary and secondary highways. H. F. 310, Rodgers, et al.
 Travel trailers, exclude weight limitation, increase length—speed limits, etc. S. F. 314, Kelth and DeKoster; H. F. 386, Waugh, et al.
 Possession of owner-occupied property condemned for highway purposes, acquired within 6 months. H. F. 347, Holden; S. F. 441, transportation.
 Rights-of-way of secondary roads seeded to grass. S. F. 327, Lavery.
 Limit length of combination of vehicles. S. F. 364, Griffin and Kennedy.
 Authorize certain vehicle safety regulations on streets and highways, penalty. S. F. 369, Kennedy, et al.
 Allocation and limitation of mileage, combined freeway-expressway, arterial system and arterial connector systems. H. F. 484, Ellsworth.
 Transfer of portions of the primary road system into secondary road system. H. F. 494, county government.
 Allow peace officers to close public highways when hazardous conditions exist, penalty. H. F. 561, Trowbridge.
 Overall length of combinations of vehicles. S. F. 446, transportation. (Same subject matter as S. F. 364)

Zoning regulations within prescribed distances of highways, parks, recreational areas, and navigable rivers, planning and programming. H. F. 610, Norpel, et al.
 Owner of abandoned railway right-of-way responsible for removal of tracks and repair of highway. H. F. 626, Ewell.
 Littering of highways, penalty for deliberate. S. F. 494, Walsh.
 Control of access to highways in secondary road system. H. F. 673, Taylor, et al.
 Junkyards along highways, "Towa Junkyard Beautification Act." H. F. 734, transportation.
 Control and regulate outdoor advertising along interstate and federal aid primary highways. H. F. 737, transportation.

ROCKETS—

General

Regulation of model rocketry, safety, penalties. H. F. 354, Jesse.

RULES—

General

Administrative rules and regulations, state departments or agencies must establish burden of proof. S. F. 30, Mowry; S. F. 203, county government.
 S.
 Adjournment of the General Assembly. H. F. 57, Welden, et al.
 Conservation commission may establish uses and fees for use of state-owned land bordering on streams or lakes, zoning. S. F. 95, Kennedy, et al.; H. F. 410, Shaw and Drake.
 Require every state department or agency to hold public hearings on any proposed rule, etc. S. F. 272, Potgeter, et al.
 State conservation commission promulgate and enforce departmental rules, safe operation of watercraft. H. F. 330, conservation and recreation.
 Provide definite procedure for legislature to effect changes in administrative rules. H. F. 412, Welden, et al.
 Define administrative rules, clarify. H. F. 539, Grassley and Shaw.

SAFETY—

General

Slow-moving vehicle warning devices, flashing amber lights. H. F. 46, Rex.
 Provide hunting-safety education, penalty. S. F. 79, Miller, et al.; H. F. 133, Monroe, et al.
 Water safety regulations, water-skiing, etc., sunrise to sunset. S. F. 159, conservation and recreation.
 Protective eyeglass lens and frames, penalty. S. F. 289, Doderer and Conklin; H. F. 578, Schwieger and Larson.
 Motor vehicle inspection and safety, penalties. S. F. 297, law enforcement.
 Authorize certain vehicle safety regulations on streets and highways, penalty. S. F. 369, Kennedy, et al.
 Eliminate detailed report requirements by bureau of labor, and eliminate requirement that one factory inspector be a woman. S. F. 372, Potgeter.
 Vehicle equipment requirements. S. F. 376, Coleman and Kyhl.
 Safety standards and equipment on motor vehicles used by railroad companies, penalties. S. F. 379, Riley, et al.
 Crash-resistant automobile bumpers, penalties. S. F. 384, Van Drie; H. F. 430, Schwieger, et al.
 Create elevator safety division of the bureau of labor, inspection of elevators, dumbwaiters, escalators, etc., fees and penalties. H. F. 542, Jesse.
 Require railroad cars to be equipped with reflectors, penalty. H. F. 579, Dougherty, et al.
 Registration and safety regulations for snowmobiles. H. F. 711, conservation and recreation.

Public, Department of
 (See Public Safety, Department of)

SALARIES—

General

Assistant county attorneys and their salaries, board of supervisors. S. F. 41, Briles; H. F. 131, Rex and Menefee.
 Salary for combined county officers. H. F. 62, Lipsky.
 Contribution ceiling under IPERS. H. F. 95, Mendenhall; S. F. 343, Riley, et al. S.
 Increase salaries of highway commission and other state employees, appropriation. S. F. 84, Van Drie, et al.; H. F. 212, Egenes, et al.
 Increase salary of municipal court judges. S. F. 119, Gaudineer, et al.
 Method of paying salaries of certificated school personnel. H. F. 183, Grassley.
 Governor's salary, highest public. H. F. 193, Kennedy and Johnston.
 Board of supervisors approve salaries of probation officers and their staff. S. F. 204, county government; H. F. 295, county government.
 Provide for allocation of corporate income on basis of sales, property, and payroll. S. F. 242, Hill; H. F. 320, Radl.
 Salary of the county attorney in counties over 200,000 population. S. F. 265, Gaudineer and Palmer.

Garnishment of wages, liability for costs, and discharge of employees. S. F. 280, Riley.

Salaries and expenses of members of the General Assembly and lieutenant governor. H. F. 371, Pelton.

Salary of deputy sheriffs in counties having population of over 250,000. S. F. 363, county government; H. F. 465, Knoke. S.

Salaries of judges of the district court, 87.5 percent of supreme court judges. H. F. 417, Kelly.

Provide for a procedure, state employees to meet and confer with merit employment commission, wages, hours, benefits, etc., and terms of employment. H. F. 421, Fisher of Greene and Millen.

Salary of county attorneys. H. F. 483, Andersen, et al.

Salary of the superintendent of a merged area, discretion of the board of directors. H. F. 443, Dunton, et al.

Establish wage rates for public works projects, penalties. S. F. 414, Tapscott, et al.

Establish uniform procedures for payment of wages by employers, settling disputes, penalties. S. F. 423, Robinson, et al.; H. F. 645, Gluba; S. F. 496, Walsh. S.

Boards of supervisors fix compensation of all elected county officials. H. F. 547, Doyle and Andersen.

Wages subject to IPERS. S. F. 455, Walsh.

Time and a half for employees required to work on Sunday or a legal holiday. H. F. 609, Ewell.

May pay salaries of state employees biweekly. H. F. 616, Andersen, et al.

Longevity pay increases, highway commission employees or any person subject to merit system, etc. H. F. 630, Andersen, et al.

Establish minimum salaries for county officers. S. F. 503, county government.

Salaries, vacation, and sick leave for state employees. H. F. 666, state government.

Legislative salaries, Senator Sullivan, deceased, Senator Gross, successor. S. J. R. 10, appropriations.

Manner in which court reporters are compensated. S. F. 534, judiciary.

Authorizing supplements to salaries for county attorneys, sheriffs, etc. from private or federal funds. S. F. 548, judiciary; H. F. 717, judiciary. S.

SALES—

General

Time during which alcoholic liquor and beer may be delivered, sold, and consumed. S. F. 169, Thordsen, et al.

Provide for allocation of corporate income on basis of sales, property, and payroll. S. F. 242, Hill; H. F. 320, Radl.

Prohibit sale of certain beverages in cans and disposable bottles, penalty. H. F. 313, Larson and Small.

Sale of alcoholic beverages by certain liquor licensees and beer permittees on Sunday, fees. H. F. 345, Shaw, et al.

Sale and distribution of wine, 17 percent alcohol, penalties. S. F. 443, Walsh, et al.; H. F. 674, Trowbridge, et al.

Regulation of home solicitation sales. H. F. 568, Dougherty, et al. (Similar subject matter as H. F. 598)

Prohibit sale of any detergent containing any phosphorous compound. S. F. 459, Riley.

Regulating home solicitation sales. H. F. 598, Millen, et al. (Similar subject matter as H. F. 568)

Purchaser of copper wire or walnut logs must have bill of sale. H. F. 651, Dougherty.

Hours during which alcoholic liquor and beer may be sold. H. F. 635, Gluba, et al. (Similar subject matter as H. F. 345)

Tax

(See Taxes, sub-ref. Sales)

SALES TAX—

(See Taxes, sub-ref. Sales)

SANITARY DISPOSALS—

General

Corrective amendments to statute on self-liquidating improvements. H. F. 677, judiciary.

SANITATION—

General

Require cities and towns to collect and dispose of garbage, etc. H. F. 261, Rodgers and Doyle.

Require railway employees be provided adequate sanitation and shelter. H. F. 271, Hansen, et al.; S. F. 342, Riley, et al.

Bedding sanitation in hotels, motels, etc. S. F. 294, Briles and Doderer.

Use of dead animals. S. F. 301, Shawver, et al.; H. F. 380, Strothman, et al.

Districts

Conservation of soil and water resources, control of water pollution. H. F. 73, Varley, et al.; S. F. 61, Laverty, et al.

Sanitary and improvement districts. S. F. 430, Griffin; H. F. 586, Mollett.
Corrective amendments to statute on self-liquidating improvements. H. F. 677, judiciary.

SAVINGS AND LOAN ASSOCIATIONS—

General

Update state Code to conform with federal regulations, savings and loan associations. H. F. 94, Alt, et al.; S. F. 118, Van Drie and DeKoster.
Prohibit operation of mobile units by banks and other financial institutions. H. F. 128, Hamilton.
Nonprobate transfers, survivors, beneficiaries, etc. S. F. 295, judiciary.
Require financial institutions or officers or employees to inform their depositors they are licensed insurance agents, etc., except. S. F. 408, Palmer, et al.

SCALES—

(See Weights—Measures)

SCHOLARSHIPS—

General

Appropriation to higher education facilities commission for scholarship and medical student tuition loan programs. S. F. 528, appropriations.

SCHOOL BUDGET REVIEW COMMITTEE—

General

School district review committee and district school boards meet in May and June re budgets. H. F. 636, ways and means.

SCHOOL DISTRICTS—

(See Schools, sub-ref. Districts)

SCHOOLS—

(Also See Colleges—Universities and/or Regents, Board)

General

Uniforms for vocal and instrumental school music groups, purchase. H. F. 40, McCormick and Stromer.
Repeal of constitutional sections, fines for breach of penal laws, school districts. H. J. R. 2, Holden.
Sale of real property owned by a school district, student erected buildings. H. F. 66, Millen and Clark.
Tort liability of school districts and municipalities. H. F. 105, Alt; S. F. 220, Stephens.
Joint county school systems appoint treasurer. S. F. 91, Riley.
Senior citizens' organizations may use school lunch facilities. S. F. 82, Van Gilst and Sullivan. H. F. 107, Stokes and Dougherty.
Require any organization, church, school, etc., soliciting public donations must file annual report. H. F. 174, Freeman, et al.
Conflicts of interest of officers and employees of political subdivisions. S. F. 173, Stephens.
Require approval by voters of each county, merge county school systems. S. F. 174, Stephens and Coleman.
Per diem and expenses for members of educational radio and TV facility board and communications advisory council. S. F. 207, Neu, et al.; H. F. 272, Hansen, et al.
Require any organization except church, etc., soliciting public donations must file annual report listing all persons receiving funds. H. F. 353, Doyle, et al.
Financing public schools, create basic school boards and equalization of property taxes. H. F. 363, Andersen.
Purchase of real estate by counties, cities and towns, school districts, and other political subdivisions. H. F. 364, Norpel.
Prohibit League of Iowa Municipalities, nonprofit corporations, agencies, departments of state, etc. from using funds derived from property tax for lobbying, penalty. H. F. 379, Fischer of Grundy and Schroeder.
Include students of schools of nursing in tuition grant programs. S. F. 380, Riley, et al.; H. F. 448, Shaw, et al.
Age requirements for admission to school. H. F. 441, Willits.
Legalize sale of a portion of the Wright school site, Des Moines, Polk County. S. F. 426, Milligan; H. F. 555, Kreamer.
Department of public instruction study feasibility of implementing a 12-month school year, appropriation. H. F. 580, Willits, et al.
Change date for school elections, organizational meetings of school boards, county and joint county boards of education, and boards of directors of merged areas. H. F. 582, Willits.
Establish cooperative educational service agencies, abolish county school systems, appropriation. H. F. 592, Grassley, et al.
Revise, update, and correct certain sections of the Code re school districts and corporations. S. F. 517, schools.
Week of May 17, 1971 be declared "Iowa High School Senior Voter Registration Week." S. R. 3: S. J. 1070, 1169 adopted.
Committee to review, study and obtain information re schools and make recommendations. S. C. R. 39; S. J. 1109, 1239.

School budget review committee and district school boards meet in May and June re budgets. H. F. 686, ways and means.
Committee to study statutory educational standards, etc. S. C. R. 45; S. J. 1855.
Financing of governmental programs—state aid to schools, etc. H. F. 654, ways and means. (Tax bill)

Aid

(See State—Federal Aid—this subject)

Appropriations

Limitations on property tax levy for general fund expenditures of school corporations, etc., appropriation to public instruction for school districts. H. F. 121, ways and means; S. F. 145, ways and means.
Appropriation to public instruction. S. F. 522, ways and means.
School lunch assistance to department of public instruction, appropriation. H. F. 688, appropriations.
Appropriate administration and educational and training aid funds to public instruction. H. F. 692, appropriations.
Public instruction, department of, appropriation to, for school boards, etc., for special education. S. F. 577, appropriations.

Area—Area Vocational

Remove three-fourths mill property tax levy for operation of area vocational and community colleges. S. F. 75, Stephens; H. F. 238, Stromer; H. F. 248, Tieden. S.
Master plan for higher education, develop legislative proposals, submit recommendations. H. C. R. 9; H. J. 176, 968 adopted; S. J. 868, 901.
Collection of fees from students at area schools. H. F. 222, Tieden, et al. (Similar subject matter as H. F. 436 and S. F. 444)
Legalize and validate proceedings of board of directors of Iowa Lakes Community College (Emmet, Dickinson, Clay, Palo Alto, and Kossuth). S. F. 263, Keith.
Income tax deduction for education expenses. H. F. 343, Kreamer.
Prevent expansion of curriculum of area vocational schools in order to qualify as an area community college. H. F. 378, Kennedy.
Authorize merged areas to acquire and operate student centers and parking facilities, finance with revenue bonds. S. F. 374, higher education; H. F. 545, Dunton, et al. S.
Collection of fees from students at area schools. H. F. 436, Dunton, et al. (Similar subject matter as H. F. 222 and S. F. 444)
Salary of the superintendent of a merged area, discretion of the board of directors. H. F. 443, Dunton, et al.
Authorize merged areas to issue general obligation bonds for purchase of community vocational school or college buildings. H. F. 456, Waugh; S. F. 498, higher education.
Create a vocational youth organization fund, appropriation. H. F. 457, Kreamer.
Levy of a tax for buildings and sites in merged areas, not to exceed 10 years. H. F. 467, Lawson, et al.; S. F. 413, higher education.
Establish a professional standards board governing approval of teacher preparation institutions and certification of teachers, replace board of education examiners. H. F. 471, Willits.
Office for planning and programming, establish programs and courses in area vocational schools and community colleges, new and expanding industries, appropriation. H. F. 498, Lawson, et al.
Collection of fees from students at area schools. S. F. 444, higher education. (Similar subject matter as H. F. 222 and H. F. 436)
Repeal authorization for purchase of tax-sheltered annuities for employees of county boards of education, state board of public instruction, and merged area schools. H. F. 548, Schroeder.
Change date for school elections, organizational meetings of school boards, county and joint county boards of education, and boards of directors of merged areas. H. F. 582, Willits.
Permit area school board to decrease or increase its membership and number of director districts. S. F. 479, Walsh; H. F. 682, Tieden and Menefee.
Appropriation to merged area I, operating funds for required attendance center. H. F. 683, Tieden, et al. (Same subject matter as H. F. 744)
Establish an advisory council for vocational education. H. F. 647, Dunton.
Vocational training and apprenticeship programs, to conform with federal law. S. F. 509, human and industrial relations.
Legalize and validate proceedings for the establishment, organization, etc., boundaries of merged area school systems. S. F. 529, Walsh.
Appropriation to merged area I, operating funds for additional attendance center, required. H. F. 683, Tieden, et al.
General office administration and vocational education administration for salaries, etc.—vocational education aid to secondary and area schools for programs and equipment, etc.—vocational rehabilitation for salaries, etc.—public instruction. H. F. 709, appropriations.
Payment of general school aid to merged areas, public instruction, appropriation. H. F. 741, appropriations.
Appropriation to merged area I, operating funds for required attendance center. H. F. 744, appropriations. (Same subject matter as H. F. 683)

Boards

Method of paying salaries of certificated school personnel. H. F. 183, Grassley.

Financing public schools, create basic school boards and equalization of property taxes. H. F. 363, Andersen.
Statutory distance requirements for transportation of public school pupils. H. F. 450, Alt.
Establishment and financing of school administrative units. H. F. 637, Lipsky.
Information concerning school district budgets and expenditures. H. F. 698, Hansen.

Bonds

Authorize merged areas to acquire and operate student centers and parking facilities, finance with revenue bonds. S. F. 374, higher education; H. F. 545, Dunton, et al. S.
Authorize merged areas to issue general obligation bonds for purchase of community vocational school or college buildings. H. F. 456, Waugh; S. F. 498, higher education.
Investment of funds—school districts, counties, cities, towns, and others. S. F. 442, Riley.
Investment of public funds by school corporations. S. F. 501, schools.

Buses—Transportation

Senior citizens' groups may use school buses. S. F. 81, Van Gilst and Briles; H. F. 427, Strand and Dougherty.
Require use of flashing signal lights and stop arms by school buses in cities and towns. S. F. 168, Conklin; H. F. 199, Ewell and Schwieger.
Motor vehicle inspection and safety, penalties. S. F. 297, law enforcement.
Allow children enrolled in project headstart to ride public school buses. H. F. 486, Small.
Transportation of nonpublic school children. H. F. 488, Small.
Statutory distance requirements for transportation of public school pupils. H. F. 450, Alt.
Distance requirements for high school pupils to be transported by school bus. H. F. 468, Alt.

County

Require approval by voters of each county, merge county school systems. S. F. 174, Stephens and Coleman.
Abolish county school system. H. F. 291, Schroeder.
Repeal authorization for purchase of tax-sheltered annuities for employees of county boards of education, state board of public instruction, and merged area schools. H. F. 548, Schroeder.
Change date for school elections, organizational meetings of school boards, county and joint county boards of education, and boards of directors of merged areas. H. F. 582, Willits.
Establish cooperative educational service agencies, abolish county school systems, appropriation. H. F. 592, Grassley, et al.
Establish county school districts, abolish present local school districts. H. F. 662, Blouin and Dunton.

Districts

Ceiling on millage levies for 1971 by all taxing districts, with exceptions. S. F. 33, Griffin.
Increase income taxes, allocate to school districts and reduce property tax. S. F. 247, Stephens.
Reimburse school districts for loss of tax revenue from certain tax-exempt land. H. F. 279, Schroeder and Knoke.
Comptroller prescribe budget preparation procedures for school districts. H. F. 317, Kehe, et al.
Run-off elections in school districts. H. F. 327, Kreamer.
Financing public schools, create basic school boards and equalization of property taxes. H. F. 363, Andersen.
Director districts of school districts, clarify requirements. H. F. 581, Willits.
Property tax levies for basic school tax in Ida, Johnson, and Kossuth Counties. S. F. 462, ways and means.
Require auditor of state to approve of certified or registered public accountant auditing county, county hospital, city, town, or school district. H. F. 588, Pelton.
Establishment and financing of school administrative units. H. F. 637, Lipsky.
Create a system of regional educational service agencies, eliminate county school systems. H. F. 657, Cochran.
Create regional educational service agencies for the purpose of performing administrative and supervisory services, etc. H. F. 661, Blouin and Dunton. (Same subject matter as H. F. 657)
Establish county school districts, abolish present local school districts. H. F. 662, Blouin and Dunton.
Establish new state aid plan for school districts, 20 mill property tax, repeals chapter 442 and section 422.78, etc. S. F. 511, ways and means.
Revise, update, and correct certain sections of the Code re school districts and corporations. S. F. 517, schools.
School budget review committee and district school boards meet in May and June re budgets. H. F. 686, ways and means.
Information concerning school district budgets and expenditures. H. F. 698, Hansen.

Driver Education

Driver education requirements. H. F. 214, Freeman, et al.

Funds—Taxes

School district may not obtain more than 50 percent of the general fund expenditures by property tax. S. J. R. 2, Stephens.

Cities, towns, counties, and schools may impose local taxes, also axle tax. H. F. 165, Andersen, et al.; S. F. 172, Erskine.

Empower the General Assembly to appropriate state funds to, and provide for the use of public funds by, private schools. S. J. R. 5, Gaudineer.

Create a vocational youth organization fund, appropriation. H. F. 457, Kreamer.

Investment of funds—school districts, counties, cities, towns, and others. S. F. 442, Riley.

Property tax levies for basic school tax in Ida, Johnson, and Kossuth Counties. S. F. 462, ways and means.

Investment of public funds by school corporations. S. F. 501, schools.

Legalizing Acts**(See Legalizing Acts)****Private—Parochial**

Empower the General Assembly to appropriate state funds to, and provide for the use of public funds by, private schools. S. J. R. 5, Gaudineer.

Transportation of nonpublic school children. H. F. 488, Small.

Public Instruction, Department of and Superintendent of

Method of selection, members of board of public instruction and superintendent, elected. H. F. 109, Mendenhall. (H. F. 293 similar)

Method of selection, term of office, and appointment powers of board of public instruction. H. F. 293, Schroeder. (H. F. 109 similar)

Repeal authorization for purchase of tax-sheltered annuities for employees of county boards of education, state board of public instruction, and merged area schools. H. F. 548, Schroeder.

Superintendent of public instruction establish an accounting system for school corporations. S. F. 481, Guardineer.

Radio and TV

Per diem and expenses for members of educational radio and TV facility board and communications advisory council. S. F. 207, Neu, et al.; H. F. 272, Hansen, et al.

Authorize purchase of tax-sheltered annuities for employees of educational radio and TV facility board. S. F. 208, Neu, et al.; H. F. 244, Alt, et al.

Committee to study state-owned communications, submit recommendations. H. C. R. 23; H. J. 524, 778 adopted; S. J. 682, 687.

Educational radio and TV facility board, appropriation to, for salaries, support, etc. H. F. 738, appropriations.

Educational radio and TV facility board, statutory salary of the director. H. F. 739, appropriations.

Requirements/Curriculum/Courses/Subjects

Sex education and family living taught grades one through twelve. H. F. 266, Larson.

Notification to parents and guardians of the sex education courses taught in public schools, penalties. H. F. 359, Grassley.

Prevent expansion of curriculum of area vocational schools in order to qualify as an area community college. H. F. 378, Kennedy.

Require consumer education be offered to, and taken by all secondary students. H. F. 398, Strothman.

Married students may attend public schools and participate in extracurricular activities. S. F. 394, Doderer, et al.

State—Federal Aid

Limit amount of general state aid paid on basis of a single student in an area school. H. F. 38, Welden.

Limit payment of state aid to schools, not over 5 percent per pupil. H. F. 98, Welden; S. F. 121, Potgeter.

Financing of governmental programs—state aid to schools, etc. H. F. 654, ways and means. (Tax bill)

Establish new state aid plan for school districts, 20 mill property tax, repeals chapter 442 and section 422.78, etc. S. F. 511, ways and means.

Students

Married students may attend public schools and participate in extracurricular activities. S. F. 394, Doderer, et al.

Superintendent of

Superintendent of public instruction appointed by governor, requirements. H. F. 52, Kehe, et al.

Method of paying salaries of certificated school personnel. H. F. 183, Grassley.

Salary of the superintendent of a merged area, discretion of the board of directors. H. F. 443, Dunton, et al.

Teachers

Teachers pension systems, termination of, board of directors of school districts determine amount paid. S. F. 59, Shaff.

Increase fees for teacher certificates; and classes to be issued. S. F. 97, Curran; H. F. 144, Shaw, et al.

Method of paying salaries of certificated school personnel. H. F. 183, Grassley.
Establish a professional standards board governing approval of teacher preparation institutions and certification of teachers, replace board of education examiners. H. F. 471, Willits.

Trade

Regulation of advertising and selling courses of instruction. H. F. 499, Grassley, et al.

Training

Person legally liable for support of a youth also liable to state for support at a training school. S. F. 113, Smith, et al.

Recovering cost of institutionalization at training schools from inmate's income. S. F. 126, Smith, et al.

Committee to conduct study of the penal and correctional system in Iowa, submit recommendations. H. C. R. 22; H. J. 518, 819 adopted; S. J. 713, 715, 1111, 1354, 1656 adopted, 1659.

Vocational training and apprenticeship programs, to conform with federal law. S. F. 509, human and industrial relations.

SCIENCE—

General

Waiver of the basic science examination. S. F. 198, Miller.

Repeal basic science examination requirements, abolish board. S. F. 486, Conklin.

Payment of certain publication costs of the academy of science, appropriation to comptroller for. H. F. 740, appropriations.

SECRETARY OF AGRICULTURE—

(See Agriculture, sub-ref. Secretary of)

SECRETARY OF SENATE—

General

Senate and House members, office of staff of Senate secretary and Chief Clerk and press to be furnished 1971 Codes and session laws. S. C. R. 2; S. J. 11 adopted; H. J. 14 adopted.

Interim expenses for the Secretary of the Senate. S. R. 4; S. J. 1237, 1714 adopted.

Details of closing the 1971, first regular session of the Sixty-fourth General Assembly, interim staff and work, reconvening 1972, second regular session, etc. S. C. R. 41; S. J. 1237, 1714 adopted; H. J. 1891, 2076 adopted.

Secretary of Senate and Chief Clerk of the House authorized to attend national legislative conference. S. C. R. 42; S. J. 1238, 1714 adopted; H. J. 1892, 2076 adopted.

Expenses of legislators, pertaining to operation of legislative services between sessions, be paid after proper authorization. S. C. R. 43; S. J. 1238, 1714 adopted; H. J. 1892, 2076 adopted.

SECRETARY OF STATE—

General

Notaries public, appointed by secretary of state, increase fee. H. F. 18, Wellden, et al.; S. F. 45, Curran, et al.

Financial and other disclosures by persons and organizations engaged in lobbying. S. F. 34, Glenn.

Consolidation of counties. S. F. 90, county government.

Four-year terms for governor, lieutenant governor, secretary of state, treasurer, auditor and attorney general. H. J. R. 7, Schwieger, et al.

Private employment agency fees, appeals. S. F. 117, Thordsen, et al.; H. F. 156, Ellsworth, et al. (Same as S. F. 566)

Require any organization, church, school, etc. soliciting public donations must file annual report. H. F. 174, Freeman, et al.

Regulation of assemblages of persons, certain acts unlawful, penalties. S. F. 194, Kennedy, et al.; H. F. 292, Knoblauch.

Definition of a nonresident for the purpose of making service of process. S. F. 225, Gaudineer.

Exempt supervisory employees and their confidential assistants of elected officials, etc., from merit system. H. F. 253, Fischer of Grundy, et al.

Exempt employees of elected officials from provisions of merit system. S. F. 273, Mowry, et al.

Reapportionment of Sixty-fifth General Assembly. S. F. 291, Gaudineer.

Require any organization except church, etc., soliciting public donations must file annual report listing all persons receiving funds. H. F. 353, Doyle, et al.

State to enter into the Midwest Nuclear Compact. S. F. 338, Doderer, et al.; S. F. 365, Iowa development; H. F. 396, Kehe, et al.

Corrects H. F. 18 re appointment of notaries public by secretary of state. H. F. 729, state government.

Private employment agency fees, appeals. S. F. 566, human and industrial relations. (Same as S. F. 117 and H. F. 156)

Appropriate to secretary of state. S. F. 576, appropriations.

Secretary of state, statutory salary of. H. F. 739, appropriations.

Authorize and direct issuance of a patent to real estate (Boone County) by the governor and secretary of state to the United States, Saylorville dam and reservoir. H. F. 742, conservation and recreation.

SECURITIES—

General

Deposit and investment of public funds. S. F. 243, county government; H. F. 334, county government.

SECURITY—

General

Security measures for customers of self-service laundry and dry cleaning establishments, penalties. S. F. 409, Potter.
Security guards required to have training. H. F. 529, Doyle.

SECURITY MEDICAL FACILITY—

General

Provide protection for institutional officers at security medical facility. S. F. 345, social services.

SECURITY OFFICERS—

(See Officers and/or Police)

SEED—

(See Agriculture, sub-ref. Seed)

SENIOR CITIZENS—

General

Senior citizens' groups may use school buses. S. F. 81, Van Gilst and Briles, et al.; H. F. 427, Strand and Dougherty.
Senior citizens' organizations may use school lunch facilities. S. F. 82, Van Gilst and Sullivan; H. F. 107, Stokes and Dougherty.
Identification cards for person 65 or older. H. F. 143, Stokes and Strand; S. F. 139, Sullivan and Van Gilst.
Persons over 64 may fish without a license. H. F. 158, Ellsworth and Taylor.
Counties and cities may provide programs for senior citizens. S. F. 140, Sullivan and Van Gilst; H. F. 209, Dougherty and Stokes.
Maximum net income (\$4,500) persons 65 or older, etc.—receive additional homestead credit. H. F. 200, Andersen; S. F. 213, Erskine.

SERVICES—

(Also See Tax, sub-ref. Service)

General

Include housing and services in employment of the handicapped. H. F. 8, Alt, et al.; S. F. 7, DeKoster and Tapscott.
Include services in employment of the handicapped. H. F. 9, Fisher of Greene, et al.; S. F. 49, Neu and Smith.
Create a department of general services, appropriation. S. F. 87, Curran, et al.; H. F. 129, Welden, et al.
Repeal service tax on coin-operated laundries. S. F. 128, Walsh, et al.; H. F. 339, Ellsworth, et al.
Definition of a nonresident for the purpose of making service of process. S. F. 225, Gaudineer.
Deceptive trade practices and providing for civil remedies. S. F. 382, DeKoster and Gaudineer; H. F. 487, Kreamer.
Credit service charges for revolving charge accounts, penalties. H. F. 492, Urban, et al.
Create a department of executive services, general services, reorganization. S. F. 420, Coleman, et al.
Add medical, dental, legal, accounting, engineering, consultant and research services to taxable services. S. F. 440, Potgeter and Potter.
Tax all taxable services. H. F. 552, Dunton.

SESSIONS—

(See General Assembly)

SEWAGE—

(Also See Pollution)

General

Create a department of environmental quality. S. F. 85, Laverty, et al.; H. F. 269, Varley, et al.
Prohibit discharge of sewage into open ditches, highways, etc. H. F. 123, Varley, et al.; S. F. 323, Laverty, et al.
State funds appropriated for sewage works projects used for matching federal funds, appropriation. H. F. 189, Welden and Kehe.
Corrective amendments to statute on self-liquidating improvements. H. F. 677, judiciary.
Sewage works construction fund, appropriation. H. F. 710, appropriations.

SEWER SYSTEMS

General

State funds appropriated for sewage works projects used for matching federal funds, appropriation. H. F. 189, Welden and Kehe.

Use of sewer rental funds. S. F. 393, Potter.
Sanitary and improvement districts. S. F. 430, Griffin; H. F. 586, Mollett.

SEX—

General

Obscenity, punishment for violations thereof. S. F. 54, Kennedy.
Sex education and family living taught grades one through twelve. H. F. 266, Larson.
Notification to parents and guardians of the sex education courses taught in public schools, penalties. H. F. 359, Grassley.
Voluntary sterilization, penalty. S. F. 465, Conklin.

SHERIFFS—

(Also See Officers and/or Police)

General

Appointment of deputy sheriffs and secretaries in certain counties. H. F. 357, Dunton, et al.
Increase salary for sheriffs. H. F. 358, Ellsworth and Priebe.
State grand juries, appropriation. H. F. 184, law enforcement. (H. F. 706 revision of H. F. 184)
Notice of compensation commission appraisal of damages and appeal from the damages award. H. F. 215, Dunton.
Fees for issuance of permits to carry concealed weapons. S. F. 264, Gaudineer, et al.
Permit county offices to be combined (upon petition and election) and made appointive, managers, exclude sheriffs. S. F. 275, Riley.
Compensation for feeding prisoners in certain counties. S. F. 322, Curran, et al.
Permits to carry concealed weapons, penalties. S. F. 356, Gaudineer, et al.
Salary of deputy sheriffs in counties having population of over 250,000. S. F. 363, county government; H. F. 465, Knoke. S.
Establish civil service for deputy county sheriffs, penalties. S. F. 368, Kennedy; H. F. 449, Sorg.
Increase some of the fees charged by sheriffs. H. F. 507, Pelton and Fischer of Grundy.
Increase fees charged for civil processes by sheriffs. H. F. 489, Lawson.
Establish civil service for deputy county sheriffs, penalties. S. F. 424, Riley, et al.; H. F. 618, Pelton, et al. (Same subject matter as S. F. 368 and H. F. 449)
Establish a county law enforcement unit. H. F. 689, Taylor, et al.
State grand juries, appropriation. H. F. 706, law enforcement. (Revision of H. F. 184)
Authorizing supplements to salaries for county attorneys, sheriffs, etc. from private or federal funds. S. F. 548, judiciary; H. F. 717, judiciary. S.

SICK LEAVE—

General

Leave of absence for state employees, also sick leave. H. F. 617, Andersen, et al.
Salaries, vacation, and sick leave for state employees. H. F. 666, state government.

SIGNALS—

General

Require use of flashing signal lights and stop arms by school buses in cities and towns. S. F. 168, Conklin; H. F. 199, Ewell and Schwieger.
Traffic control signals, right turns may be made if sign indicates. H. F. 262, Wells, et al.; S. F. 293, law enforcement. S.
Flashing emergency lights on motor vehicles. H. F. 658, transportation.

SIGNS—

(Also See Advertising, sub-ref. Signs)

General

Traffic control signals, right turns may be made if sign indicates. H. F. 262, Wells, et al.; S. F. 293, law enforcement. S.
Erection of anti-litter signs along primary and secondary highways. H. F. 310, Rodgers, et al.
Permit and license fees for certain advertising devices, etc., penalties. H. F. 411, Rodgers.

SLAUGHTER—

(See Animals, sub-ref. General)

SNOWMOBILES—

(See Motor Vehicles, sub-ref. Snowmobiles)

SOCIAL SECURITY—

General

That the department of social services be directed to continue assistance payments and not reduce such payments because of increased social security benefits. H. C. R. 41; H. J. 1703, 1741.

SOCIAL SERVICES, DEPARTMENT OF—**General**

- Establishment of regional correction centers. H. F. 3, Drake, et al.; S. F. 2, Smith, et al.
- Include housing and services in employment of the handicapped. H. F. 8, Alt, et al.; S. F. 7, DeKoster and Tapscott.
- Include services in employment of the handicapped. H. F. 9, Fisher of Greene, et al.; S. F. 49, Neu and Smith.
- Liens on real estate owned by old-age assistance recipients. H. F. 80, Christensen.
- Criminal action to deliver drugs or liquor or to help an inmate to escape from institutions under department of social services. S. F. 108, Kennedy.
- Support of the mentally ill. S. F. 131, Potgeter, et al.; H. F. 188, Rex, et al.
- Adoption of hard to place children. H. F. 164, Bray, et al.
- Carbon tetrachloride fire extinguishers not approved for use in migratory labor camps. H. F. 219, social services.
- Penalty for practicing cosmetology without a license. H. F. 223, social services.
- Qualifications of commissioner of public health. S. F. 224, social services.
- Eligibility requirements for ADC, minors. H. F. 278, social services.
- Joint purchase, ownership, construction, and maintenance of buildings by counties. H. F. 288, social services.
- Prohibit advertising practices by chiropractors, penalty. S. F. 199, Coleman, et al.; H. F. 303, Cochran, et al.
- "Thorough" physical not required for marriage license. H. F. 308, social services.
- Definition of flammable liquids. H. F. 325, Holden. (Similar to H. F. 668, social services)
- Revocation of suspension of chiropractic license. H. F. 337, Schwieger and Norpel; S. F. 309, Davis, et al.
- Reimburse low-income householders for extraordinary property tax burdens, penalty. S. F. 304, Riley.
- Establish board of residential care standards, etc. S. F. 305, social services.
- Licensing of funeral homes. S. F. 306, social services.
- Establish housing for disabled persons, appropriation. S. F. 311, Tapscott.
- Department of social services purchase additional services from other public or private social service agencies, appropriation. S. F. 315, Walsh, et al.
- Increase funeral benefits for welfare recipients. S. F. 317, Van Gilst and Curran.
- Compensation and mileage of physician and attorney serving on commission of hospitalization. H. F. 372, Sorg.
- Support of mentally retarded children. S. F. 339, Curran; H. F. 416, Lawson.
- Provide protection for institutional officers at security medical facility. S. F. 345, social services.
- Provide aid to juvenile homes, appropriation. S. F. 358, Gaudineer.
- Licensing for the practice of the healing arts, graduated from accredited school or college. H. F. 383, Larson.
- Allow departments of revenue and social services, and highway commission to employ legal counsel. S. F. 373, Schaben, et al.
- Eligibility to receive benefits of certain welfare programs, stoppage of work re labor dispute. H. F. 477, Kreamer.
- Testing of newborn babies for sickle cell anemia. H. F. 460, Franklin.
- Local boards of health, inspections by. H. F. 472, Lawson.
- Establish health services commission, penalties. S. F. 419, Brownlee, et al.; H. F. 518, Den Herder, et al.
- Authorize department of health to distribute information concerning birth control and establish family planning clinics. H. F. 504, Lipsky, et al.
- Establishment of area correction centers. S. F. 427, judiciary. (Same subject matter as S. F. 2 and H. F. 3)
- Establish board of optometry, restructure operations, etc. of present board. H. F. 524, Freeman, et al.
- Grant easements or rights-of-way to public lands under jurisdiction of social services. S. F. 438, social services.
- Inspection of patients' records. H. F. 533, Kelly.
- Liability for negligence in rendition of services re donating of blood, human tissues, etc. H. F. 556, Shaw.
- Evaluation of professional services and conduct by physicians, etc. of another physician, etc., protected from liability for civil damages. H. F. 569, Clark, et al.
- Evaluation of emotional stability of parents or guardians, neglected, dependent, etc., children—court require psychiatric examination, etc. H. F. 624, Schwieger and Knoke.
- Regulation, licensing and control of the dispensing of optical devices. H. F. 627, Ellsworth, et al.; S. F. 489, Walsh.
- Sale of agricultural land by social services. H. F. 640, Mayberry.
- Requests for withdrawal of body substances under the implied consent law may be oral unless requested written. H. F. 639, Schmeiser.
- Local boards of health, powers of. S. F. 495, Walsh.
- Payments to welfare recipients in health care facilities. S. F. 497, Walsh, et al.
- Administration of the federal mental retardation facilities and community mental health centers act of 1963. S. F. 506, DeKoster.

Definition of flammable liquids. H. F. 668, social services. (H. F. 325 similar)
 Establish day care centers, appropriation. S. F. 508, Tapscott.
 Age discrimination in employment. S. F. 516, social services.
 Social services, appropriation, capital improvements. S. F. 543, appropriations.
 That the department of social services be directed to continue assistance payments and not reduce such payments because of increased social security benefits. H. C. R. 41; H. J. 1703, 1741.

Appropriation to social services for administration and departmental operations, area service and administration, family and children's services, adult corrections services, assistance grants, mental health services, mental retardation services, specified federal matching funds, board of parole, and study by department. S. F. 565, appropriations. (Item veto)

Social services, department of, statutory salary of the commissioner. H. F. 739, appropriations.

Committee to study present laws and regulations, etc. for determining eligibility of recipients of categorical assistance payments, etc. H. C. R. 48; H. J. 2141.

Parole, Board of

Board of parole employ own office staff. S. F. 144, Thordsen, et al.; H. F. 217, Den Herder, et al.

Additional penalties for commission of, or attempt to commit crimes when armed with firearms. H. F. 280, Fischer of Grundy.

Amount of money which can be loaned to a parolee from parole relief fund. H. F. 289, social services.

Insert in Code the text of the probation and parole compact. H. F. 326, social services.

Parole, board of, statutory salary of chief parole officer. H. F. 739, appropriations.

Social Welfare

Eligibility of welfare recipients, life insurance, tools, etc. H. F. 15, Drake, et al.; S. F. 27, Smith, et al.

Computation of old-age assistance grants. S. F. 42, Conklin.

Disbursement of support money. H. F. 324, Schwieger.

ADC recipient notify social welfare of any changes. H. F. 495, Knoke.

ADC, blind assistance, and aid to disabled, payment shipped from property tax to sales, income tax and other. H. F. 517, Cochran, et al.; S. F. 436, Tapscott.

Eliminate residency requirement for eligibility for ADC. H. F. 520, Knoke.

SOCIAL WELFARE—

(See Social Services, sub-ref. Social Welfare)

SOIL CONSERVATION—

General

Conservation of soil and water resources, control of water pollution. H. F. 73, Varley, et al.; S. F. 61, Lavery, et al.

Reorganize conservation commission, natural resources council, soil conservation commission, geologist, geological board, and advisory board for preserves—establish department of national resource management. S. F. 451, Gaudineer.

Condemnation of property by county for flood and erosion control projects. S. F. 518, county government.

Soil conservation, appropriation. H. F. 701, appropriations.

Soil conservation, department of, statutory salary of director. H. F. 739, appropriations.

SOLDIERS HOME, IOWA—

General

Widows of veterans no longer allowed to reside at soldiers home. H. F. 185, Shaw and Mayberry.

SOLDIERS RELIEF COMMISSION—

General

Abolish soldiers relief commission, duties placed under county welfare. H. F. 126, Mayberry.

Eligibility to receive benefits of certain welfare programs, stoppage of work re labor dispute. H. F. 477, Kreamer.

Change name of soldiers relief commission to commission on veteran affairs. H. F. 544, Logemann.

SOLICITATION—

General

Require any organization, church, school, etc soliciting public donations must file annual report. H. F. 174, Freeman, et al.

Require any organization except church, etc, soliciting public donations must file annual report listing all persons receiving funds. H. F. 353, Doyle, et al.

Regulation of home solicitation sales. H. F. 568, Dougherty, et al. (Similar subject matter as H. F. 598)

Regulating home solicitation sales. H. F. 598, Millen, et al. ((Similar subject matter as H. F. 568)

SPANISH-AMERICAN WAR VETERANS—

General

Appropriate to Spanish-American war veterans. S. F. 576, appropriations.

SPEED RESTRICTIONS—

General

Increase speed limit for motor vehicles drawing trailers. H. F. 54, Doyle.

SPORTS—

(Also See Athletics and/or Schools, sub-ref. Athletics)

General

Scheduling of football games between S. U. I. and I. S. U. S. F. 99, Van Drie, et al.

Licenses for professional boxing and wrestling matches. S. F. 223, Briles; H. F. 562, Fischer of Grundy. S.

Create an Iowa athletic council. S. F. 378, Gaudineer.

Congratulate Ed Gagnier and I. S. U. gymnastics team on their achievements. S. C. R. 30; S. J. 747, 768 adopted; H. J. 900, 969.

STAMPS—

General

Trading stamps redeemed for cash or merchandise, cash value printed on stamp, penalties. H. F. 263, Fischer of Grundy.

Impose a tax on trading stamps, penalties. H. F. 290, Rodgers, et al.

Misuse of food stamps, penalty. H. F. 439, Schwieger.

STATE AID—

(Also see Schools, sub-ref. State—Federal Aid)

General

Limit amount of general state aid paid on basis of a single student in an area school. H. F. 38, Welden.

Limit payment of state aid to schools, not over 5 percent per pupil. H. F. 98, Welden; S. F. 121, Potgeter.

State aid to cities and towns, appropriation. S. F. 337, Gaudineer, et al.

Financing governmental programs—state aid to schools, etc. H. F. 654, ways and means. (Tax bill)

STATE CAR DISPATCHER—

General

Compensating state employees for use of their motor vehicles. S. F. 217, state government.

Local governmental bodies participate in purchase of motor vehicles by state car dispatcher. H. F. 395, Johnston.

Purchase and use of state-owned automobiles. S. F. 449, state government.

STATE DEPARTMENTS—

(See State Government, all sub-refs.)

STATE FAIR—

(See Fairs)

STATE GOVERNMENT—

General

Establish a state building code. H. F. 6, Camp, et al.; S. F. 32, Griffin, et al.

Tax sharing by all states from federal income taxes, call constitutional convention. H. J. R. 1, constitutional amendments and reapportionment; S. J. R. 1, constitutional amendments and reapportionment.

Prohibit incurring expenses for inauguration ceremonies and receptions for governor serving a successive term. H. F. 35, Millen, et al.

Financial disclosure by legislators, elected state officials and judges. S. F. 26, Glenn.

Superintendent of public instruction appointed by governor, requirements. H. F. 52, Kehe, et al.

Establish a metropolitan service corporation. S. F. 104, Milligan, et al.; H. F. 135, Andersen.

Annual budgeting and reporting for state departments. S. F. 112, Hill and Potter.

Payment of interest by public corporations on contracts for public improvements. H. F. 117, Kehe, et al.

Establishing precinct boundaries, cities and towns and townships, etc., population. H. F. 119, Drake; S. F. 187, Potgeter. (See sections 21, 22, and 23 of H. F. 713)

Publication of Acts of the General Assembly, one or more newspapers. H. F. 149, Grassley, et al.

Employees of county or state government not required to give an oath of political allegiance or contribution. H. F. 159, Blouin.

Disposal of certain used state motor vehicles, may trade or sell at auction. S. F. 146, state government.

- Person or organization contesting election pay costs. H. F. 247, Andersen; S. F. 214, Erskine, et al.
- Tort liability of governmental subdivisions, repeal chapter on. S. F. 219, Stephens.
- Membership on interim committees, certain provision. H. F. 259, Andersen.
- Repeal provisions for statewide property tax levy. S. F. 254, Van Gilst; H. F. 318, Dunton.
- County engineers receive free Code. H. F. 297, Rodgers.
- Office space for members of the General Assembly. H. F. 302, Kennedy.
- That the Congress of the United States propose an amendment to the United States Constitution allowing citizens 18 years or older voting privileges for all elections. H. C. R. 18; H. J. 423, 476, 477 adopted; S. J. 381, 383.
- County board of supervisors need not submit proposition to voters to relocate property, state and federal governments taking. S. F. 269, Miller et al.; H. F. 329, Schweiser, et al.
- Require every state department or agency to hold public hearings on any proposed rule, etc. S. F. 272, Potgeter, et al.
- Allow citizens of this state 18 years or older to vote in all elections. S. J. R. 4, Tapscott.
- Any public appointee must possess qualifications of the office whether temporary or to complete unexpired term. S. F. 286, Gaudineer.
- Establish office of ombudsman, penalties. S. F. 288, Potgeter and Walsh.
- Age of majority. H. F. 323, Larson and Blouin.
- State assistance to local governments following major disasters, appropriation. S. F. 321, Coleman, et al.
- Committee to study application forms for licenses of the departments requiring same and suggest revisions. S. C. R. 22; S. J. 420, 419, 902.
- Public officials may be appointed to joint planning commissions. H. F. 367, Lawson.
- Salaries and expenses of members of the General Assembly and lieutenant governor. H. F. 371, Pelton.
- That the Congress of the United States propose an amendment to the United States Constitution allowing citizens 18 years or older voting privileges for all elections. S. C. R. 23; S. J. 430, 431, 676 withdrawn.
- Committee to study state-owned communications, submit recommendations. H. C. R. 23; H. J. 524, 778 adopted; S. J. 682, 697.
- Voting for president and vice-president of the United States, U. S. senators and representatives by persons 18 years or over—also residence for at least 30 days. H. F. 390, Drake.
- Local governmental bodies participate in purchase of motor vehicles by state car dispatcher. H. F. 395, Johnston.
- Collection and disposition of wastepaper by the state. H. F. 407, Rodgers, et al.
- Effective date of Acts passed by the General Assembly. H. F. 445, Goode.,
- Duties of the state fire marshal, inspections. H. F. 455, Welden.
- Establish the state historical board, increase fee for search of census records. H. F. 458, Larson and Schwiager.
- Repeal chapters 38A, 38C and 38D, Code 1971, emergency succession and emergency location of state and local governments. H. F. 463, Goode.
- Provide for use of stickers to annually update the three-year registration plates. S. F. 433, state government.
- Define administrative rules, clarify. H. F. 539, Grassley and Shaw.
- Governor appoint a chief administrator, office of governor. H. F. 560, Pelton.
- Purchase and use of state-owned automobiles. S. F. 449, state government.
- Create office of state architect, appropriation. H. F. 564, Priebe and Fischer of Grundy.
- Increase by 1,000 square feet highway commission administration building—emergency operating center, federally funded. H. F. 572, appropriations.
- Regulation of outdoor campaign advertising, penalty. H. F. 584, Logemann.
- Create state records commission. H. F. 597, Welden.
- Minimum age for appointment of commissioned and warrant officers in National Guard. H. F. 600, state government.
- Interagency liaison committee, repeals chapter 28C. H. F. 601, state government.
- Correct H. F. 119—population of election precincts. H. F. 632, state government. (See sections 21, 22, and 23 of H. F. 713)
- Sale of agricultural land by social services. H. F. 640, Mayberry.
- Transfer of jurisdiction or sale of real estate between state agencies and political subdivisions. S. F. 488, transportation; H. F. 648, state government.
- Crime commission designated as law enforcement planning agency, also under governor only, and add chief of highway patrol. H. F. 649, state government; S. F. 507, state government.
- Financing of governmental programs—state aid to schools, etc. H. F. 654, ways and means. (Tax bill)
- Election laws. H. F. 713, Drake and Uban. (See H. F. 119)
- Departments**
- Administrative rules and regulations, state departments or agencies must establish burden of proof. S. F. 30, Mowry; S. F. 203, county government. S.

State mine inspector shall be director, increase per diem compensation for board members. H. F. 210, Pierson, et al.
 Printing by state agencies shall state authority. S. F. 197, Balloun.
 Payment of civil rights commission appointees. H. F. 408, Franklin, et al.
 Provide definite procedure for legislature to effect changes in administrative rules. H. F. 412, Welden, et al.
 One-half of all paper purchased by the state be of recycled paper. H. F. 419, Willits and Blouin.

Employees

Advances to state employees to cover expenses. H. F. 5, Welden, et al.; S. F. 13, Curran and Neu.
 Out of state travel expenses for state employees, executive council establish policy. H. F. 19, Welden, et al.; S. F. 46, Curran, et al.
 Veteran's benefits in state employment. S. F. 60, Tapscott; S. F. 418, Gaudineer. S. (Same subject matter)
 Increase salaries of highway commission and other state employees, appropriation. S. F. 84, Van Drie, et al.; H. F. 212, Egenes, et al.
 Incentive awards for state employees. S. F. 164, Van Drie; H. F. 231, state government. S.
 Conflicts of interest by officials, employees, legislative employers, and members of the General Assembly. S. F. 175, Stephens.
 Prohibit any person or political organization from soliciting or requiring contributions for political expenses from public employees. H. F. 187, Alt, et al.; S. F. 215, Milligan.
 Compensating state employees for use of their motor vehicles. S. F. 217, state government.
 Exempt supervisory employees and their confidential assistants of elected officials, etc., from merit system. H. F. 253, Fischer of Grundy, et al.
 Temporary or part-time employees of state, political subdivisions or cities and towns not entitled to military leave with pay or job status. H. F. 274, Ellsworth and Taylor.
 Leaves of absence for persons elected to public office. S. F. 266, Robinson and Doderer; H. F. 361, Ewell, et al.
 Exempt employees of elected officials from provisions of merit system. S. F. 273, Mowry, et al.
 Exempt summer employees from merit system, and provide work test appointments. H. F. 399, state government.
 Provide for a procedure, state employees to meet and confer with merit employment commission, wages, hours, benefits, etc., and terms of employment. H. F. 421, Fisher of Greene and Millen.
 Nonnegligent damages caused by the highway patrol. S. F. 400, Lamborn.
 Wages subject to IPERS. S. F. 455, Walsh.
 Governor request comptroller or auditor of state review statutory bonding provisions for state employees. H. C. R. 33; H. J. 842, 912 adopted; S. J. 788.
 Procedure allowing public employees and public employers to meet and confer to resolve disputes re wages, etc. S. F. 475, Potgeter. (Same as S. F. 567)
 May pay salaries of state employees biweekly. H. F. 616, Andersen, et al.
 Leave of absence for state employees, also sick leave. H. F. 617, Andersen, et al.
 Longevity pay increases, highway commission employees or any person subject to merit system, etc. H. F. 630, Andersen, et al.
 Salaries, vacation, and sick leave for state employees. H. F. 666, state government.
 Vacations for state employees. H. F. 670, Andersen, et al.
 State agricultural workers covered by workmen's compensation. S. F. 524, human and industrial relations.
 State employees may be covered by workmen's compensation, also police officers. S. F. 525, human and industrial relations.
 Motor fuel tax laws, certain enforcement duties transferred to highway commission. H. F. 684, ways and means.
 Procedure allowing public employees and public employers to meet and confer to resolve disputes re wages, etc. S. F. 567, human and industrial relations. (Same as S. F. 475)
 That the merit employment commission and the director be directed to develop a proposed plan providing a uniform system of pay scales and fringe benefits for all state employees. H. C. R. 49; H. J. 2194.

Executive Branch

Governor appoint commissioner of public safety, no fixed term, also need not be a resident for previous 5 years. S. F. 170, state government.
 Governor's salary, highest public. H. F. 193, Kennedy and Johnston.
 Governor appoint secretary of agriculture. H. F. 246, Blouin, et al.
 Chief justice and members of the supreme court, elected state officials and Iowa congressional delegation invited to attend joint convention re address by President Richard M. Nixon. S. C. R. 21; S. J. 387 adopted; H. J. 480 adopted.

Funds

Prohibit League of Iowa Municipalities, nonprofit corporations, agencies, departments of state, etc. from using funds derived from property tax for lobbying, penalty. H. F. 379, Fischer of Grundy and Schroeder.

Real Estate—Property

Selection of compensation commissioners. H. F. 13, Holden, et al.; S. F. 17, Briles, et al.

Leasing of property by conservation commission. H. F. 14, Shaw, et al.; S. F. 10, Curran and Kennedy.

Purchase of real estate by counties, cities and towns, school districts, and other political subdivisions. H. F. 364, Norpel.

STATE OF IOWA—

(See State Government, all sub-refs.)

STATE OFFICES—

(See State Government, all sub-refs.)

STATE TAX COMMISSION—

(See Revenue, Department of)

STATUTES—

General

Rules of statutory construction. H. F. 587, judiciary.

STERILIZE—

General

Voluntary sterilization, penalty. S. F. 465, Conklin.

STREETS—

General

Local authorities designate snow routes, regulate traffic. H. F. 181, Alt, et al.; S. F. 353, cities and towns. S.

Legalize proceedings of the town council of Peterson, Clay County, special assessments and issuance of street improvement bonds. S. F. 425, Milligan.

Sanitary and improvement districts. S. F. 430, Griffin; H. F. 586, Mollett.

STUDENTS—

(See Schools, sub-ref. Students)

STUDY COMMITTEES—

General

Create a study committee to study functions of commerce commission to update Code, report to Sixty-fourth General Assembly, second session. S. C. R. 10; S. J. 178, 359, 564 adopted; H. J. 674.

Master plan for higher education, develop legislative proposals, submit recommendations. H. C. R. 9; H. J. 176, 968 adopted; S. J. 868, 901.

Committee to study and determine need of revising and updating state housing code, enforcement, etc., submit report. S. C. R. 18; S. J. 358, 565 adopted; H. J. 675.

Committee to study application forms for licenses of the departments requiring same and suggest revisions. S. C. R. 22; S. J. 420, 419, 902.

Committee to conduct study of the penal and correctional system in Iowa, submit recommendations. H. C. R. 22; H. J. 518, 819 adopted; S. J. 713, 715, 1111, 1354, 1656 adopted, 1659.

Committee to study state-owned communications, submit recommendations. H. C. R. 23; H. J. 524, 778 adopted; S. J. 682, 697.

Committee to study developing Iowa land use proposals. H. C. R. 25; H. J. 576.

Committee to study the feasibility of establishing a department of transportation, submit report. S. C. R. 25; S. J. 470, 495, 664, 1151 adopted; H. J. 1320.

Advisory committee to study advantages of a pari-mutuel system of betting, submit report. H. C. R. 27; H. J. 641.

Committee to study legislation authorizing pari-mutuel betting in Iowa, submit report. H. C. R. 26; H. J. 640, 1767.

Advisory committee to study advantages of a pari-mutuel system of betting, submit report. S. C. R. 27; S. J. 553, 770, 1133.

Committee to study if need exists for legislation in regulating operations and acquisitions of bank holding companies, etc., submit report. S. C. R. 28; S. J. 554, 555, 1890.

Create committee to study use of land and other related resources. H. J. R. 14, Iowa development.

Committee to study present and projected future needs for railroad service, etc., submit report. H. C. R. 30; H. J. 774.

Committee to study state environmental programs and agencies, submit recommendations. H. C. R. 34; H. J. 869.

Committee to study state environmental programs, etc., submit report. S. C. R. 31; S. J. 806.

Establish study of the public information activities of state departments and agencies under governor, appropriation. H. F. 628, Pelton.

- Committee to continue study of state environmental programs and agencies, etc. S. C. R. 36; S. J. 958.
- Committee to review, study and obtain information re schools and make recommendations. S. C. R. 39; S. J. 1109, 1239.
- Committee to study feasibility of prohibiting corporations, etc. from buying local industrial plants and closing them to obtain income tax deductions. H. C. R. 40; H. J. 1668.
- Committee to study cable television. H. C. R. 42; H. J. 2036.
- Committee to study statutory educational standards, etc. S. C. R. 45; S. J. 1855.
- That all resolutions calling for interim studies not adopted in both houses be delivered to the president pro tempore and speaker of the House and the legislative council determine priorities, etc. S. C. R. 46; S. J. 1855, 1860 adopted; H. J. 2049, 2076 adopted.
- Committee to study applications, capabilities, use, abuse and control of computer information. H. C. R. 44; H. J. 2050.
- Committee to study feasibility of retaining present property tax exemptions. H. C. R. 45; H. J. 2072.
- Committee to study the inequities in the taxes on personal property. H. C. R. 46; H. J. 2106.
- Committee to study present laws and regulations, etc. for determining eligibility of recipients of categorical assistance payments, etc. H. C. R. 48; H. J. 2141.

SUBDIVISIONS—

General

- Subdivisions of land, in-state or out-of-state, must file with real estate commission, penalties. S. F. 111, Neu, et al.; H. F. 220, Shaw, et al.

SUNDAY SALES—

(See Sales)

SUPERINTENDENT OF PRINTING—

(See Printing Board, Superintendent of)

SUPERINTENDENT OF PUBLIC BUILDINGS AND GROUNDS—

(See Buildings and Grounds, sub-ref. Superintendent of)

SUPERINTENDENT OF PUBLIC INSTRUCTION—

(See Public Instruction and/or Schools, sub-ref. Superintendent of)

SUPERVISORS—

(See Counties, sub-ref. Supervisors, Board of)

SUPPORT—

General

- Dissolution of marriage, support, etc. H. F. 405, Doyle, et al.
- Support of certain dependents, enforcement of, defining desertion, penalties. H. F. 464, Knoke.
- Application of income tax refunds to court-ordered support payments. H. F. 623, Schwieger, et al.

SUPREME COURT—

(See Court, sub-ref. Supreme)

SWINE—

(See Animals, sub-ref. Farm)

TAX—

General

- Reorganization of the liquor control commission, sale of, violations of, etc. S. F. 55, Curran and Neu; H. F. 172, state government. S.
- Assessment of agricultural property, eliminate productivity, etc. H. F. 81, Uban.
- Disclosure of information learned during the preparation of tax returns, misdemeanor. H. F. 141, Norpel; S. F. 233, judiciary. S.
- Real estate transactions, eliminate tax on, etc., penalty. S. F. 222, Stephens.
- Impose a tax on trading stamps, penalties. H. F. 290, Rodgers, et al.
- Establish weather modification board in counties, petitioned, levy tax. S. F. 260, Briles.
- State board of tax review, valuation adjustments, or equalization orders. (Property taxes, etc.) S. F. 261, Potgeter, et al.
- Insurance premiums collected by nonprofit hospital and medical service corporations subject to premiums tax. S. F. 299, Griffin, et al.; H. F. 530, commerce. S.
- Permit pari-mutuel betting in Iowa. S. F. 300, Griffin, et al.; H. F. 435, Knoblauch, et al.; H. F. 659, conservation and recreation. S.
- Authorize cities and towns to impose a tax on theaters. H. F. 510, Doyle, et al.
- Taxation of credit cards, penalties. S. F. 429, Arbuckle.
- Increase tax on mobile homes. H. F. 553, Dunton.
- Reimburse local taxing authorities for loss of tax revenue from certain state tax-exempt real estate. H. F. 549, Schroeder.
- Tax on intangible personal property, penalties. S. F. 445, Arbuckle, et al.

- Waiver of taxes paid by railway companies. S. F. 456, Walsh.
- Increase tax on beverages containing alcohol. S. F. 514, ways and means.
- Repeal tax exemption on forest and fruit-tree reservations. S. F. 523, ways and means. (Similar subject matter as H. F. 426)
- Create an alcoholism rehabilitation fund, impose tax on consumers of alcoholic beverages. H. F. 743, Kruse, et al.
- Axle**
- Cities, towns, counties, and schools may impose local taxes, also axle tax. H. F. 165, Andersen, et al.; S. F. 172, Erskine.
- Cigarettes—Tobacco**
- Increase tax on cigarettes. H. F. 177, ways and means; S. F. 228, ways and means.
- County**
- Tax assessments, mobile homeowners, notifications. S. F. 40, Van Gilst.
- Excise**
- Create Iowa turkey federation, promote marketing of turkeys, excise tax for. H. F. 145, Rex and Hansen; S. F. 230, Coleman.
- Repeal requirement motor vehicle registration fees, licenses, and excise taxes on motor vehicle fuel be used exclusively for highway purposes. H. J. R. 10, Larson and Small.
- Create Iowa egg fund, promote marketing of eggs, excise tax for. S. F. 255, Coleman; H. F. 350, Rex.
- Create Iowa soybean promotion board. S. F. 296, agriculture; H. F. 349, agriculture.
- Create Iowa corn marketing and research board, promote marketing of corn, excise tax for. S. F. 375, Stephens, et al.
- Federal Internal Revenue**
- Tax sharing by all states from federal income taxes, call constitutional convention. H. J. R. 1, constitutional amendments and reapportionment; S. J. R. 1, constitutional amendments and reapportionment.
- State income tax percentage of federal tax. H. J. R. 3, Mendenhall.
- Increase income taxes, allocate to school districts and reduce property tax. S. F. 247, Stephens.
- Application of income tax refunds to court-ordered support payments. H. F. 623, Schwieger, et al.
- Fuel**
- Increase excise tax on motor fuel, portion going to cities and towns and grade separations. S. F. 25, Griffin.
- Time of filing for motor fuel and special fuel tax refunds. H. F. 255, Fischer of Grundy.
- Motor fuel and special fuel tax refunds, power-take-off equipment. S. F. 318, Van Drie.
- Refunding of motor fuel tax. H. F. 346, ways and means.
- Deduct or claim fuel tax (used for nonhighway purposes) from income tax at end of year. H. F. 576, Schmeiser, et al.
- Motor fuel tax laws, certain enforcement duties transferred to highway commission. H. F. 684, ways and means.
- Reduce motor fuel tax refunds allowable on aircraft, divide unclaimed refunds between airports, etc. S. F. 535, transportation.
- Appropriate from motor vehicle fuel tax fund to department of revenue. H. F. 694, appropriations.
- Appropriate from motor vehicle fuel tax fund to state comptroller, refund warrants. H. F. 695, appropriations.
- Gas**
- Exempt county conservation boards from paying state gasoline tax. S. F. 359, Potter.
- Income**
- Computation of Iowa net income, farming. H. F. 68, Mendenhall.
- Corporations deduct full amount of federal income tax, net income for Iowa income tax. H. F. 120, Stokes; S. F. 151, Sullivan. S.
- Income tax of nonresidents. H. F. 139, Mendenhall and Shaw; S. F. 279, Thordsen and Nicholson.
- Cities, towns, counties, and schools may impose local taxes, also axle tax. H. F. 165, Andersen, et al.; S. F. 172, Erskine.
- Exempt from state income tax a portion of annuities received by retired federal employees. H. F. 196, Andersen, et al.; S. F. 253, Nicholson, et al.
- Provide for allocation of corporate income on basis of sales, property, and payroll. S. F. 242, Hill; H. F. 320, Radl.
- Increase income taxes, allocate to school districts and reduce property tax. S. F. 247, Stephens.
- Provide an exemption from income tax for members of National Guard, duty and active service. H. F. 281, Ellsworth.
- Deduct contributions to individual political candidates from Iowa income tax. H. F. 299, Fischer of Grundy.
- Iowa income tax deduction for adoption expenses. H. F. 340, Kreamer; H. F. 387, Small, et al.
- Reimburse low-income householders for extraordinary property tax burdens, penalty. S. F. 304, Riley.
- Income tax deduction for education expenses. H. F. 343, Kreamer.
- Interest and penalties on Iowa income tax. S. F. 390, Riley.

A simplified reporting form for Iowa income tax, changes in rates, exemptions, and administrative requirements. H. F. 432, Uban, et al.

Sales tax refund for any individual resident who has a net income of \$7,000 or less. S. F. 415, Tapscott, et al.; S. F. 454, Walsh. S.

ADC, blind assistance, and aid to disabled, payment shifted from property tax to sales, income tax and other. H. F. 517, Cochran, et al.; S. F. 436, Tapscott.

State income tax levied on net income. S. F. 448, Tapscott, et al.; H. F. 664, Cochran, et al.

Sales tax refund, \$7,000 or less. S. F. 454, Walsh. (Similar to S. F. 415)

Deduct or claim fuel tax (used for nonhighway purposes) from income tax at end of year. H. F. 576, Schmeiser, et al.

Require Iowa income tax return only if individual owes. H. F. 622, Norpel.

Application of income tax refunds to court-ordered support payments. H. F. 623, Schwieger, et al.

Financing of governmental programs—state aid to schools, etc. H. F. 654, ways and means. (Tax bill)

Limit total state income tax deductions. S. F. 505, ways and means.

Increase rates of personal and corporation income tax, etc. S. F. 519, ways and means.

Inheritance

Full allowance made by court to surviving spouse and dependents, deducted as debt for inheritance tax purposes. H. F. 88, Knoblauch, et al.

Establish full property rights between husband and wife, estates, divorce, etc. S. F. 388, Riley.

Lien of unpaid inheritance tax effective for 20 years, tax appraisals not necessary unless, etc. S. F. 500, judiciary.

Personal Property

Property tax receipts, show where money is apportioned. S. F. 102, Potter; H. F. 168, Rex.

Registration fee on all motorboats and sailboats in lieu of personal property taxes, penalties. S. F. 259, Erskine; H. F. 315, Shaw.

Tax on intangible personal property, penalties. S. F. 445, Arbuckle, et al.

Committee to study the inequities in the taxes on personal property. H. C. R. 46; H. J. 2106.

Property

Ceiling on millage levies for 1971 by all taxing districts, with exceptions. S. F. 33, Griffin.

Redemption of real property, increase rates of interest and penalty. S. F. 35, county government.

Embezzled county funds, replaced by county, maximum 1 mill property tax. H. F. 60, Rex.

Increase property taxation of benefited fire districts. H. F. 65, Mendenhall.

Taxation of mobile homes, same as real property. S. F. 65, county government.

Effective date of certification of payment of taxes (tax sales), 15 days after. S. F. 66, county government.

Notification, upon request, sent to property owner if assessment increases or decreases. S. F. 67, county government; H. F. 87, county government.

Remove three-fourth mill property tax levy for operation of area vocational and community colleges. S. F. 75, Stephens; H. F. 238, Stromer; H. F. 248, Tieden. S.

School district may not obtain more than 50 percent of the general fund expenditures by property tax. S. J. R. 2, Stephens.

Maximum property tax levy, 4 mills, for county general fund. H. F. 89, Mendenhall.

Board of supervisors may levy up to one-fourth mill on property for county civil defense, etc. H. F. 91, Mendenhall.

Property tax receipts, show where money is apportioned. S. F. 102, Potter; H. F. 168, Rex.

Increase property tax exemptions for veterans. S. F. 107, Miller.

May increase mill levy rate for maintenance of cemeteries not owned by townships. H. F. 118, Nystrom and Rex.

Limitations on property tax levy for general fund expenditures of school corporations, etc., appropriation to public instruction for school districts. H. F. 121, ways and means; S. F. 145, ways and means.

Cities, towns, counties, and schools may impose local taxes, also axle tax. H. F. 165, Andersen, et al.

Provide 10-day grace period before interest accrues on unpaid property taxes. S. F. 186, Tapscott; H. F. 242, Kinley.

Maximum net income (\$4,500) persons 65 or older, etc.—receive additional homestead credit. H. F. 200, Andersen; S. F. 213, Erskine.

Exempt facilities used to control air and water pollution from property taxation. S. F. 196, Walsh, et al.; H. F. 309, Winkelman, et al.

Increase fee for issuance of tax deed. H. F. 227, Knoke.

Counties may create an ambulance service expense fund. H. F. 234, Siglin and Rodgers.

Property tax exemption for establishments holding a federal retail liquor sales permit. S. F. 227, Miller, et al.

Temporary (2 years) tax exemption upon improvements to residences. H. F. 260, Bray, et al.

- Increase income taxes, allocate to school districts and reduce property tax. S. F. 247, Stephens.
- Reimburse school districts for loss of tax revenue from certain tax-exempt land. H. F. 279, Schroeder and Knoke.
- Extension of tax exemptions to certain members of reserve components of armed forces. H. F. 282, Ellsworth.
- All property owned by religious institutions not used for worship or education to be taxed. S. F. 252, Griffin and Potgeter.
- Repeal provisions for statewide property tax levy. S. F. 254, Van Gilst; H. F. 318, Dunton.
- File one time for homestead tax credit and disabled veterans tax credit. S. F. 276, Lamborn.
- Property tax freeze, persons 65 years or over, net income, etc. less than \$5,000. S. F. 278, Shaff and Walsh.
- Property tax levy for ambulance service in certain counties. H. F. 328, Strothman.
- Reimburse low-income householders for extraordinary property tax burdens, penalty. S. F. 304, Riley.
- Homestead tax credit allowed to a disabled veteran transferable to a new homestead. S. F. 307, Potter and Potgeter.
- Property tax exemptions to country clubs, fraternal clubs and veterans organizations, liquor stamp. H. F. 344, Kreamer.
- Financing public schools, create basic school boards and equalization of property taxes. H. F. 363, Andersen.
- Increase tax levy for county hospitals. S. F. 355, Tapscott, et al.; H. F. 519, Hill, et al.
- Taxation of private and professional libraries. S. F. 361, Potgeter.
- Disposition of property owned by certain deceased old-age assistance recipients. H. F. 385, Moffitt.
- Forest and fruit tree reservations assessed in same manner as other agricultural land. H. F. 426, Stromer, et al.
- Notification, by county assessor, not later than March 15, valuation of property. H. F. 452, Schmeiser, et al.
- Levy of a tax for buildings and sites in merged areas, not to exceed 10 years. H. F. 467, Lawson, et al.; S. F. 413, higher education.
- Homestead tax credit, affidavit stating owner shall reside in home 6 months. H. F. 493, Priebe, et al.
- Tax exemptions allowed for veterans. H. F. 521, Kennedy. (Same subject matter as S. F. 107)
- Remit, by mortgage to county treasurer, all property taxes collected each month. S. F. 432, Potter.
- Board of review may change assessments of any taxable property. H. F. 528, Priebe and Schmeiser.
- Homestead tax credit for persons 65 or over, or totally disabled, penalties. H. F. 536, Gluba, et al.
- Installment payment of property taxes. H. F. 559, Uban, et al.
- Property tax freeze, persons 65 years or over, or totally disabled, income is less than \$5,000. S. F. 458, Walsh. (Similar subject matter as S. F. 278)
- Property tax levies for basic school tax in Ida, Johnson, and Kossuth Counties. S. F. 462, ways and means.
- Property purchased after July 1 subject to property tax, regardless. H. F. 590, Trowbridge and Grassley.
- Permit city or town to levy, on agricultural land, for street purposes a millage rate equal to county levy for secondary roads. H. F. 595, cities and towns.
- Homestead tax credit for persons 65 or older, or disabled, property tax freeze. H. F. 603, Gluba.
- Create an error, omission and embezzlement fund, tax therefor. H. F. 644, county government.
- Financing of governmental programs—state aid to schools, etc. H. F. 654, ways and means. (Tax bill)
- Community housing development board, create, reimbursement of property tax to developers. S. F. 491, Walsh.
- Establish benefited fire districts. H. F. 663, Rex.
- Establish new state aid plan for school districts, 20 mill property tax, repeals chapter 442 and section 422.78, etc. S. F. 511, ways and means.
- Property tax relief for persons 65 or older, or totally disabled. S. F. 512, ways and means.
- Property now exempt from taxation if used for commercial purposes to be taxed. H. F. 678, Cochran.
- Committee to study feasibility of retaining present property tax exemptions. H. C. R. 45; H. J. 2072.
- Sales**
- Cities, towns, counties, and schools may impose local taxes, also axle tax. H. F. 165, Andersen, et al.; S. F. 172, Erskine.
- One-cent tax on any beverage in a disposable bottle or can, use for development and maintenance of recreational facilities. S. F. 162, Erskine.
- Exempt certain industrial materials and equipment from retail sales and use taxes. S. F. 166, Walsh; H. F. 459, Lawson.

Remove sales and use tax on tangible personal property used as railroad rolling stock. S. F. 177, Shaff, et al.
 Sales and use tax exemptions on expenditures for air and water pollution control. S. F. 195, Walsh, et al.; H. F. 305, Winkelman, et al. S.
 Discounts allowed retail sales tax permit holders. H. F. 256, Stromer, et al.
 Penalty and interest for sales tax. S. F. 349, ways and means.
 Sales and use tax, reciprocity. H. F. 440, Kehe.
 Tax on hotel or motel, etc., accommodations. H. F. 462, ways and means.
 Sales tax refund for any individual resident who has a net income of \$7,000 or less. S. F. 415, Tapscott, et al.; S. F. 454, Walsh. S.
 ADC, blind assistance, and aid to disabled, payment shifted from property tax to sales, income tax and other. H. F. 517, Cochran, et al.; S. F. 436, Tapscott.
 Rate and collection of sales and use taxes. H. F. 570, ways and means. (Similar subject matter as S. F. 477)
 Sales tax refund, \$7,000 or less. S. F. 454, Walsh. (Similar to S. F. 415)
 Exempt sales of tangible personal property to an urban transit company from sales and use tax. S. F. 472, transportation.
 Collection of sales and use taxes, providing for waiver of civil penalty. S. F. 477, ways and means. (Similar subject matter as H. F. 570)
 Permit cities and towns, after approval by voters, to impose a sales tax on tickets to athletic events. H. F. 636, Doyle.
 Increase rate of sales and use tax. S. F. 513, ways and means.
 Sales tax credit, income tax. S. F. 515, ways and means.
 Establish municipal assistance fund, treasurer of state, one-fourth of a one-cent sales tax. S. F. 521, ways and means.
 Remittance of sales and use tax receipts to department of revenue, retailer may deposit an equal amount or 30 percent of preceding quarter. S. F. 574, ways and means.
 Public safety, appropriation to, and sales and use tax on all registered automobiles, etc. S. F. 510, ways and means.

Service

Repeal service tax on coin-operated laundries. S. F. 128, Walsh, et al.; H. F. 339, Ellsworth, et al.
 Exempt municipally-owned parking lots from service tax. H. F. 304, Lipsky, et al.
 Add medical, dental, legal, accounting, engineering, consultant and research services to taxable services. S. F. 440, Potgeter and Potter.
 Tax all taxable services. H. F. 552, Dunton.
 Service tax on new construction. H. F. 553, Dunton.

Surtax

Financing of governmental programs—state aid to schools, etc. H. F. 654, ways and means. (Tax bill)

Use

Cities, towns, counties, and schools may impose local taxes, also axle tax. H. F. 165, Andersen, et al.; S. F. 172, Erskine.
 Exempt certain industrial materials and equipment from retail sales and use taxes. S. F. 166, Walsh; H. F. 459, Lawson.
 Remove sales and use tax on tangible personal property used as railroad rolling stock. S. F. 177, Shaff, et al.
 Sales and use tax exemptions on expenditures for air and water pollution control. S. F. 195, Walsh, et al.; H. F. 305, Winkelman, et al. S.
 Remove exemption on all tangible personal property used in interstate transportation on commerce—use tax. H. F. 406, ways and means.
 Sales and use tax, reciprocity. H. F. 440, Kehe.
 Rate and collection of sales and use taxes. H. F. 570, ways and means. (Similar subject matter as S. F. 477)
 Exempt sales of tangible personal property to an urban transit company from sales and use tax. S. F. 472, transportation.
 Collection of sales and use taxes, providing for waiver of civil penalty. S. F. 477, ways and means. (Similar subject matter as H. F. 570)
 Increase rate of sales and use tax. S. F. 513, ways and means.
 Public safety, appropriation to, and sales and use tax on all registered automobiles, etc. S. F. 510, ways and means.
 Remittance of sales and use tax receipts to department of revenue, retailer may deposit an equal amount or 30 percent of preceding quarter. S. F. 574, ways and means.

TAX SALES—

General

Effective date of certification of payment of taxes (tax sales), 15 days after. S. F. 66, county government.
 County not liable for hazardous condition, etc. on property bought at tax sale. H. F. 104, Schroeder, et al.
 Increase fee for issuance of tax deed. H. F. 227, Knoke.
 Disposition of property owned by certain deceased old-age assistance recipients. H. F. 385, Moffitt.

TAXICABS—

General

Eighteen, minimum age of taxicab drivers. S. F. 258, Tapscott and Carlson.

TEACHERS—

(See Schools, sub-ref. Teachers and/or Retirement)

TELEPHONE—

(See Communications)

TENANT—

General

Rights of a tenant in maintenance and repair of rental property, housing. S. F. 367, Tapscott; H. F. 502, Jesse, et al.

Rental deposits on dwellings, imposing liabilities, penalties. H. F. 392, Johnston, et al.

Each landowner and tenant may receive one license for deer hunting, also limit those licenses. S. F. 385, Conklin.

TERRACE HILL—

General

Authorize executive council to acquire Terrace Hill. S. J. R. 9, Lamborn, et al.; H. J. R. 16, Alt, et al.

THEATERS—

General

Prohibit drive-in theaters from showing "X" rated motion pictures. H. F. 401, Dougherty, et al.

Authorize cities and towns to impose a tax on theaters. H. F. 510, Doyle, et al.

Obscenity and indecent material, etc., penalties. H. F. 571, Kreamer, et al.

TIME—

General

General Assembly endorse efforts of congressmen proposing to amend daylight saving time law. H. C. R. 36; H. J. 1106.

TIRES—

General

Prohibit use of ice grips and tire studs. H. F. 233, Schwieger.

Tax of \$5.00 on each studded tire sold, penalties. H. F. 336, Camp and Tieden.

TITLES—

General

Increase motor vehicle title and registration transfer fees. S. F. 68, county government.

Operation of unregistered vehicles, remove "knowingly" from statute, alteration of "titles" or "registration," etc. S. F. 547, transportation.

TOBACCO—

(Also See Tax, sub-ref. Cigarettes—Tobacco)

General

Increase tax on cigarettes. H. F. 177, ways and means; S. F. 228, ways and means.

TORT CLAIMS—

General

Tort liability of school districts and municipalities. H. F. 105, Alt; S. F. 220, Stephens.

Appeal board cannot pay claims over \$5,000 without approval of legislature. S. F. 192, Graham; S. F. 221, Stephens. S.

Definition of a nonresident for the purpose of making service of process. S. F. 225, Gaudineer.

Allows governing body of any municipality to delegate its power to compromise, adjust and settle tort claims. H. F. 342, Kreamer.

Nonnegligent damages caused by the highway patrol. S. F. 400, Lamborn.

Tort claims act, clarify original intent. S. F. 520, judiciary.

TOWING—

General

Alternate safety devices in lieu of safety chains for towing vehicles. H. F. 213, Winkelman, et al.

TOWNSHIPS—

General

May increase mill levy rate for maintenance of cemeteries not owned by townships. H. F. 118, Nystrom and Rex.

Establishing precinct boundaries, cities and towns and townships, etc., population. H. F. 119, Drake; S. F. 187, Potgeter. (See sections 21, 22, and 23 of H. F. 713)

Board of supervisors may combine 2 or more townships to make one election precinct. S. F. 115, Rabedaux; H. F. 230, Rex.

Correct H. F. 119—population of election precincts. H. F. 632, state government. (See sections 21, 22, and 23 of H. F. 713)
Election laws. H. F. 713, Drake and Uban. (See H. F. 119)

TRADE—

General

Enlarge purposes for which cities and towns may issue bonds to develop commercial projects. H. F. 332, Holden, et al.
Deceptive trade practices and providing for civil remedies. S. F. 382, DeKoster and Gaudineer; H. F. 487, Kreamer.

Secrets

Deceptive trade practices and providing for civil remedies. S. F. 382, DeKoster and Gaudineer; H. F. 487, Kreamer.

TRADEMARKS—

General

Deceptive trade practices and providing for civil remedies. S. F. 382, DeKoster and Gaudineer; H. F. 487, Kreamer.
Remedies for dilution of the distinctiveness of a mark (trademarks, etc.). S. F. 473, judiciary.

TRADING STAMPS—

(See Stamps, sub-ref. General)

TRAFFIC—

General

Slow-moving vehicle warning devices, flashing amber lights. H. F. 46, Rex.
Control of traffic and parking of vehicles at board of regents institutions. S. F. 120, higher education; H. F. 162, higher education.
Local authorities designate snow routes, regulate traffic. H. F. 181, Alt, et al.; S. F. 353, cities and towns. S.
Traffic control signals, right turns may be made if sign indicates. H. F. 262, Wells, et al.; S. F. 293, law enforcement. S.
Authorize county boards of supervisors to adopt and enforce certain traffic ordinances, penalties. S. F. 484, county government.

TRAFFIC VIOLATIONS—

General

Forbid use of highways to habitual offenders of traffic laws, punishment. S. F. 268, DeKoster and Griffin.
Provide for uniform traffic summons and a schedule of minimum fines for certain traffic violations. H. F. 423, Kehe, et al.
Consolidate all trial courts into a unified trial court—district court judges and magistrates. S. F. 428, judiciary.

TRAILERS—

(See Motor Vehicles, sub-ref. Trailers)

TRAINING SCHOOLS—

(See Schools, sub-ref. Training)

TRANSIT SYSTEMS—

General

Decrease annual registration fee for urban transit company vehicles. S. F. 471, transportation.
Exempt sales of tangible personal property to an urban transit company from sales and use tax. S. F. 472, transportation.
Franchises for transit systems, etc., counties right to grant. S. F. 493, Walsh.

TRANSPORTATION—

General

Maintenance of access roads. H. F. 10, Holden, et al.; S. F. 4, Briles, et al.
Amount of motor vehicle fees retained by counties, registration, titles, etc. H. F. 12, Drake, et al.; S. F. 11, Curran, et al.
Prohibit hitchhiking on or near an interstate road. H. F. 44, Doyle.
Slow-moving vehicle warning devices, flashing amber lights. H. F. 46, Rex.
Mobile homes and vehicles, movement of oversized. H. F. 48, Schroeder.
Increase speed limit for motor vehicles drawing trailers. H. F. 54, Doyle.
Confiscation of motor vehicles, unlawful transportation of drugs. H. F. 53, Doyle, et al.
Highway commission advance state funds only after federal funds have been allotted for primary roads. H. F. 108, Goode.
Commerce commission may issue certificates of convenience to motor vehicle carriers without a public hearing. S. F. 89, Neu, et al.; H. F. 136, Shaw, et al.
Penalties for unlawfully transporting intoxicating liquors. S. F. 93, Kennedy; H. F. 125, Doyle.
Mudguards on motor trucks, etc. H. F. 203, Freeman, et al.
Require motor trucks, etc., carrying certain kinds of freight to be covered. H. F. 205, Doyle, et al.
Alternate safety devices in lieu of safety chains for towing vehicles. H. F. 213, Winkelman, et al.

- Prohibit use of ice grips and tire studs. H. F. 233, Schwieger.
 Time of filing for motor fuel and special fuel tax refunds. H. F. 255, Fischer of Grundy.
 Machinery or equipment for soil conservation work also excluded from restrictions on highway. S. F. 238, Balloun.
 Eighteen, minimum age of taxicab drivers. S. F. 258, Tapscott and Carlson.
 Emergency vehicles owned by a city or town may use flashing blue or red lights. H. F. 319, Doyle and Rodgers.
 Motor vehicle inspection and safety, penalties. S. F. 297, law enforcement.
 Travel trailers, exclude weight limitation, increase length—speed limits, etc. S. F. 314, Keith and DeKoster; H. F. 336, Waugh, et al.
 Limit length of combination of vehicles. S. F. 364, Griffin and Kennedy.
 Committee to study the feasibility of establishing a department of transportation, submit report. S. C. R. 25; S. J. 470, 495, 664, 1151 adopted; H. J. 1320.
 Remove exemption on all tangible personal property used in interstate transportation or commerce—use tax. H. F. 406, ways and means.
 Require proof of financial responsibility at time of registration of motor vehicles. H. F. 428, Mendenhall.
 Authorize issuance of industrial aid bonds for railroad and bus transportation, hospital, clinic, and health care facilities, and industrial pollution control projects. H. F. 418, Hansen and Holden.
 Crash-resistant automobile bumpers, penalties. S. F. 384, Van Drie; H. F. 430, Schwieger, et al.
 Allocation and limitation of mileage, combined freeway-expressway, arterial system, and arterial connectory systems. H. F. 484, Ellsworth.
 Allow children enrolled in project headstart to ride public school buses. H. F. 486, Small.
 Transportation of nonpublic school children. H. F. 488, Small.
 Statutory distance requirements for transportation of public school pupils. H. F. 450, Alt.
 Distance requirements for high school pupils to be transported by school bus. H. F. 468, Alt.
 Overall length of combinations of vehicles. S. F. 446, transportation. (Same subject matter as S. F. 364)
 Decrease annual registration fee for urban transit company vehicles. S. F. 471, transportation.
 Exempt sales of tangible personal property to an urban transit company from sales and use tax. S. F. 472, transportation.
 Monetary penalty against trucking companies violating terms of their certificates of convenience and necessity re routes and schedules of service. H. F. 620, Dunton.
 Temporary restrictions on weight and load of motor vehicles, penalties. H. F. 629, transportation; S. F. 537, transportation.
 Owner of abandoned railway right-of-way responsible for removal of tracks and repair of highway. H. F. 626, Ewell.
 Franchises for transfer systems, etc., counties right to grant. S. F. 493, Walsh.
 Flashing emergency lights on motor vehicles. H. F. 658, transportation.
 Control of access to highways in secondary road system. H. F. 473, Taylor, et al.
 Reduce motor fuel tax refunds allowable on aircraft, divide unclaimed refunds between airports, etc. S. F. 535, transportation.
 Operation of unregistered vehicles, remove "knowingly" from statute, alteration of "titles" or "registration," etc. S. F. 547, transportation.
 Possession of owner-occupied property condemned for highway purposes, acquired within 6 months. H. F. 347, Holden; S. F. 441, transportation.
 Junkyards along highways, "Iowa Junkyard Beautification Act." H. F. 734, transportation.
 Control and regulate outdoor advertising along Interstate and federal aid primary highways. H. F. 737, transportation.

TRAVEL—

General

- Out of state travel expenses for state employees, executive council establish policy. H. F. 19, Welden, et al.; S. F. 46, Curran, et al.

TREASURER OF STATE—

General

- Increase excise tax on motor fuel, portion going to cities and towns and grade separations. S. F. 25, Griffin.
 Annual budgeting and reporting for state departments. S. F. 112, Hill and Potter.
 Four-year terms for governor, lieutenant governor, secretary of state, treasurer, auditor and attorney general. H. J. R. 7, Schwieger, et al.
 Exempt supervisory employees and their confidential assistants of elected officials, etc., from merit system. H. F. 253, Fischer of Grundy, et al.
 Disposition of abandoned motor vehicles, penalties. H. F. 285, Kehe and Alt.
 Exempt employees of elected officials from provisions of merit system. S. F. 273, Mowry, et al.
 Reversion of unclaimed postal savings system accounts to the state. S. F. 325, Mowry; H. F. 397, Pelton.

Permits to carry concealed weapons, penalties. S. F. 356, Gaudineer, et al.
 Establish a water conditioning examining board, license and regulate contractors for. S. F. 399, Shaff; H. F. 480, Alt.
 Establish a professional standards board governing approval of teacher preparation institutions and certification of teachers, replace board of educational examiners. H. F. 471 Willits.
 Establish board of optometry, restructure operations, etc. of present board. H. F. 524, Freeman, et al.
 Create state records commission. H. F. 597, Welden.
 Provide method for payment of damages caused by hunters, penalties. S. F. 482, Shawver, et al.
 Permit cities and towns, after approval by voters, to impose a sales tax on tickets to athletic events. H. F. 636, Doyle.
 Appropriate to treasurer of state. S. F. 576, appropriations.
 Treasurer of state, statutory salary of. H. F. 739, appropriations.
 Create an alcoholism rehabilitation fund, impose tax on consumers of alcoholic beverages. H. F. 743, Kruse, et al.

Funds

Governor-elect expense fund. H. F. 4, Welden, et al.; S. F. 14, Curran and Neu.
 Establish an environmental pollution control loan authority. H. F. 61, Winkelman.
 Deposit of receipts from taxation of real estate transfers, 50 percent state general fund, 50 percent county. S. F. 64, county government.
 Deposits of public funds, invested in United States notes, certificates, bonds or other. S. F. 69, county government; H. F. 86, county government.
 Establish a municipal tax relief fund. S. F. 80, Milligan and Carlson; H. F. 113, Alt, et al.
 Establish chiropractic examining board fund, increase license renewal fee. S. F. 138, Miller.
 Cities, towns, counties, and schools may impose local taxes, also axle tax. H. F. 165, Andersen, et al.; S. F. 172, Erskine.
 Counties may enter into agreements with community health centers for their services, appropriation. S. F. 142, Briles and Miller; H. F. 284, Mendenhall, et al.
 One-cent tax on any beverage in a disposable bottle or can, use for development and maintenance of recreational facilities. S. F. 162, Erskine.
 Combine county fund for mental health with state institution fund. S. F. 185, Miller, et al.; H. F. 321, Shaw, et al.
 Deposit and investment of public funds. S. F. 243, county government; H. F. 334, county government.
 Reimburse school districts for loss of tax revenue from certain tax-exempt land. H. F. 279, Schroeder and Knoke.
 Establish plumbing code for installation of plumbing and certification of plumbers, fee. H. F. 311, Nystrom, et al.
 Fees for census searches charged by department of history and archives. S. F. 290, Nicholson, et al.; H. F. 369, Holden.
 Vietnam veterans' service compensation fund, bonds. H. F. 352, Wyckoff and Ellsworth.
 Create a vocational youth organization fund, appropriation. H. F. 457, Kreamer.
 Taxation of credit cards, penalties. S. F. 429, Arbuckle.
 Create an error, omission and embezzlement fund, tax therefor. H. F. 644, county government.
 Community housing development board, create, reimbursement of property tax to developers. S. F. 491, Walsh.
 Establish municipal assistance fund, treasurer of state, one-fourth of a one-cent sales tax. S. F. 521, ways and means.

TREES—

General

Trespassing—digging, etc., or cutting down of trees—stone, minerals, fruit, etc., penalties. S. F. 176, Stephens.
 Forest and fruit tree reservations assessed in same manner as other agricultural land. H. F. 426, Stromer, et al.

TRESPASSING—

General

Trespassing on public property, penalties for violations. H. F. 155, higher education.
 Trespassing—digging, etc., or cutting down of trees—stone, minerals, fruit, etc., penalties. S. F. 176, Stephens.
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General

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General

Real estate investment trust may pay higher rate of interest. H. F. 254, Shaw.
Private foundations and charitable trusts, tax advantages. S. F. 347, DeKoster
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TUITIONS—

(Also See Schools, sub-ref. Tuition and/or Colleges—Universities)

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and Knoke.
Include students of schools of nursing in tuition grant programs. S. F. 380,
Riley, et al.; H. F. 448, Shaw, et al.
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medical student tuition loan programs. S. F. 528, appropriations.
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S. F. 592, appropriations.

UNCLAIMED PROPERTY—

General

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UNCLAIMED PROPERTY ACT—

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Unemployment Compensation

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Unemployment compensation benefits, which employer to be charged. H. F.
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UNIFORM DISPOSITION OF UNCLAIMED PROPERTY ACT—

General

Reversion of unclaimed postal savings system accounts to the state. S. F.
325, Mowry; H. F. 397, Pelton.

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 Eligibility for unemployment compensation for veterans. S. F. 70, Briles, et al.; H. F. 97, Anania and Fischer of Grundy.
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 File one time for homestead tax credit and disabled veterans tax credit. S. F. 276, Lamborn.
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 Homestead tax credit allowed to a disabled veteran transferable to a new homestead. S. F. 307, Potter and Potgeter.
 Vietnam veterans' service compensation fund, bonds. H. F. 352, Wyckoff and Ellsworth.
 Tax exemptions allowed for veterans. H. F. 521, Kennedy. (Same subject matters as S. F. 107)
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General

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VOCATIONAL SCHOOLS—

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- Liability of a warehouseman for grain in his licensed facilities. H. F. 237, Fischer of Grundy and Logemann.
- Issuance of scale weight tickets and warehouse receipts. H. F. 424, Fischer of Grundy.
- Transfer supervision over bonded warehouses from commerce commission to department of agriculture. H. F. 665, Logemann.

WARRANTS—

General

- Payment of claims, also certified original invoice can be used. H. F. 283, state government.

WATCHMAKER—

General

- Watchmaking, abolish board of examiners, etc. S. F. 499, state government.
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General

- Removes power of eminent domain for utilization of water or water power. H. F. 26, Holden, et al.; S. F. 19, Briles, et al.
- Use of eminent domain by boards of supervisors for any secondary road, water-course, etc. H. F. 28, Holden, et al.; S. F. 6, Briles, et al.
- Conservation commission may establish uses and fees for use of state-owned land bordering on streams or lakes, zoning. S. F. 95, Kennedy, et al.; H. F. 410, Shaw and Drake.
- Water safety regulations, water-skiing, etc., sunrise to sunset. S. F. 159, conservation and recreation.
- Acquisition of property by public bodies, corporations and individuals. (Place grants of eminent domain into one chapter) S. F. 189, Briles, et al.; H. F. 314, Holden, et al. S.
- Designating a certain water area of the Wapsipinicon river as an artificial lake. S. F. 287, Robinson; H. F. 437, Lipsky.
- Authority of boat inspector, water safety officers, etc. to board and inspect vessels, penalties. S. F. 316, conservation and recreation.
- Boarding and inspection of vessels, penalty. S. F. 391, conservation and recreation.
- Establish a water conditioning examining board, license and regulate contractors for. S. F. 399, Shaff; H. F. 480, Alt.
- Sanitary and improvement districts. S. F. 430, Griffin; H. F. 586, Mollett.
- Authorize cities and other governmental bodies to form a public authority, electric power and energy, gas, or water. H. F. 563, cities and towns.
- Regulated use of ground water. H. F. 605, county government.
- Zoning regulations within prescribed distances of highways, parks, recreational areas, and navigable rivers, planning and programming. H. F. 610, Norpel, et al.
- Establishment of water flowing standards. S. F. 502, environmental preservation.
- Permit cities, not less than 13,000 nor more than 17,000 population, located on a navigable river, construction of a waste treatment facility. (Keokuk) S. F. 538, cities and towns; H. F. 707, cities and towns.
- Establish an Iowa natural and scenic rivers system. H. F. 712, Tieden, et al.
- Prohibit littering on any private or public land or water, penalties. H. F. 714, Kelly.

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- Conservation of soil and water resources, control of water pollution. H. F. 73, Varley, et al.; S. F. 61, Laverty, et al.

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General

- Increase registration fees for motorboats. S. F. 96, Curran and Neu; H. F. 138, Shaw.
- Water safety regulations, water-skiing, etc., sunrise to sunset. S. F. 159, conservation and recreation.
- Registration fee on all motorboats and sailboats in lieu of personal property taxes, penalties. S. F. 259, Erskine; H. F. 315, Shaw.
- Designating a certain water area of the Wapsipinicon river as an artificial lake. S. F. 287, Robinson; H. F. 437, Lipsky.
- State conservation commission promulgate and enforce departmental rules, safe operation of watercraft. H. F. 330, conservation and recreation.
- Authority of boat inspector, water safety officers, etc., to board and inspect vessels, penalties. S. F. 316, conservation and recreation.
- Boarding and inspection of vessels, penalty. S. F. 391, conservation and recreation.

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WATER POLLUTION CONTROL COMMISSION—

General

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Increase tax on cigarettes. H. F. 177, ways and means; S. F. 228, ways and means.
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Reimburse school districts for loss of tax revenue from certain tax-exempt land. H. F. 279, Schroeder and Knoke.
Provide an exemption from income tax for members of national guard, duty and active service. H. F. 281, Ellsworth.
Extension of tax exemptions to certain members of reserve components of armed forces. H. F. 282, Ellsworth.
Impose a tax on trading stamps, penalties. H. F. 290, Rodgers, et al.
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Forest and fruit tree reservations assessed in same manner as other agricultural land. H. F. 426, Stromer, et al.
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Increase tax on mobile homes. H. F. 558, Dunton.
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Reimburse local taxing authorities for loss of tax revenue from certain state tax-exempt real estate. H. F. 549, Schroeder.
Confidential information obtained by department of revenue may be divulged to other state officers. H. F. 550, ways and means.
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 Increase registration fees for snowmobiles, disposition of fees. S. F. 463, ways and means.
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 Collection of sales and use taxes, providing for waiver of civil penalty. S. F. 477, ways and means. (Similar subject matter as H. F. 570)
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 Permit cities and towns, after approval by voters, to impose a sales tax on tickets to athletic events. H. F. 636, Doyle.
 Create an error, omission and embezzlement fund, tax therefor. H. F. 644, county government.
 Financing of governmental programs—state aid to schools, etc. H. F. 654, ways and means. (Tax bill)
 Limit total state income tax deductions. S. F. 505, ways and means.
 Public safety, appropriation to, and sales and use tax on all registered automobiles, etc. S. F. 510, ways and means.
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 Increase tax on beverages containing alcohol. S. F. 514, ways and means.
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 Increase rates of personal and corporation income tax, etc. S. F. 519, ways and means.
 Establish municipal assistance fund, treasurer of state, one-fourth of a one-cent sales tax. S. F. 521, ways and means.
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 Permits to carry concealed weapons, penalties. S. F. 356, Gaudineer, et al.

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General

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Reports	315, 316, 612, 844, 858, 973, 1110, 1111, 1131, 1132, 1354, 1527, 1528, 1560, 1561, 1576, 1577, 1634, 1635, 1703, 1722, 1757, 1859, 1951, 1963, 1964, 2005

ARBUCKLE, R. DEAN—Senator Twenty-eighth District

Bills introduced — 32, 84, 99, 131, 135, 155, 181, 195, 196, 240, 273, 299, 301, 375, 401, 404, 429, 445.	
Amendments filed	272, 331, 334, 371, 847, 1017, 1052, 1114, 1147, 1189, 1246-1248, 1317-1319, 1419, 1681-1685, 1758
Amendments offered	344, 345, 486, 766, 873, 1158, 1305, 1454, 1568, 1569, 1763

Amendments withdrawn	1158, 1467
Call of the Senate requested	1774
Committee appointments	11, 14,
16, 25, 42, 128, 516, 786, 885, 1131, 1457, 1458, 1634, 1898,	2037
Petitions presented	111, 307, 459, 559, 618, 890, 911
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Amendments filed	165, 261,
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344, 356, 481, 562, 580, 934, 1038, 1048, 1180, 1650, 1782, 1872, 1999	
Amendment withdrawn	168, 345, 357, 1180
Call of the Senate requested	483, 1436
Committee appointments	
.....16, 33, 41, 516, 786, 1457, 1458, 1633, 2008	
Interim committee appointments	2041, 2062
Petitions presented	222, 263, 387, 523, 542, 681, 780, 890, 1296
Presided at sessions of the Senate	242, 653, 654, 718, 899, 1215
Reports	77-83, 854, 918, 1772, 1913, 1985, 2017
Resolutions offered	351

BASS, EARL G.—Senator Forty-first District

Bills introduced — 113, 129, 240, 445.	
Amendments filed	385, 522, 667, 699, 831, 1286, 1727
Amendments offered	610, 763, 765, 804, 934, 982, 993, 1641
Committee appointments	
.....16, 25, 34, 129, 333, 516, 900, 1354, 1632, 1633, 1886	
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Petitions presented	172, 425, 434, 458, 559, 780, 1150
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Amendments filed	110, 352, 374, 408, 556, 557, 572, 575, 590, 680, 698, 700, 1163, 1185, 1491, 1743
Amendments offered	607, 609, 634, 654, 874, 896, 1853
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Interim committee appointments	2041, 2061
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BROWNLEE, S. J.—Senator Eighth District

Bill introduced — J.R. 7; 3, 99, 169, 273, 300, 419.	
Amendments filed	180, 616, 909, 1053-1054, 1188, 1493
Amendments offered	56, 214, 1047, 1067, 1819, 1873
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Committee appointments	16, 23, 42, 132, 419, 515, 1156, 1457, 1634, 1742
Interim committee appointments	2041, 2061
Petitions presented	1229
Presided at sessions of the Senate	355, 723, 726, 1089, 1101, 1149, 1158, 1198, 1200, 1215, 1228, 1281, 1400, 1432, 1433, 1438, 1460, 1462, 1475, 1489, 1496, 1549, 1557, 1571, 1573, 1606, 1612, 1614, 1641, 1652, 1691, 1708, 1712, 1713, 1715, 1740, 1755, 1761, 1764, 1777, 1804, 1811, 1816, 1817, 1858, 1919, 1996, 2001, 2010, 2017, 2027, 2031
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Amendments filed	575, 1078, 1146, 1491, 1636, 1966
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Amendments filed	143, 305, 422, 925, 942, 1319-1321, 1365-1391, 1507, 1636-1637
Amendments offered	296, 365, 451, 550, 610, 723, 730, 994, 1048, 1155, 1230, 1321-1323, 1398, 1766, 1844, 1996
Call of the Senate requested	951, 956, 1525, 2032
Committee appointments	2, 16, 42, 73, 129, 277, 515, 584, 1131, 1457, 1631, 1633, 1634, 1742, 1898, 2037
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Amendments filed	1889
Amendments offered	1896
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DAVIS, WILSON L.—Senator Fiftieth District

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Amendments filed												
	474,	830,	1034,	1164,	1188,	1312-1317,	1355-1359,	1420,	1579				
Amendments offered								999, 1088, 1178, 1483, 1590,	1693			
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Resolutions offered								11,	351,	430		

DeKOSTER, LUCAS J.—Senator First District, Assistant Majority Floor Leader

Bills introduced—J.R. 7;	7,	99,	104,	118,	131,	190,	196,	268,
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506.								
Amendments filed								
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811,	814,	926-927,	928,	975,	1056,	1117,	1119,	1147,
1151,	1188,	1323,	1355-1359,	1561-1562,	1579-1580,	1580,	1726-1727,	1758,
1969-1980								
Amendments offered					56,	200,	201,	215,
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322,	345,	356,	599-602,	762,	835,	914,	915,	1065,
1151,	1152,	1171,	1172,	1200,	1201,	1396,	1587,	1590,
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Amendments withdrawn					200,	915,	1151,	1398,
1812								
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Committee appointments								
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1634,	1898,	2011						
Interim committee appointments								2063
Petitions presented					222,	294,	577,	796,
1081,	1249							
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Amendments withdrawn	1655
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Amendments withdrawn	1478, 1606, 1607, 1608, 1611, 1619 1648
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Committee appointments	
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	314, 366, 410.
Amendments filed	304, 331, 433, 829, 1164-1167, 1365-1391, 1727, 1808
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Appointed to Interstate Cooperation Commission	1070							
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9,	18,	24,	65,	115,	129,	515,	587,	807,
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Interim committee appointments	2062							
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1,	31,	194,	294,	424,	477,	628,	651,	781,
833,	862,	1296,	1604					
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Bills introduced—J.R. 7:	52,	99,	102,	112,	134,	214,	240,	261,
272,	300,	307,	343,	352,	359,	369,	393,	408,
409,	410,	416,	424,	432,	440,	467.		
Amendments filed	165,	205,	317,	638,	639,	668,	720,	
942,	963,	1054,	1096,	1112,	1115,	1118,	1324,	1365-1391,
1507,	1529-1530							
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Amendments withdrawn	311							
Call of the Senate requested	1436,	1774,	1802,	1817				
Committee appointments	13,	18,	516,	1157,	1458,	1634,	1753	
Petitions presented	207,	477,	559,	560,	627,	1149,	1249	
Presided at sessions of the Senate	478,	1994						
Reports	64,	65,	684,	1783-1802,	1914,	1985		
Resolutions offered	351,	1855						

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Amendments offered	585, 703, 725, 726
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Amendments offered	1891
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Interim committee appointments	2042, 2063
Petitions presented	559, 618, 627, 628
Presided at sessions of the Senate	378, 1586, 1749
Reports	242, 623, 1426, 1703, 1783-1802, 1878, 1911, 1915, 1917
Resolutions offered	351, 430
Rulings	1587, 1750

RILEY, TOM—Senator Twenty-third District

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Resolutions offered	351, 430
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Minority Floor Leader

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Amendments filed	305, 422, 423, 500, 638, 848, 963, 1188, 1189, 1321-1323, 1743
Amendments offered	309, 347, 365, 578, 874, 992, 1002, 1043, 1067, 1198, 2009
Appointed to Departmental Rules Review Committee	76, 1032
Appointed to Interstate Cooperation Commission	1070
Call of the Senate requested	951, 957, 1525, 2032
Committee appointments	11, 19, 25, 42, 128, 271, 516, 664, 1070, 1354, 1632, 1633, 1886
Interim committee appointments	2061, 2062
Petitions presented	459
Presided at sessions of the Senate	865
Reports	242, 660, 1771, 1983, 1984
Resolutions offered	351, 430, 959

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Amendments filed	615,	671,	698,	733-735,	960-962,	963,	1188,	1285, 1743
Amendments offered	917,	1171,	1575,	1640				
Amendments withdrawn	917							
Call of the Senate requested	1436							
Committee appointments	19,	42,	515,	516,	823,	1042,	1632,	1633
Petitions presented	446,	541,	559,	577,	628,	701,	716,	781, 978, 1037
Reports	543,	684,	1022,	1426,	1770,	1913		
Resolutions offered	351,	430,	499					
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178, 219, 220, 221, 222, 240, 247, 273, 375, 482.	
Amendments filed	
...304, 371, 375, 384, 501, 557, 814, 831, 925, 1163, 1577, 1636	
Amendments offered	461, 462, 826, 992, 1089, 1282, 1638, 1639, 1989
Amendments withdrawn	309, 437, 528, 838, 1640
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Committee appointments	14, 19, 42,
52, 128, 277, 515, 584, 690, 723, 967, 1457, 1632, 1633, 1742, 1886	
Petitions presented	424, 434, 542, 559, 965, 1101
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330, 419, 543, 717, 890, 1297, 1427, 1583, 1880, 1910, 1911, 1917, 1986	

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